Then we provide further—
That the provisions of this section shall not apply to merchant seamen.

Mr. SPOONER. That was not in the Senate bill.
Mr. JONES of Arkansas. Where is the Senator reading?
Mr. PETTIGREW. On page 9 of the last print.
Mr. JONES of Arkansas. Of what print—the 19th?
Mr. PETTIGREW. Yes; the print of the 19th of April. I do not know whether they have a law with regard to seamen or not in Hawaii. I have looked at the code or this print of the laws of Hawaii, and I can not find it, but I have had only a brief time to examine it. However, under our law the Supreme Court have held that seamen can be imprisoned and returned to the ship and compelled to complete their contract. But in 1890 we amended the law so that the provisions with regard to enforced service did not apply to seamen who had contracted for service in the domestic trade, the coast trade.

Now, it seems to me that we ought not to do more in Hawaii than extend the provisions of our own laws. I do not believe that in the foreign service a man should be compelled to finish his contract if he did not want to do it. I think there should be some other remedy besides enforced service. But I do object to extending to Hawaii the provisions of any law that are more stringent than ours. Therefore I am desirous of knowing whether they have a law with regard to enforcing contracts with seamen for service, and what it is, and where it is.

Mr. CULLOM. I do not care to take up time now in discussing the bill any further, except to say that one of my reasons for asking for the postponement of the consideration of the report until to-morrow, or some other day, is for the purpose of seeing in the Record the exact language of the bill, so that if it has to go back to conference we will know what has been said about it and be more ready to dispose of it.

Mr. JONES of Arkansas. I want to say that the Senator, in going over the bill in a hasty sort of way, referring to sections and saying they had been or had not been amended, etc., a number of times saying to the Senate that he was fatigued and intimating he did not want to be interrupted, has prevented a number of us from asking questions and getting an explanation about matters in the conference report that are not satisfactory to me as they are now. I regret that all these provisions have not been gone over and understood. I should like to ask the Senator one question that I wanted to ask while he was going through with the report; and that is the parliamentary condition as to two lines on page 42 of the print of the 19th, lines 8 and 9, that—

All officers appointed under the provisions of this section shall be citizens of the Territory of Hawaii.

This print is in italics in the print of the 19th, and, as I understand, that was agreed to in the conference; it was proposed as an amendment in conference.

Mr. CULLOM. On page 44?
Mr. JONES of Arkansas. On page 42, lines 8 and 9.
Mr. CULLOM. "All persons appointed under the provisions of this section shall be citizens of the Territory of Hawaii."
Mr. JONES of Arkansas. Yes; I want to know the parliamentary status of that provision.

Mr. CULLOM. That was in the conference report.
Mr. JONES of Arkansas. That was agreed to in conference?
Mr. CULLOM. It was agreed to in conference.
Mr. JONES of Arkansas. Was it a conference amendment?
Mr. CULLOM. No; it was a House amendment.
Mr. JONES of Arkansas. And the Senate conference receded from the disagreement of the Senate?
Mr. CULLOM. The Senate receded from its disagreement and agreed to it.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the further consideration of the report may be postponed? Is there objection?

Mr. PETTIGREW. Mr. President, I want to call the attention of the Senator to one other provision, and that is with regard to the income tax. I notice that there is an amendment in the bill, apparently made in conference, which seems not to repeal the income tax heretofore in force in Hawaii.

Mr. CULLOM. I do not recollect certainly whether that is in or out of the conference bill. Where does the Senator find it?
Mr. PETTIGREW. I merely wish to call the Senator's attention to it. I do not care to—

Mr. CULLOM. I think it appears in some other class.
Mr. PETTIGREW. I think you will find it on page 4 of the bill.

Mr. CULLOM. I see it. My impression is that it is in again.
Mr. PETTIGREW. Somewhere else?
Mr. CULLOM. Somewhere else.
Mr. PETTIGREW. I just wished to call attention to that fact now.

The PRESIDENT pro tempore. Is there objection to postponing the further consideration of the conference report? The Chair hears none, and it is postponed.

Mr. HOAR. Until when?
Mr. CULLOM. Until—

The PRESIDENT pro tempore. The request was that it should be postponed.

Mr. CULLOM. I said until to-morrow.

The PRESIDENT pro tempore. Notice has been given that—
Mr. HOAR. I do not want to interfere with the order of business by a mere trilling suggestion; but I remember once, in the other House, making a point that a conference report could not be indefinitely postponed under the peculiar rules that apply to that order of business, and it was sustained by Mr. Speaker Blaine, who held that it must be postponed to a fixed time.

Mr. CULLOM. I think it should be postponed until to-morrow.

The PRESIDENT pro tempore. It certainly cannot be postponed indefinitely.

Mr. HOAR. I suggest, therefore, that it be postponed until to-morrow.

Mr. CULLOM. I simply ask that it be postponed until to-morrow or to suit the convenience largely of the Senate before we take it up.

The PRESIDENT pro tempore. Without objection, the report is postponed until to-morrow.
Mr. CULLOM. I ask leave to interfere with the morning business sufficiently to ask the President of the Senate to lay before the Senate again the conference report which was considered on yesterday, so that we may have a vote and disagree to the report, if that is the sense of the Senate, in order that further action may be taken in conference.

The PRESIDENT pro tempore. Can not the Senator withhold that request for a few moments, until the morning business is completed?

Mr. CULLOM. I suppose there will be no discussion of the subject.

The PRESIDENT pro tempore. The Chair lays before the Senate the conference report, which will be stated.

The SECRETARY. Report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 223) to provide a government for the Territory of Hawaii.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was rejected.

Mr. CULLOM. I move that the Senate further insist upon its disagreement to the amendment made by the House of Representatives and ask for a further conference.

The PRESIDENT pro tempore. Is that the pleasure of the Senate?

Mr. PETTIGREW. Mr. President, I do not think that ought to be done. This is a bill which the Senate passed. The House struck out the entire Senate bill and passed an entirely new measure, containing very much of the matter that was in the Senate provision. The bill is in the hands of the Senate; it is not in conference; and we can take up the bill in the Senate and amend the House amendment and return it to the House for their concurrence, and the conference thereby might be entirely obviated.

There are so many important provisions in the bill that this course ought to be pursued in connection with it, and in my opinion it is the quickest and easiest way to secure the passage of the bill into a law.

Mr. CULLOM. I suppose there is only one course to pursue with reference to the conference report, and that is to agree to it or disagree to it.

Mr. PLATT of Connecticut. We have disagreed to it.

Mr. PETTIGREW. We have disagreed to it.

Mr. CULLOM. We have disagreed to it so far.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Illinois that the Senate insist on its disagreement and request a further conference.

The motion was agreed to.

Mr. CULLOM. I ask that the conferees on the part of the Senate be appointed by the Chair, and that, in the absence of the Senator from Massachusetts [Mr. LODGE], the Senator from Wyoming [Mr. CLARK] be substituted in his place.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate at the further conference, and Mr. CULLOM, Mr. CLARK of Wyoming, and Mr. MORGAN were appointed.

The SPEAKER. The Chair lays before the House the Hawaiian conference bill.

The Clerk read as follows:

Resolved, That the Senate further insist upon its disagreement to the amendments of the House of Representatives to the bill (S. 223) to provide a government for the Territory of Hawaii, and asks for a further conference with the House on the disagreeing votes of the two Houses thereto.

Ordered, That Mr. CULLOM, Mr. CLARK of Wyoming, and Mr. MORGAN be the conferees on the part of the Senate.

Mr. KNOX. Mr. Speaker, I move that the House further insist upon its amendments and agree to the conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. KNOX, Mr. HITT, and Mr. MOON.
Mr. CULLOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 222) to provide a government for the Territory of Hawaii, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows:

Section 1, line 8, after the word "Hawaii," insert the words "in force."
Section 4, line 3, after the word "States," insert the words "resident in the Hawaiian Islands."
Section 4, line 1, strike out the words "in the Hawaiian Islands" and insert in lieu thereof the word "there."
Section 5, line 1, strike out all after the word "That" to and including the word "provided."
Section 5, line 2, after the word "Constitution," insert a comma; after the word "and" insert a comma and the words "except as herein otherwise provided: " after the word "States" insert the words "which are not."
Section 5, lines 2 and 3, strike out the word "applicable" and insert in lieu thereof the word "inapplicable."
Section 6, line 1, strike out the words "obligations, contracts."
Section 10, line 13, after the word "law," insert the words "No person shall be subject to imprisonment for nonpayment of taxes nor for debt."
Section 10, line 29, after the word "not," strike out the word "apply" and insert the words "modify or change the laws of the United States applicable."
Section 11, line 2, after the word "shall," insert the word "hereafter."
Section 18. Strike out the whole of said section and insert in lieu thereof the following:

"Sec. 18. No idiot or insane person, and no person who shall be exiled from the legislature for giving or receiving bribes or being accessory thereto, and no person who, in due course of law, shall have been convicted of any criminal offense punishable by imprisonment with or without hard labor, for a term exceeding one year, whether with or without fine, shall register to vote or shall vote or hold any office in, or under, or by authority of the government, unless the person so convicted shall have been pardoned and restored to his civil rights."

Section 34, line 4, strike out the word "twenty-five" and insert in lieu thereof the word "thirty."
Section 37, line 1, after the word "vacancies," insert the words "in the office of representative."
Section 37, lines 2 and 3, strike out the words "general or."
Section 49, add at the end of said section the words "in the district from which he is selected."
Section 47, lines 3 and 4, strike out the word "chairman" and insert in lieu thereof the words "presiding officer."
Section 49, line 3, strike out the word "shall" and insert in lieu thereof the word "may."
Section 52, line 9, after the word "on, strike out the word "of; also strike out the words "Hawaii" and insert in lieu thereof the words "the Territory of Hawaii."

Section 55, line 25, strike out the word "or," after the word "acquire," and insert in lieu thereof the word "and."
Section 55, line 27, after the word "allowed," strike out all to and including the word "allowed," in line 28, and insert in lieu thereof the words "nor shall spirituous intoxicating liquors be sold except under such regulations and restrictions as the Territorial legislature shall provide."
Section 55, lines 72 and 73, after the word "States," strike out all to the end of the section.
Section 60, strike out all of the fifth paragraph.
Section 60, line 16, strike out the word "Sixth," and insert in lieu thereof the word "Fifth."
Section 62, in the title of the section, after the word "Senators," insert the words "and in all other elections."
Section 64, lines 13 and 16, strike out all after the word "each," and in line 15 to and including the word "party," in line 16.
Mr. CULLOM. Substantially all of the report has been read twice before. Whether the rule requires that it shall be read in the Senate, I do not know. I can point out, if it is agreeable to the Senate, the exact changes that have been made by the last conference report, and it might save some time and some reading, if that course is satisfactory.

The Senate will remember that it was brought out in the discussion in this chamber, some days ago, that there was a provision which required that a person desiring to register and vote, should before a certain date, the 31st of March of the year, pay all his taxes, which was the provision in the bill as the conference agreed to.

During the discussion of that conference report it was found that two or three sections of the body of the laws which the commission and the committee had printed in the laws to be preserved contained a provision for imprisonment for the nonpayment of taxes or for debt. Therefore it was that the judgment of the House, the first of November, was against that provision and against the provision which required the payment of taxes before registration, and so, by the consent of the conference, the report was disagreed to and sent back to the conferences of the two houses.

The work of the last conference resulted in the striking out from the conference report of all the provisions requiring the payment of taxes before registration and also inserting a provision in the bill to the effect that no person shall be imprisoned for nonpayment of taxes or for debt.

These two items are substantially the amendments as made by the last conference report. I will read them in the bill, so that there may be no mistake about them.

The provision which reads—"That no person shall be subject to imprisonment for nonpayment of taxes or for debt" was inserted from the House of Representatives, and the provision which is in the Senate provision for nonpayment of taxes or for debt," leaves the matter, so far as the payment of taxes is concerned, either before registration or at any other time, entirely out of the bill.

Mr. BACON. Now, I should like to ask the Senator, who has in charge the Senate provision for nonpayment of taxes, what is the change which has been stated by the Senator?

Mr. CULLOM. That provision was in the bill in connection with section 60, with reference to voting for representatives. I will read the whole paragraph:

Sec. 60. That in order to be qualified to vote for representatives a person shall:

First. Be a male citizen of the United States.

Second. Be a citizen of the State in which he is voting, less than one year preceding and in the representative district in which he offers to register not less than thirty days immediately preceding the time at which he offers to register.

Third. Have attained the age of 21 years.

Fourth. Prior to each regular election, during the time prescribed by law for the registration of voters, be registered to vote on the register of voters for representatives for his district.

Mr. BACON. Even the poll tax?

Mr. CULLOM. Even the poll tax; and then the other provision in reference to imprisonment was put in in section 10,

That no person shall be subject to imprisonment for nonpayment of taxes or for debt.

Mr. JONES of Arkansas. So that, if the conference report is adopted, there will be no requirement for the payment of any tax whatever as a prerequisite to the right to vote?

Mr. CULLOM. None whatever.

Mr. JONES of Arkansas. And there is no imprisonment for debt?

Mr. CULLOM. Not a word. The only other provision that the last conference committee made to the bill was to change the paragraph on page 9 of the conference report of the bill. I will read the paragraph as it stood with the amendment made before the conference report was adopted:

Provided further, That the provisions of this section shall not apply to merchant seamen.

The conference committee changed that provision so as to read as follows:

Provided further, That the provisions of this section shall not modify or change the laws of the United States applicable to merchant seamen.

So as to extend the laws of the United States over those islands.

Mr. BACON. Now, as I understand from the statement of the Senator, all citizens of the United States and of the republic of Hawaii are authorized to exercise the elective franchise, and that includes citizens of the Territory or all bona fide inhabitants—

Mr. CULLOM. Were made citizens when the republic was established.

Mr. BACON. Yes; all who were on the 12th day of August, 1898—the day fixed—then citizens of the republic of Hawaii now have the right to vote.

Mr. CULLOM. That is the provision in the bill.

The PRESIDENT pro tempore. Will the Senate agree to the report of the conference committee?

Mr. TILLMAN. There was a provision in the conference report that the Senate be given the right to appoint its clerk of the governor, the judges, and all Territorial officers of the Territory of Hawaii.

Mr. CULLOM. The bill remains exactly as it was when it was previously before the Senate on the question of citizenship. The bill originally provided that the officers should only be required to be residents of Hawaii. The House amended it so as to make all officers appointed by the President to be citizens of the Territory. The House conference, I may be allowed to state, said that they could not yield that; that if they did, there would probably be
Mr. CULLOM. It will certainly be in the United States when this bill becomes a law, if language in a statute can bring it in.

Mr. PLATT of Connecticut. I think it is a question open to vigorous and determined opposition. I remember to have heard an argument made by a former collector of the customs, Mr. Corwin Palmer, upon the subject of the right of Congress to limit the power of the President to appoint officers. It made a very great impression upon me, and from that time I have doubted whether it can be done by the Congress of Congress so to limit the President in his appointing power.

But whether that be so or not, I believe it extremely bad policy in every way in which it can be viewed. It does not at all answer the proposition. I say to it to say that there are good men in Hawaii to fill the offices. I say, I say that that is true; that there are good men in Hawaii, but there was a time when we should apply to Hawaii than to any other Territory of the United States.

As I have said, I have no idea that I can defeat this conference report, but I am not willing that this portion of it shall go without my earnest protest.

Mr. PETTIGREW. Mr. President, I have always believed that the men are as good as the laws under which they are supposed to be governed. I have believed that the men are as good as the laws under which they are supposed to be governed. But it is not true that the men who have enacted contract or slave labor laws for Hawaii. These are the men who, in establishing the republic, limited the suffrage to people who are large property owners, and those men who are large property owners, and those who have any money in the country. These are the men who have enacted contract or slave labor laws for Hawaii. These are the men who, in establishing the republic, limited the suffrage to people who are large property owners, and those men who are large property owners, and those who have any money in the country.

The group of Americans in Hawaii number about 3,000 people of American descent. Of that number about 2,000 are males of all ages, and the rest are women and children, and they are all residing in the Territory. These are the men who have enacted contract or slave labor laws for Hawaii. These are the men who, in establishing the republic, limited the suffrage to people who are large property owners, and those men who are large property owners, and those who have any money in the country.

For judges we are to select the two lawyers of Hawaii. Those lawyers, who are now on the bench and who under this law will be continued as the judicial officers of that Territory, are the men who decided that a contract for slave labor was a civil contract. Mr. President, I say, a contract for one of the victims he could be impeached for life if he should make such a law, and perform the slave service under the provisions of his contract, and that the Constitution of the United States was not in force in Hawaii. An exception was made, then, for the purpose of perpetuating the question. They did not let the miscreants do any of these things.

But there is another provision in this conference report to which I object, and that is the provision giving an American registry to four ships.

Mr. CULLOM. Five ships.

Mr. PETTIGREW. Well, five ships. Before Hawaii was annexed several vessels were admitted to Hawaiian registry because the owners of the vessels believed that the islands would be annexed and that they would then obtain an American registry. Those vessels are to be licensed under the authority of the Hawaiian law and perform the slave service under the provisions of the contract, and that the Constitution of the United States was not in force in Hawaii. An exception was made, then, for the purpose of perpetuating the question. They did not let the miscreants do any of these things. That is all I care to say about that branch of the bill.

In view of the fact that the Constitution of the United States and the laws of the United States will only apply to Hawaii after this bill becomes a law and goes into effect, which will be forty-five or fifty years hence, the President gets this authority, and that the President can legislate for Hawaii, and to repeal them. The President? Certainly not under the provision that he shall execute the laws of the United States or the Constitution of the United States. If the theory of the imperialists in this body is correct, he did not have the intention of his predecessors.

He shall not be less than 35 years of age; shall be a citizen of the Territory of Hawaii; shall be commander in chief of the militia thereof, etc. There is a similar provision as to citizenship in reference to the secretary of state and the supreme and circuit judges of the Territory. But it does not apply to the Federal judges, the marshal, or the district attorney.

Mr. PLATT of Connecticut. I will ask the President from Illinois if he will not read that clause with reference to the appointment of citizens to office as it will stand in the bill, if it is no trouble to him to do so.

Mr. CULLOM. It occurs in two or three places. For instance, in the clause providing for the appointment of a governor, the lieutenant governor, the secretary of state, the fiscal, and the attorney general.

Mr. PLATT of Connecticut. By whom are the other officers to be confirmed—the Senate of the United States?

Mr. CULLOM. The President appoints the governor, the secretary of state, senator, representatives, and all nominated by the President and confirmed by the Senate.

Mr. PLATT of Connecticut. Of the United States?

Mr. CULLOM. Of the United States.

Mr. PLATT of Connecticut. Mr. President, I know it is useless to urge further debate on account of these provisions which have been assented to by the conference, but I wish to enter my protest against that portion of the report which takes away from the President of the United States the right to appoint officers from the entire United States, excepting Hawaii, that he be in the United States, as I suppose it is brought in by this bill.

Mr. PLATT of Connecticut. By whom are the other officers to be confirmed—the Senate of the United States?
order to the authorities of Hawaii not to issue any more American registers? It was done simply because the shipbuilders of the United States did not want competition. If he could do that, however, if there was any warrant of law or any authority from any source which authorized him to do that, he could equally as well have ordered that they should stop importing slave labor, but that he did not see fit to do. The property interests of the United States were the special interests which the President wished to guard and not the labor of the United States. Consequently after our flag went up there were imported into Hawaii 37,000 contract laborers, who were bound to perform service under taskmasters who could decide whether they were sick or well enough to work during a certain number of years. These men can now come to the United States from Hawaii.

The President did not see fit to protect the labor of the United States against this importation of contract laborers, but he did see fit to stop the registration of Hawaiian ships. Of course, Hawaii is a part of the United States under the provisions of this law, and these 37,000 Asiatic laborers can now come, without any hindrance whatever, to the United States, for under the provisions of the bill their contracts are declared null and void, and the United States is authorized to at once notify them of the termination of their contracts. So I see no reason why large numbers of these men shall not immediately come to our shores to compete with the laborers of this country.

This doctrine of imperialism, Mr. President, it seems to me, must drive the Republican party to the abandonment of the doctrine of protection. It practically has done it. That party must choose between their imperial colonies, which they govern against the will of the people of those countries, and the protection by law of the American laborer. The effort to do both will be a failure.

The federalism will deceive nobody. Fifteen per cent of the Dingley duties is not a protection, and the importation of slave laborers is certainly not a measure of protection to the laborers of the United States. Of course I know the conference report will be adopted. We have eliminated from the bill many of its most pernicious features as presented here by the Committee on Foreign Relations. The bill as it came to us provided for a large property qualification in order to vote; it provided for the enslavement of men who did not pay their taxes, for imprisonment at hard labor, and, in my opinion, provided for the continuance of the labor contract system in that territory. I think those objectionable features have been eliminated, and therefore the bill is much better than it was as it was first presented to us.

The President pro tempore. The question is, Will the Senate agree to the report of the conference committee?

The report was agreed to.

Issuance of Bonds in Territories:

Mr. Shoup. I ask unanimous consent for the present consideration of the bill (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and so forth.

The Secretary read the bill.

Mr. Bate. That is a very important bill, sir, giving power to the Territories to issue bonds, and it has property qualifications to enable citizens to vote. I do not think the bill ought to be disposed of in this manner this evening.

The President pro tempore. The Senator from Tennessee objects.

Mr. Bate. I am sorry to do it.

Mr. Shoup. Then I ask that it may go over without prejudice.

Mr. Bate. Oh certainly.
CIVIL GOVERNMENT FOR HAWAII

Mr. NOXX. Mr. Speaker, I present a privileged report.

The SPEAKER. The gentleman from Massachusetts presents a privileged report, which the Clerk will read.

Mr. NOXX. Mr. Speaker, I ask unanimous consent to dispense with the reading of the report and that the statement of the House conferences may be read.

The Clerk read the statement, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the Senate bill for the government of the Territory of Hawaii, submit the following written statement in explanation of the effects of the action agreed upon, and recommend it in the accompanying conference report, namely:

The Senate agrees to the amendment of the House in the nature of a substitute with the following amendments:

The said line 13 on the word "Hawaiian," insert the words "in force." This has no way affects the provision of the House bill and is merely for clearance.

The amendment to section 4 simply states with more clearness that persons then resident in the Hawaiian islands are referred to.

The amendments in section 5 are to make the statement definite that the Constitution as a whole is extended to the Territory of Hawaii.

In section 10, line 1, the words "obligations and contracts" were stricken out, for the reason that they might be construed to continue in force existing labor contracts.

The provision in section 10, line 13, is a new provision, with the manifest purpose of providing for payment of a tax as a qualification for voting. In line 25 of the same section the amendment makes more general the legislation for giving or receiving bribes or being accessory thereto, and no person who, in due course of law, shall be convicted of any criminal offenses involving bribery or being accessory thereto, whether with or without hard labor, for a term exceeding one year, whether with or without fine, shall register to vote or shall vote or hold office in, or under, or by authority of the government, unless the person so convicted shall have been pardoned and restored to his civil rights. This amendment to section 10 was in the original Senate bill and in the bill reported by the commissioners appointed by the President, and was finally thought essential by the conference.

The amendment to section 24, line 4, restores the provision of the Senate bill as to the qualification in taxation.

In section 37, lines 2 and 3, the words "general or," inserted in the House bill, were stricken out because no vacancy could be filled except at a special election.

The amendment to section 40 was to require the representative to be a resident of the district from which he is elected.

In section 46, line 5, "shall" was stricken out and "may" inserted to make it consistent with section 51.

In section 55, line 26, the words struck out and inserted were for the purpose of making it certain that the section should have no retroactive effect.

In section 57, line 33, in effect put the sale, leasing, and transfer of the public lands in Hawaii under the laws of Hawaii, with the exception of certain lands already leased, and the latter only until action of Congress and the provision of the House bill as to validating sales and transfers after July 7, 1938, is made subject to the approval of the President. The further amendment in the same section, striking out the words "in good faith," was for the reason that they were no longer necessary after the amendment making the transfers subject to the approval of the President had been agreed upon.

The amendment to section 78 places the duties required of the commissioners on the divisions, the division of land sales, and the manner of taxing the same, and it was deemed sufficient to have two associate justices with the chief justice.

The amendment to section 82 in effect separate the Territorial from the Federal Judiciary, whereby the Federal court is to have jurisdiction in civil suits involving sums exceeding $5,000. The House bill, the provision for appeals from the supreme court of Hawaii to the ninth judicial circuit being stricken out and the jurisdiction of United States courts below the circuit court being conferred upon the United States district court of Hawaii.

The first amendment in section 83 provides salaries for the judges of the circuit courts at $3,000 each, and provides, further, that the salaries of the chief justice and associate justices of the supreme court and of the judges of the territorial circuit court shall be made annually. This is necessary by the change in the bill which provides that the appointments shall be made by the President of the United States with the advice and consent of the United States Senate. Also, the marshal’s pay is raised from $2,500 to $2,600, and the United States district attorney’s from $3,000 to $3,100.

The provision in the bill for the term of the chief justice has been deemed no longer necessary.

The amendment in section 93, line 9, stricken out, was one postponing for a year the application of the navigation laws of the United States to the islands, restricting the coastwise trade to American vessels.

The provision in section 101 requiring the departure of Chinese laborers, 10,000 of whom are subject to being called for return, was objected to by the House.

Section 104: The amendment to this section substituting forty-five days for sixty days as the time when the act should go into operation, was deemed a safe period.

W. S. NOXX.
JOHN A. MOON.
Managers on the part of the House.

Mr. NOXX. Mr. Speaker, I move that the conference report be agreed to. I desire to state that the differences are between this bill and the bill as it left the House, because they may not have been caught from the reading of the statement. The first substantial difference is the striking out of the provision for the payment of a poll tax as a requisite for voting. As the bill left the House it provided for the payment of a poll tax of $1, as a requisite for voting, with Mr. MOON proposing to remove this.

The effect of the first conference was that the Senate provision was put in for the payment of a personal tax of $5. After that provision was inserted providing for the payment of the personal tax of $5, the bill came back to a second conference and, as a result, all provisions in the Senate bill were preserved in the House bill. There has been no stricken out. There is now no qualification but citizenship, age of 21 years, residence of one year, and the ability to read, write, and speak the English of Hawaiian language.

The next amendment that is of any consequence was the land provision, which was stricken out in the Senate bill. The House bill provided that hereafter all transfers of land in Hawaii, by lease or otherwise, should be reported to our Secretary of the Interior and have the approval of the Land Office, and that that must take place within a period of sixty days. A letter from the Department said that it would be utterly impossible to attend to this in such a period of time, and the effect would be virtually to tie all land transfers in Hawaii. So as the bill stands now, all transfers of land in Hawaii are in accordance with Hawaiian law and the Hawaiian practice up to the present time, except leases of more than five years, and they can now be conducted without the confining of any report.

As to the sales that took place between July 7 and September 28, their legality is made to depend upon the approval of the President. That is a provision which was contained in the Senate bill.

Mr. WILLIAMS of Mississippi. The gentleman says the conference have stricken out the provision as to the poll tax. Does that mean no poll tax, or does it mean the old Hawaiian law is in force?

Mr. NOXX. There is no provision for a poll tax whatever.

Mr. WILLIAMS of Mississippi. The Hawaiian law in regard to that matter is not in force at all.

Mr. NOXX. Not at all; there is no requisite for the payment of a poll tax.

Mr. WILLIAMS of Mississippi. I asked the question for this reason: I thought if the Hawaiian poll tax was left as a tax, it might be in force and be overlooked if this provision was stricken out.

Mr. NOXX. Oh, no; in addition to that it was discovered that there was a Hawaiian law for imprisonment for debt, and an additional provision was put in so that there should be no provision of that sort or for the payment of a poll tax.

Mr. BALL. In the confusion I failed to catch the provision in regard to the labor contracts. Will the gentleman explain about them?

Mr. NOXX. That was section 10, and it was my fault that I did not mention it before, although the change is very slight. As the bill left the House all rights in law and equity were reserved to the United States of all labor obligations and contracts, through fear that by keeping them we would protect some of those labor contracts, which the bill entirely eradicates.

Mr. BALL. And there is nothing in the bill recognizing them?
Mr. KNOX. No; the labor contracts are not recognized in any way.

Mr. McKAE. I want to ask if the report has been printed in a shape that we can get at it to know what it is?

Mr. KNOX. The report was printed in the Record of the 16th of this month.

Mr. MCAE. Is the bill printed as agreed upon by the conference?

Mr. KNOX. The bill substantially as agreed upon is in print. It is Senate Bill No. 229, the print of April 18. The changes from what the bill was when it left the House are so slight and few that I thought I could state them intelligently.

Mr. MCAE. Is the paragraph in regard to alien contract labor in the bill?

Mr. KNOX. Yes; the provision the gentleman offered in the House is in the bill.

Mr. TERRY. I notice that by the conference report the words "in good faith" are stricken out.

Mr. KNOX. I should like the gentleman to read the context of the bill in which those words appeared.

Mr. MCAE. That will be found in section 73:

That subject to the approval of the President, all sales, grants, leases, and other dispositions of public domain, and agreements concerning the same and all franchises granted in good faith by the Hawaiian government in conformity with its laws, shall be valid from the 7th day of July, 1886, and the 26th day of September are ratified and confirmed.

It was the intention of both bills to ratify and confirm contracts for the sale and actual transfer of lands by the Hawaiian government between the 7th day of July, 1886, and the 26th day of September as provided in section 229 of D.S. No. 29. These transfers were made when the parties supposed they had a right to make them, but the Attorney-General subsequently made a ruling that they could not lawfully be made. The intention was to validate them. The words "in good faith" were stricken out on the conference report for the effect that these transfers must receive the approval of the President. We thus designated an officer who should decide upon the propriety and validity of these transfers.

Mr. TERRY. The only objection I have to that is this: That if the matter comes up before the President on the hands of the President and in view of the hurried way in which these things would have to be transacted by him, he could not always inquire into the facts. The words "in good faith," which appeared in the bill as it went from the House, would make the validity of those transfers a judicial question, and the courts might inquire into more fully than would the President of the United States. I think it unfortunate that the words "in good faith" have been stricken out.

Mr. KNOX. We thought it better to put this matter in the hands of the President to decide upon the validity of such transfers, rather than leave in the bill language which perhaps might require the courts to pass upon the question.

Mr. TERRY. My point is that it would be safer, where a question of good faith is involved, to vest the power of determination in a tribunal that could inquire into the facts, as the President could not.

Mr. KNOX. We desired to avoid litigation as much as possible. The United States holds these lands upon a naked trust for the Hawaiian people. We have no interest in the proceeds of the sales of those lands.

Mr. TERRY. I know it was very important to preserve the rights which parties supposed they were acquiring when those grants were made after the country belonged to the United States.

Mr. KNOX. Unquestionably.

Another important provision was that in regard to the application of the treaty law of the United States. Under the bill as it left the House it was provided that a year should elapse before those laws should go into operation with respect to Hawaii. It was insisted on the part of the Senate that those laws should go into operation at once; and on that point the House conference yielded. There had been preparation made over the entire country to engage in this coasting trade; and hence that provision was stricken out.

Another important matter in connection with the conference was the agreement of the Senate to the establishment of a legislative council, with all the jurisdiction of the district and circuit court—and the taking out of the Senate bill the provision which allowed an appeal from the supreme court of Hawaii to the Ninth judicial district. By this action we accomplish the purpose of entirely separating the State from the territorial jurisdiction, and we provide that territorial litigation shall end in Hawaii.

Another material provision was an amendment offered by the distinguished gentleman from Nevada [Mr. NEWLANDS], which was not agreed to in conference. It was thought that the provision for the ascertainment of statistics in regard to labor in the Hawaiian Islands was ample in the bill as it stood and that therefore the amendment was unnecessary.

The other amendment which was stricken out was the amend-
Mr. NEWLANDS. I object to it because it does not comport with the particular ideas of the gentleman from Nevada about land statistics.

Mr. KNOX. Very well; but yielded to the gentleman's amendment. I give the gentleman great consideration was given to it. I can give to the gentleman statistics as to every acre of land to-day in Hawaii. They are all accounted for, all the holdings, and they are in printed report No. 303. In Hawaii in the land office, the information can be obtained as to the landholdings in the Territory of Hawaii.

Mr. NEWLANDS. Yes; the gentleman informs me that somewhere else this information can be obtained. What we want is a commissioner whose duty it shall be to obtain this information for the Congress of the United States.

Mr. KNOX. I will yield five minutes to the gentleman from Indiana [Mr. Robinson], but I do not wish to yield the floor.

Mr. ROBINSON of Indiana. Mr. Speaker, I have carefully watched the course of this Hawaiian bill through its various trials and tribulations, its amendments and changes before the committee, and its changes in the House, in the Senate, and in conferees. I have given it, as I have deviated to it a great deal of study, and have spent long days, covering weeks of time, in a careful consideration of it. It was not easy to draft a measure suited to Hawaii or to the conditions then prevailing. I have paid particular attention to the labor feature of the bill, and not because it is a question of a different kind of labor, and some observations to the House upon that subject. The laborers of the committee, in conjunction with the proceedings of the House and Senate and the results of the conference, have brought into the bill what are to my mind the best provisions that could have been enacted upon the subject. It is very difficult to get information on and understand the real conditions.

I believe that the result of the action of the conference committee on the subject of the appointment of judges of the courts by the President is highly satisfactory, and that it impresses upon the people of Hawaii how much time we have remaining in the hour.

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one year Americans will have ample time and notice that they must provide American ships if they expect to continue in this trade. The reason for this is perfectly well founded; it is, that there are not now ships enough engaged in this trade to carry the tonnage between the Pacific coast and the Hawaiian Islands. This is the naked truth — the frozen fact! Members can theorize about it until we are tired, but, in the language of a distinguished and able lawyer of this House, it is said to be a 'dead letter' or a 'dead tree' or a 'dead fish'.

American products are rotting on American soil and Hawaiian products are rotting on Hawaiian soil for lack of ships to carry them either way, and yet some gentlemen continue to rise and proceed to the question of the American ship law. I have already pointed out the one-year clause in order to encourage American shipping. I yield to no man on this floor the honor of being more anxious to encourage American shipping than I am, but, in God's name, is it necessary for the American Congress to destroy what we now have in the Hawaiian Islands? Hawaii is not a new and uncharted and unknown land for us. We now have before us a large volume of trade that we can carry by law the present commerce between the Pacific Northwest and Hawaii and it is in our power in the first class shipyard to construct the vessels.

You can not build a ship in a day. It takes from a year to fifteen months to construct a ship. Now, if this law is passed in its present form that clause, the one-provision of the bill to maintain the tonnage of American ships, will cause a great deal of trouble. I do not meant that American ships will not be built, but I meant that this law will cause a great deal of trouble. The one-year clause is one of the provisions of this law. If that clause is allowed to remain in the bill foreign ships will rush in and crowd American ships out of this trade. Where will they come from? There is no provision in the law to-day that will prevent a foreign ship from engaging in this trade, and I am sure there are plenty of American shipbuilders who will be willing enough there to carry on the trade. Now, if the ships are not there under existing law, what makes any man think there will be a mighty rush of ships in the next year if the law is left just as it is now? They have not rushed in under that law in the past. What makes you think they will do in the future exactly what they have failed to do in the past?

As a slight piece of ex parte testimony, for the benefit of those gentlemen who are proclaiming aloud that there are plenty of ships to carry all the traffic, I might say that one of the distinguished Hawaiian gentlemen who appeared before our committee at Washington last spring said, and I believe the words, that the probability of him to secure a steamer from San Francisco to Hawaii on any of the steamers, and that he would probably have to pay an officer of the boat a hundred-dollar bonus for an officer's room on the voyage. And yet in the face of such facts as these the people who desire to monopolize this trade and be the benefactors of this legislation still continue to proclaim that 'there are plenty of ships.'

Mr. COOPER of Wisconsin. Will the gentleman allow me a question?

Mr. CUSHMAN. Certainly I will yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. I understood the gentleman to say a few moments ago that crops were rotting on the docks and shores of the Pacific coast and in the island of Hawaii. What are those crops?

Mr. CUSHMAN. Well, in my state we produce almost everything. Number, coal, fruit, and grain, and a multiplicity of other products.

Mr. COOPER of Wisconsin. What disease is it that is rotting your coal? [Laughter.]

Mr. BISHOP. Perhaps that is a very fine point. I guess it is. It is so fine that it is not visible to the naked eye. When the products of the earth which are necessary for man's use, which need to be transported to a proper market, lie idle and useless because they can not be transported to a market, that is a condition of industrial paralysis and commercial rottenness, whether the products actually stink or not. [Laughter.]

As a matter of fact, the ships are not there to carry the products and the traffic back and forth. Every available craft on the Pacific coast, almost, has gone into the Alaskan trade by reason of the unprecedented rush to Cape Nome. Why? Because the
Alaskan run pays a great deal more than the Hawaiian run. Therefore, the ships have been withdrawn, and they cannot be replaced in a day, a week, nor a month. I hope that the members of this House will refuse to agree to the conference report, and when that is disagreed to a motion will be in order that this bill may again be sent to the conference committee with instructions to the House members to insist upon the House provision in the bill.

Some few men who are trying to reap a rich harvest in the Hawaiian trade to the detriment and exclusion of others, have said that we were selfish because we wanted this provision in the bill.

Mr. Speaker, I say to you that had it not been for the hardy and heroic race who blazed a pathway through the primeval wilderness, and populated and built up the mighty and myriad industries of the West (that in the march of events has linked us to the East), that the American flag would not today be floating over Hawaii. And yet, when our people are actuated by an honorable ambition to reap a small portion of the benefits that their industry and push have helped to bring into being; some two-by-four statesman arises and proclaims that we are selfish. I deny it. The selfishness is on the other side of this proposition. [Applause.]

Mr. KNOX. Mr. Speaker, I wish to say one word in answer to the gentleman who has just taken his seat. I appreciate very fully his feeling in regard to this matter. As a member of the committee, he was given the privilege of reporting this amendment providing that the coasting laws of the United States extended to Hawaii should not take effect until the expiration of one year. Now, what is the trouble with the bill as agreed upon? It does perhaps affect somewhat injuriously his people in Seattle, because they have not got their ships ready; but the people in the rest of the United States have been at work. Knowing for almost two years that the coasting laws of the United States would be extended so as to operate between this country and Hawaii, they have been preparing for it; and the most magnificent steamer ships have been built in Philadelphia and have gone to the Pacific coast, and many have been purchased. Not only is there no lack of ships on the Pacific coast, but there are so many now that they go to Hawaii in ballast.

Mr. GROSVENOR. Mr. Speaker, the gentleman will allow me to say that I have a statement from the representative of one of the largest shipping lines that they are short of business, and that the retention of this provision in the bill would let into our coasting trade a vast volume of foreign ships, to the absolute destruction of American-owned ships on that coast.

Mr. KNOX. Undoubtedly, Mr. Speaker, that is true. So far as Seattle is concerned, I believe they have there only one American ship. They have one with reference to which the House a few days ago passed by unanimous consent a bill granting an American register.

Mr. JONES of Washington. Is it not a fact that about 50 per cent of the traffic between the Pacific coast and Hawaii is carried on at this time in foreign-built vessels?

Mr. KNOX. That has been the fact.

Mr. JONES of Washington. Is it not so now?

Mr. KNOX. Oh, no; they are all prepared for this trade now. Some of our friends from California will tell the gentleman the condition of things in that regard.

Mr. JONES of Washington. One more question. Does the gentleman know of any ships built now that expect to engage in the trade from Puget Sound to Hawaii?

Mr. KNOX. I do not. In that particular locality you have been busy carrying on your trade with Alaska. You have had more than you could do.

Mr. JONES of Washington. Not at all.

Mr. KNOX. These other people in the rest of the country are prepared for engaging in the trade with Hawaii. It is impossible, in preparing a bill of this kind, to obviate the fact that some people on the coast, some towns, some cities, some localities, will for a short time be injuriously affected. But their remedy is to buy or build American ships, as the people of other parts of the United States have done.

Mr. JONES of Washington. One further question. It was stated by the gentleman from Ohio that there are a great many foreign-built ships that will go into this trade if this provision be adopted. Now, what would induce vessels that are not in this trade now to go into it for a year or two?

Mr. KNOX. Oh, there are tramp steamers that would gladly enter into this business.

Mr. JONES of Washington. They will not take the regular trade?

Mr. KNOX. Mr. Speaker, how much time have I left?

The SPEAKER. Sixteen minutes.

Many MEMBERS. Vote! Vote!

Mr. KNOX. I move the previous question on agreeing to the report.

The previous question was ordered.

Mr. NEWLANDS. Mr. Speaker, would it be in order now to move concurrence in all these amendments except as to those sections that have been objected to?

The SPEAKER. The report must first be adopted or rejected as a whole.

The question being taken on agreeing to the report, the SPEAKER said: The ayes appear to have it.

Mr. NEWLANDS. I call for the yeas and nays.

The yeas and nays were ordered, there being—ayes 27, noes 90.

Mr. PAYNE. I move that the House now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.
CIVIL GOVERNMENT FOR HAWAII.

The SPEAKER. The question before the House is on the adoption of the conference report on the Hawaiian bill, and on the yeas and nays have been ordered. The question was taken; and there were—yeas 188, nays 54, answered “present” 21, not voting 138; as follows:

- **YEAS—188:**
  - Acheson,
  - Aldrich, L.
  - Alexander, G.
  - Allen, M.
  - Bailey, E.
  - Baker, J.
  - Barber, M.
  - Bartholet, R.
  - Bartlett, G.
  - Bell, B.
  - Bellamy, W.
  - Benton, C.
  - Boutell, J.
  - Bowersock, H.
  - Bradley, M.
  - Bronwell, F.
  - Brosius, A.
  - Brown, E.
  - Burke, R.
  - Burkett, H.
  - Burke, J.
  - Burton, P.
  - Calderhead, A.
  - Cannon, J.
  - Capron, H.
  - Carmack, W.
  - Clarke, N.
  - Cooper, W.
  - Corliss, C.
  - Cowherd, E.
  - Crump, A.
  - Cummings, G.
  - Curtis, W.
  - Dahle, W.
  - De Graffenreid, C.
  - Dougherty, T.
  - Gaston, E.
  - Glynn, W.
  - Howard, A.
  - Jett, A.
  - Jones, J.
  - Jones, W.
  - Kincheloe, E.
  - Kibler, E.
  - Klutz, M.
  - Latimer, J.
  - Lester, C.
  - Lacy, H.
  - Lane, C.
  - Law, J.
  - Lawrence, E.
  - Linnen, J.
  - Livingston, L.
  - Long, J.
  - Lounsbury, B.
  - Lybrand, S.
  - McAleer, R.
  - McClellan, C.
  - McDowell, K.
  - Mahon, S.
  - Mann, A.
  - Marsch, W.
  - Mastick, A.
  - Miller, R.
  - Mondell, C.
  - Moody, D.
  - Moon, B.
  - Morris, H.
  - Mudd, J.
  - O'Grady, C.
  - Olmsted, C.
  - Pack, C.
  - Parker, J.
  - Payne, H.
  - Pearce, M.
  - Pierce, T.
  - Robinson, I.
  - Rodenberg, R.
  - Rucker, M.
  - Shackleford, H.
  - Shepard, J.
  - Smith, K.
  - Stark, R.
  - Stephens, T.
  - Swanson, T.
  - Talbert, H.
  - Taylor, C.
  - Thomas, N.
  - Underwood, O.
  - Vandiver, H.

- **NAYS—54:**
  - Adams, M.
  - Allen, R.
  - Ball, R.
  - Brantley, F.
  - Brundidge, A.
  - Burleson, W.
  - Burnett, C.
  - Caldwell, F.
  - Clark, G.
  - Clayton, J.
  - Cooney, W.
  - Cox, W.
  - Cushman, W.
  - De Armond, J.
  - De Graffenreid, C.
  - Dougherty, T.
  - Gaston, E.
  - Glynn, W.
  - Howard, A.
  - Jett, A.
  - Jones, J.
  - Jones, W.
  - Kincheloe, E.
  - Kibler, E.
  - Klutz, M.
  - Latimer, J.
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  - Lounsbury, B.
  - Lybrand, S.
  - McAleer, R.
  - McClellan, C.
  - McDowell, K.
  - Mahon, S.
  - Mann, A.
  - Marsch, W.
  - Mastick, A.
  - Miller, R.
  - Mondell, C.
  - Moody, D.
  - Moon, B.
  - Morris, H.
  - Mudd, J.
  - O'Grady, C.
  - Olmsted, C.
  - Pack, C.
  - Parker, J.
  - Payne, H.
  - Pearce, M.
  - Pierce, T.
  - Robinson, I.
  - Rodenberg, R.
  - Shackleford, H.
  - Shepard, J.
  - Smith, K.
  - Stark, R.
  - Stephens, T.
  - Swanson, T.
  - Talbert, H.
  - Taylor, C.
  - Thomas, N.
  - Underwood, O.
  - Vandiver, H.

- **ANSWERED “PRESENT”—21:**
  - Allen, R.
  - Davenport, S.
  - De Vries, H.
  - Griggs, J.
  - Hayley, W.
  - Herron, D.
  - Meier, L.
  - Miera, I.
  - Norton, G.

- **NOT VOTING—138:**
  - Adkins, C.
  - Atwater, A.
  - Babcock, C.
  - Bailey, L.
  - Bankhead, A.
  - Barney, J.
  - Berry, J.
  - Bingham, W.
  - Bishop, H.
  - Dick, L.
  - Dinsmore, H.
  - Diller, C.
  - Dovener, J.
  - Driggs, J.
  - Driscoll, E.
  - Eddy, L.
  - Elliott, F.
  - Emerson, O.
  - Farris, W.
  - Fitzgerald, N.
  - Fitzpattinger, H.
  - Fleming, H.
  - Foss, J.
  - Foster, C.
  - Fox, J.
  - Frey, L.
  - Gamble, A.
  - Gardner, B.
  - Gayle, F.
  - Gill, E.
  - Gillett, M.
  - Gordon, H.
  - Greene, M.
  - Griffith, H.
  - Hay, J.
Mr. GRIGGS. Mr. Speaker, I desire to state that I am paired on all political questions with Mr. CROMER, of Indiana, and there appearing to be a division in the House on political lines, I withdraw my vote in the negative, and desire to be marked as "present."

Mr. HAWLEY. Mr. Speaker, I have a general pair with my colleague, Mr. COOPER of Texas. I voted "aye" on this proposition, but desire to withdraw my vote and be marked as "present."

Mr. WHEELER of Kentucky. Mr. Speaker, I am paired with my colleague, Mr. METCALF, and desire to withdraw my vote and be marked as "present."

Mr. HULL. I am paired with the gentleman from Virginia, Mr. HAY; and as I voted and he has not, I desire to withdraw my vote and be marked as "present."

Mr. SUTHERLAND. Mr. Speaker, I voted in the negative. I find that I am paired, and in order to observe that pair, I will ask to withdraw my vote and be marked as "present."

Mr. JAMES R. WILLIAMS. Mr. Speaker, I did not hear my name called. I was in the Hall, but did not hear my name.

The SPEAKER. Was the gentleman listening when his name should have been called?

Mr. JAMES R. WILLIAMS. I was listening when the roll was called. My attention might have been called away at the moment my name was called. I did not hear my name called.

The SPEAKER. The gentleman's name can not be called upon that statement.

Mr. THAYER. I will ask if the gentleman from Massachusetts, Mr. GILLET, has voted?

The SPEAKER. He has not.

Mr. THAYER. I am paired, and wish to withdraw my vote and to answer "present."

Mr. ZENOR. I have a general pair with my colleague, Mr. BRICK. I voted on the roll call, and am inclined to think my colleague would vote just as I did, but not being advised on that point, I desire to withdraw my vote and be marked as "present."

Mr. FITZPATRICK. I desire to say that I am paired generally with the gentleman from Kentucky, Mr. BORING. If he were here, I do not know how he would vote. I was present, but refused to vote, but if he were here, I should have voted "aye."

The SPEAKER. This statement is entirely out of order.

Mr. MIERS of Indiana. Mr. Speaker, I am paired with the gentleman from Indiana, Mr. HEMENWAY. I voted "no" and desire to withdraw my vote and to answer "present."

Mr. GAINES. Mr. Speaker, having voted in the affirmative, I wish to withdraw my vote and to answer "present," as I am paired with the gentleman from Massachusetts, Mr. McCALL.

The Clerk announced the following pairs:

For the session:
Mr. HULL with Mr. HAY.
Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.
Mr. WRIGHT with Mr. HALL.
Mr. METCALF with Mr. WHEELER of Kentucky.
Mr. PACKER of Pennsylvania with Mr. POLK.

Until further notice:
Mr. ADAMS with Mr. BERRY.
Mr. GILLET of Massachusetts with Mr. THAYER.
Mr. SOUTHARD with Mr. NORTON of Ohio.
Mr. STEELE with Mr. BURKE of Texas.
Mr. WEYMOUTH with Mr. BROUSSARD.
Mr. PRINCE with Mr. GRIFFITH.
Mr. MINOR with Mr. RIXEY.
Mr. COCHRANE of New York with Mr. CROWLEY.
Mr. MERCEER with Mr. CLAYTON of Alabama.
Mr. OTJEN with Mr. BRENNER.
Mr. LANDIS with Mr. LAMB.
Mr. PUGH with Mr. TAYLOR of Alabama.
Mr. HAWLEY with Mr. COOPER of Texas.
Mr. McCALL with Mr. GAINES.
Mr. BOUTELLE of Maine with Mr. COCHRAN of Missouri.
Mr. MOODY of Massachusetts with Mr. WILSON of Idaho.
Mr. WEEKS with Mr. SMALL.
Mr. ZENOR with Mr. BRICK.
Mr. LORIMER with Mr. CUSACK.
Mr. STEWART of Wisconsin with Mr. NORTON of South Carolina.
Mr. EMERSON with Mr. RUPPERT.
Mr. DRISCOLL with RIORDAN.
Mr. STEWART of New York with Mr. MAY.
Mr. MIER of Indiana with Mr. HEMENWAY.
Mr. KANDELL with Mr. SIMS.
Mr. ROBERTS with Mr. NAPHEN.
Mr. GILL with Mr. LEWIS.
Mr. GARDNER of Michigan with Mr. ATWATER.
Mr. HENRY of Connecticut with Mr. GORDON.
Mr. POWERS with Mr. BANKHEAD.
Mr. OVERSTREET with Mr. STALLINGS.
Mr. GAMBLE with Mr. ROBERTSON of Louisiana.
Mr. WATSON with Mr. ELLIOTT.
Mr. DOLLIVER with Mr. ROBB.
Mr. DAYTON with Mr. MEYER of Louisians.
Mr. MCCREADY with Mr. SPIGHT.
Mr. SHERMAN with Mr. DRIGGS.
Mr. CONNELL with Mr. STANLEY W. DAVENPORT.
Mr. BARNEY with Mr. ALLEN of Mississippi.
Mr. REEVES with Mr. SPARKMAN.
Mr. CROMER with Mr. GRIGGS.
Mr. BOREING with Mr. FITZPATRICK.
Mr. BISHOP with Mr. CAMPBELL.
Mr. DOVENIER with Mr. CATCHINGS.

This day:
Mr. BULL with Mr. BREWER.
Mr. LITTAUER with Mr. LLOYD.
Mr. PEARRE with Mr. QUARLES.
Mr. KERR with Mr. LENTZ.
Mr. DAHLE of Wisconsin with Mr. GAYLE.
Mr. BUTLER with Mr. SUTHERLAND.
Mr. BROWNLOW with Mr. SLAYDEN.
Mr. EDDY with Mr. FITZGERALD of New York.
Mr. KETCHAM with Mr. MULLER.
Mr. YOUNG with Mr. BENTON.
Mr. BABOOCK with Mr. HENRY of Texas.
Mr. COUSINS with Mr. BREAZEALE.
Mr. DICK with Mr. CHANLER.

This vote:
Mr. WACHTER with Mr. RICHARDSON.
Mr. NEEDHAM with Mr. FOSTER.
Mr. LITTLEFIELD with Mr. BAILEY of Texas.
Mr. GREENE of Massachusetts with Mr. DE VRIES.
Mr. FARIS with Mr. DINSMORE.
Mr. CRUMPACKER with Mr. FOX.
Mr. CONNELL with Mr. STANLEY W. DAVENPORT until Tuesday next.

Mr. McCLEARY. Mr. Speaker, I find that I am paired. I did not know it at the time I voted. I ask leave to withdraw my vote and to answer "present."

The result of the vote was announced as above recorded.
On motion of Mr. KNOX, a motion to reconsider the last vote was laid on the table.
April 28, 1900
House
v. 33 (5)
p. 4800

April 28, 1900
House
v. 33 (5)
p. 4806

May 1, 1900
Senate
v. 33 (6)
p. 4892

May 3, 1900
Senate
v. 33 (6)
p. 5020

May 8, 1900
Senate
v. 33 (6)
p. 5263

May 8, 1900
House
v. 33 (6)
p. 5304

May 8, 1900
Senate
v. 33 (6)
p. 5307

ENROLLED BILL SIGNED.
The signature of the President pro tempore was announced to
the enrolled bill (S. 222) to provide a government for the Territory
of Hawaii, which had previously been signed by the Speaker of
the House of Representatives.

The SPEAKER announced his signature to enrolled bill of the
following title:
S. 222. An act to provide a government for the Territory of
Hawaii.

PRESIDENTIAL APPROVALS.
A message from the President of the United States, by Mr. O.L.
Prudden, one of his secretaries, announced that the President had
on the 80th ultimo approved and signed the following acts and
joint resolution:
An act (S. 222) to provide a government for the Territory of
Hawaii;

Mr. Morgan introduced a bill (S. 4560) to
provide for officers in the customs district
of Hawaii; which was read twice by its title,
and with the accompanying paper, referred to
the Committee on Pacific Islands and Porto Rico.

Mr. Frye introduced a bill (S. 4615) to
facilitate the entry of steamships engaged
in the coasting trade between Porto Rico and
the United States; which was read twice by
its title, and referred to the Committee on
Commerce.

Executive Communications, etc.
A letter from the Secretary of the Treasury,
transmitting a copy of a communication from
the Supervising Surgeon-General of the Marine-
Hospital Service submitting an estimate of
appropriation for quarantine service in Hawaii
- to the Committee on Appropriations, and
ordered to be printed.

GOVERNMENT FOR HAWAII.
The PRESIDENT pro tempore laid before the Senate a com-
munication from the Secretary of the Treasury, transmitting esti-
mates of appropriations required to carry out certain provisions
of an act entitled “An act to provide a government for the Territ-
ory of Hawaii,” approved April 80, 1900; which was referred to
the Committee on Appropriations, and ordered to be printed.

COURTS IN HAWAII.
The PRESIDENT pro tempore laid before the Senate a commu-
nication from the Secretary of the Treasury, transmitting a letter
from the Attorney-General, submitting additional estimates of
appropriations for salaries of clerk and reporter of the United
States district court, additional United States district judges, and
miscellaneous expenses, United States courts, Territory of Hawaii;
which, with the accompanying paper, was referred to the Com-
mittee on Appropriations, and ordered to be printed.
GOVERNOR OF HAWAII.

Sanford B. Dole, of Hawaii, to be governor of the Territory of Hawaii, an original appointment under the provisions of the act of Congress entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

SECRETARY OF HAWAII.

Henry E. Cooper, of Hawaii, to be secretary of the Territory of Hawaii, an original appointment under the provisions of the act of Congress entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

POSTMasters.

John M. Oat, to be postmaster at Honolulu, Territory of Hawaii. Harry S. Edwards, to be postmaster at Macon, in the county of Bibb and State of Georgia. Daniel Williams, to be postmaster at Sharon, in the county of Mercer and State of Pennsylvania.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 4615) to facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the United States, reported it without amendment, and submitted a report thereon.

REGULATIONS FOR TRAVEL IN HAWAIIAN ISLANDS.

Mr. HOAR. I offer the following resolution, for which I desire present consideration.

The resolution was read, as follows:

Resolved, That the Committee on Foreign Relations be directed to inquire whether American citizens are obliged to obtain a passport or other license, or to pay any fees for permission to pass from the Hawaiian Islands to any part of the United States, or from any part of the United States to the Hawaiian Islands, or to make any payment or deposit of money to secure the privilege of landing in said islands, and whether it is expedient that such regulations be longer continued.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PLATT of Connecticut. Yes, Mr. President.

Mr. HOAR. There can be no possible objection to it.

Mr. DAVIS. I should like to hear the resolution read again.

Mr. HOAR. Let the resolution be read again.

Mr. PLATT of Connecticut. If I may be permitted to say one word, I know debate is not in order, but I think when such resolutions are presented to the Senate, if any Senator desires to look at a resolution and to inform himself a little about the subject-matter, it is quite proper that it should go over for one day.

The PRESIDENT pro tempore. The resolution goes over.

Mr. FORAKER. Before we pass from that, I wish to call the attention of the Senate to the fact that we have a Committee on Pacific Islands and Porto Rico, and inasmuch as this is a matter relating entirely to one of the Pacific Islands, and should be within the jurisdiction of that committee, as I suppose, I suggest to the Senator the inquiry ought to be directed to that committee. I am not particular about taking this additional labor upon myself. I suppose it was simply overlooked by the Senator.

Mr. PLATT of Connecticut. If that action can be taken, I will withdraw my objection.
Mr. HOAR. I will not say that it is not a matter of the slightest possible general importance, but the adoption of the resolution is of very important, because I presume I cannot get the information in another way, by inquiring of the Secretary of State, or by a private note from the committee.

I will state the reason for offering it. Some complaints have reached me. I have now on my desk, which I shall not undertake to read and which I did not propose to make public, from a very worthy and excellent Massachusetts soldier, as to the obligation to deposit a sum of money before he could land at the Hawaiian Islands and to get a passport, of which he sent me a photograph, before he could leave for home.

The reason why I directed the resolution to the Committee on Foreign Relations was because the Senate had committed to that committee the bill in regard to the Hawaiian Islands and members of that committee had visited the islands and had specially investigated the subject. The bill was largely their work, and I thought this piece of information as to whether those laws were in force or were modified, a mere matter of information, would be more easily rendered by that committee, which has just been over the subject, than by the new committee.

I do not think there is any probability that there will be anything but a simple reply that these regulations have now been abolished, which will be a public satisfaction for travelers. I think that is all that will come of it. It is not a resolution which to my mind indicates any necessity for probing into the matter; but if the Senator from Ohio prefers, I will modify the resolution by saying "the Committee on Pacific Islands and Porto Rico" in lieu of "the Committee on Foreign Relations."

Mr. FORAKER. Mr. President, I have no special preference about it, and I called the attention that I did to the matter because I thought this was not a very important subject, simply in order that it might be brought to the attention of Senators in introducing similar resolutions that there is such a committee, and we are supposed to have charge of that which pertains to the Pacific Islands.

Mr. HOAR. I reflected on that.

Mr. FORAKER. There have been a number of similar resolutions introduced and I paid no attention to them, but I thought it my duty, in behalf of the committee of which I have the honor to be chairman, to direct attention to it. I have no objection to the inquiry going to the Committee on Foreign Relations.

Mr. HOAR. It seemed to me, if I may repeat, that this was merely an inquiry as to the effect of the bill which had just come from the Committee on Foreign Relations, and that the chairman of that committee would reply that this state of things had been changed by the new law, and that information would go to the public.

Mr. FORAKER. I am quite willing now, after this explanation has been had, that the inquiry may go to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PLATT of Connecticut rose.

Mr. HOAR. If the Senator will look at it he will see it is a very trifling matter.

Mr. PLATT of Connecticut. Will not the Senator be satisfied if the resolution is referred to the Committee on Foreign Relations. That will satisfy me. Otherwise I want to look at it.

Mr. HOAR. Very well; if my friend wishes to make a mountain out of a molehill, he can.

Mr. PLATT of Connecticut. I do not think molehills ought to be introduced into the Senate.

Mr. HOAR. Mr. President, when a mote gets into the eye of an American citizen, it is sometimes quite exasperating, even if it is not of any great size. I should like to repeat that this resolution was offered simply in order to elicit some information which would enable American travelers to know that the requirement to get passports and deposit sums of money in the Hawaiian Islands had now been remedied; that is all. It is the slightest possible affair.

The PRESIDENT pro tempore. Is there objection to the reference of the resolution to the Committee on Foreign Relations? The Chair hears none, and it is so referred.
May 14, 1900
Senate
v. 33 (6)
p. 5477

Mr. FORAKER. I am directed by the Committee on Pacific
Islands and Porto Rico, to whom was referred the bill (S. 4580) to
provide for officers in the customs district of Hawaii, to report it
with an amendment, and I ask for its immediate consideration.

The Secretary read the bill; and, by unanimous consent, the Sena-
tate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the committee was, in line 5, after the word
"thousand," to strike out the words "five hundred;" so as to make
the bill read:

"Be it enacted, etc., That there shall be in the customs district of Hawaii
one collector, who shall reside at Honolulu, and who shall receive a salary of
$4,000 per annum, and such deputy collectors and other customs officers as
the Secretary of the Treasury shall deem necessary.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amend-
ment was concurred in.

The bill was ordered to be engrossed for a third reading, read
the third time, and passed.

HAWAIIAN POSTAL SAVINGS BANK.

Mr. DANIEL. I am instructed by the Committee on Foreign
Relations, to whom was referred the bill (S. 4580) to amend and
repass an act entitled "An act to provide a government for the
Territory of Hawaii," approved April 30, 1898, to report it with
out amendment and to submit a report thereon. I ask for the
present consideration of the bill. It is recommended by the Secre-
try of the Treasury.

The PRESIDENT pro tempore. The bill will be read in full to
the Senate.

The Secretary read the bill, as follows:

"Be it enacted, etc., That sections 102 and 103 of the act entitled "An act to
provide a government for the Territory of Hawaii," approved April 30, 1898,
be amended to read as follows:

"Sec. 102. That the laws of Hawaii relating to the establishment and con-
duct of any postal savings bank or institution are hereby abolished. And the
Secretary of the Treasury, in the execution of the agreement of the United
States as expressed in an act entitled 'Joint resolution to provide for annex-
ing the Hawaiian Islands to the United States,' approved July 7, 1898, shall
pay the amounts on deposit in the Hawaiian Postal Savings Bank to the
persons entitled thereto, according to their respective rights, and he shall make
all needful rules, orders, and regulations for paying the same, and giving
notifying such persons to present their demands for payment. So much money
as is necessary to pay said demands is hereby appropriated out of any
money in the Treasury not otherwise appropriated, to be available on and
after the first day of July, 1900, when such payments shall begin, and none of
said demands shall bear interest after said date, and no interest shall be made
in said bank after said date. Said demands of such persons shall be certified
to by the chief executive of Hawaii as being genuine and due to the persons
presenting the same, and his certificate shall be sealed with the official seal
of the Territory and countersigned by its secretary, and when the same are
paid in the manner respecting payment from the Treasury, the proper laws
shall exist in respect of the same against the Governments of the United
States or Hawaii."

"Sec. 103. All money on deposit in the Hawaiian Postal Savings Bank shall,
on the 1st day of July, 1900, be turned over by the government of Hawaii to
the Treasurer of the United States; and the Secretary of the Treasury is hereby
authorized to assume charge of all the assets of said bank and to con-
vert the same into money, in such manner and in such time as may, in his
judgment, best subsist the public interests, and by such agencies as he may
appoint. Such agencies shall give good and sufficient bond to the United States
for the faithful performance of their duties, in such manner as the Secretary
of the Treasury may prescribe. The moneys so turned over to the Treasurer of the United States, and those collected from the assets of the said bank, shall be deposited in the Treasury, and paid to the credit of the Treasurer of the United States.

And it is further provided, That the Secretary of the Treasury, in the execu-
tion of the agreement of the United States expressed in a Joint resolu-
tion to provide for annexing the Hawaiian Islands to the United States," ap-
proved July 7, 1898, at the earliest practicable period after the passage of the
debt of the republic of Hawaii, lawfully existing at the date of the passage
of said joint resolution, an amount not exceeding in all $4,000,000, including
the sum required to pay the depositors in the Hawaiian Postal Savings Bank,
as provided in the act entitled 'An act to provide a government for the Ter-
ritory of Hawaii,' approved April 30, 1898, as above amended; and so much
money as shall be necessary to pay the same is hereby appropriated, out of
any money in the Treasury of the United States not otherwise appropriated.

There is also hereby appropriated in like manner such amount as may be
necessary to pay any accruing interest on said public debt for which the United
States may be liable under joint resolution of Congress dated July 7, 1898, entitled 'Joint resolution to provide for annexing the Hawaiian Islands to the United States;' and in addition thereto an amount not exceeding $20,000, or so much thereof as may be necessary to pay the expenses of exe-
cuting this resolution."

The PRESIDENT pro tempore. Is there objection to the present
consideration of the bill?

Mr. HALE. I am afraid that bill will give rise to controversy
and debate. If the Senator will withdraw it if it will give rise to
debate, I shall not object to its consideration.

Mr. DANIEL. I can state the gist of the bill.

Mr. HALE. I do not want the Senator to do that. If the Sena-
tor does that, it will certainly give rise to controversy; but if the bill
can be passed without any debate, I am willing that it shall
be done, but not otherwise.

Mr. SPOONER. What committee does the bill come from?

Mr. DANIEL. The bill has been carefully gone over by the
Committee on Foreign Relations, and I have been instructed to
report it. It is recommended by the Secretary of the Treasury.
It is simply for the immediate execution of our assumption of the
Hawaiian debt to the extent of $4,000,000, and it provides that the
Secretary of the Treasury shall take charge of the Hawaiian Postal
Savings Bank in Hawaii, reduce the assets into possession,
and turn the proceeds over to the Treasury of the United States. It makes the necessary appropriation to enable him to assume the debt, all of which except a little more than $5,000 in gold dollars is now redeemable. On June 15 the time when Hawaii was to pay interest on the debt expires; and if we want to prevent an accumulation of interest, we ought to assume the debt and make provision for the payment of it hereafter.

Mr. COCKRELL. Do we continue the Postal Savings Bank there?

Mr. DANIEL. The bill provides for winding up immediately the whole matter. Indeed, it was provided in the act for the government of Hawaii—that is, that it should be a local government, but the winding up was postponed until 1901. The bill provides for doing it immediately. The additional charge in the bill, I should state, is, is to the extent of $20,000, which is necessary to give the proper agencies to the Secretary of the Treasury to execute the act and leave the business all right in every particular.

Mr. HALE. I do not object if the bill does not give rise to any debate. If it does I must object.

Mr. TELLER. The bill has been read, but it has been utterly impossible in this part of the Chamber to know what the bill contains.

Mr. HALE. Mr. President, I will object for the present.

The PRESIDENT pro tempore. Objection is made, and the bill will go to the Calendar.

Mr. TELLER. The first information those in this part of the Chamber could get in regard to the bill was the statement made by the Senator from Virginia.

CIVIL OFFICES IN ALASKA, HAWAII, ETC.

May 15, 1900

Senate

v. 33 (6)

p. 5537-5540

Mr. ROSS. Mr. President, I ask unanimous consent that Senate bill 2000 be taken up for the occasion of some remarks.

The PRESIDENT pro tempore. The Chair lays the bill before the Senate.

The SECRETARY. A bill (S. 2000) regulating appointment to and removals from civil offices in outlying dependencies of the United States.

Amendment of the Committee to Examine the Several Branches of the Civil Service, Strike out all after the enacting clause and insert:

That all appointments to civil offices made by the President or any head of a Department in Alaska, Hawaii, or any place brought within the jurisdiction of the United States by the recent treaty with Spain, shall be made irrespective of the political opinions or the personal views or the complexion of the person appointed, so far as consistent with the proper performance of the duties of the office, and in such a manner as to represent the entire country. In case of removal from any such office, whenever practicable, charges shall be made in writing and a copy thereof furnished to the accused, who shall be afforded reasonable opportunity to make answer of a day, and the President to whom the complaint making the appointment may, wherever the public interest shall seem sufficient, suspend the official pending hearing or investigation of such charges.

Mr. ROSS. Mr. President, during the closing year of the century this nation has taken on new relations and entered upon the discharge of new duties. For the first time in her existence she has entered upon the difficult undertaking of governing dependencies, located quite remotely, having fixed customs and laws—growth of the centuries—the fundamental principles underlying which are the opposite of those which have ruled her heretofore. I speak of them as dependencies because that word most clearly expresses their relation to this nation. Territory is a more general term and applies more strictly to the nation's ownership of the soil than to its relation to the inhabitants of the country—"Colony" less correctly expresses its true relation. Most of these dependencies are quite thickly populated and are not expected to become colonies or to furnish a place for the overflow of our surplus population. All are, and for years will be, dependent, in a great measure, upon this nation for protection against foreign nations and their due administration. They may properly be denominated "dependencies."

Whether this new work shall redound to the nation's glory or shame depends largely upon the spirit and manner in which it is entered upon and conducted. It is a trite and true saying, "Well begun is half done." Well may Congress and the nation enter cautiously, conservatively, and thoughtfully upon the discharge of these new and important duties, in which the welfare of nearly or quite 100,000,000 people is more or less involved. The measure before the Senate, if enacted into law and obeyed in spirit, in my judgment will be most helpful in the proper discharge of these important and difficult duties. Its details will be considered later.

The present Congress will doubtless provide for permanent governments in Alaska, in Hawaii, in Porto Rico, and for less permanent governments in the Philippine Islands and in Cuba. None of these by the act of cession or annexation have the promise of eventually being given statehood. Whether any of them ever will be admitted as states is a question not ripe now for determination, nor even for consideration.

The conditions to be met and provided for in the several dependencies differ widely among themselves, and among others encountered by this nation. All the territories hitherto dealt with had, in advance, the promise, in due time, to be determined
by Congress, of being admitted into the Union as States. All were contiguous or nearly contiguous to some of the States, and their inhabitants largely came from the surplus population of the States. Moreover, the geographical and climatic conditions were factors in the politics of the nation. These dependencies are quite differently situated. They are remote from any of the States; many of them densely populated, each with inhabitants peculiar in its race, language, and customs. For these reasons they can exert no direct influence in the political policies and parties predominating in the nation. Questions as to their proper management and government may become involved in the policies of the political parties.

The conditions differ widely in each dependency. Alaska is a country of magnificent distances, has a diversified population, widely scattered and mostly affluent, ready to pick up their few belongings and start at a moment’s notice for the most recently discovered gold fields, without having inherited the traditions of a settled or even semi-barbarous life, with no fixed lands, or even the知识 of the soil. They are also intermixed with the uneducated native tribes. The main industries are the salmon, the fur seal, and gold mining. The civil and criminal codes recently enacted are to be applied, if possible, as to meet the peculiar conditions existing there.

In Hawaii the conditions are very different and much diversified. The natives, partially educated and civilized, the Portuguese, Japanese, Chinese, and Polynesian laborers have their national and other peculiarities, but are dominated by a comparatively small number of descendants from devoted American missionaries and by speculators of more recent arrival. They are a mixed population, in all stages of civilization and advancement, existing in a state of continuous transition and political, economic, and social life. There is no attempt to maintain Hawaiian royalty down to their present status. Upon this has been unraveled, little knowing what the existing laws are, the provisions of the civil government or Territorial Act. The indigenous institutions now existing in the Hawaiian government and its organization for the preservation and improvement of the islands presents no easy problem if they are to be successfully molded under and made subject to the fundamental principles of this Government.

The conditions in Porto Rico and the Philippine Islands are greatly unlike those in the rest of the United States. Alaska and Hawaii have a complex history, culture, and laws of similar origin and kind. But the inhabitants and industrial and other conditions to which the laws are to be applied, are dissimilar and peculiar and very different from those prevailing in Alaska and Hawaii. Porto Rico is inhabited primarily by Spanish-speaking people of Spanish descent and have little, if any, experience in governmental affairs. The other fifth are mostly merchants, planters, and professional men, better educated and possessing more wealth. There are few schools and very limited internal improvements. It will be extremely difficult to apply the existing laws and customs, and much more difficult to train the inhabitants into suitable ways of legislation, of living, and of thinking.

In addition to these peculiarities, the Philippines Islands there are a number of languages, varying in attainments and civilization from savagery to a medium civilization. Between many of these tribes there exist bitter hostilities. Some portions of the islands are well and others sparsely populated. The islands vary in fertility and climate. Some of the tribes are fairly educated and others densely ignorant. They have no uniformity of religious or governmental views. Generally the best educated and most advanced in civilization are cruel, treacherous, and have slight regard for truth.

The nation’s relations to Cuba are of the nature of the resolus of our times. I will not dwell upon the conditions existing there. Much that has been said of the conditions in Porto Rico will apply. Probably no civil appointments, under existing relations, will be made in that island, much less in Porto Rico. The President has the right to recall military officers to discharge civil duties the same care and good judgment should be exercised in making appointments to civil offices in the other dependencies.

The several civil government acts provide that the nation shall control the civil government of those departments in their government. This necessarily must continue so long as this nation is responsible to other nations and to its own people. It is the business of the several governments to apply the laws to the people of those governments for the conditions that shall exist in them. In every form of government responsibility by the people and to the people is a necessary factor. The one cannot well exist in the absence of the other.

It is manifestly evident that to mould successfully the civil government acts into existing laws in these dependencies; to set up and establish the executive, legislative, and judicial departments; to administer them honestly, prudently, in the best interests of the nation, demand that the appointees to control and administer these departments be men distinguished for intelligence, of experience in governmental affairs, of excellent judgment, thoroughly honest, energetic, and heartily devoted to their work.

Statutes, however carefully formulated and nicely adapted to existing conditions, are only a necessary but not the most important part of the work. Those who put them in operation, who mold, construe, and enforce them, give them life and action, effective to beneficial results. That these results may be most beneficial to every interest demands that the appointees be men of mature judgment and character, devoted to the work past and practical. Unlike appointees for home work, to whom all the conditions and every detail are familiar, these appointees will go to new and unfamiliar fields, encounter a strange people, speaking an unknown tongue and interpreting the laws, customs, and usages of a new environment. It is necessary not only to become acquainted with the people and their conditions, but also to represent the entire nation, to be of national character. But the personal character of the public servants, the public service of the people, the successful performance of these difficult but important duties can be secured unless the position is reasonably secure from unjust removal and the service demanded be fully compensated.

The bill seeks to secure reasonable compensation for the public service rendered to the nation. The President is required to pay for their service. The appointees to be made without regard to party opinions, and so as to represent the entire nation, or to be of national character. The men appointed will be of the most efficient, respectively, of the highest standing, and will be respected and received into the confidence and favor of the nation. The men appointed will do nothing to the public service, as to the public service, or to the public service.

Such men always have desirable positions which they can be induced to surrender to accept difficult positions for an uncertain period. On the contrary, there will be appointed men who will do nothing to the public service, as to the public service, or to the public service. They will do nothing to the public service, as to the public service, or to the public service. Rather than incur such incidents as those of the men appointed, they will become the respect and esteem of the nation.

Mr. ALLISON. I ask unanimous consent that the regular order may be informally laid aside.

Mr. PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. President, the soundness of these views, previously formed, has been confirmed by the report of the able commission sent to examine into the conditions and report a form of government for them. There is no better or more satisfactory report. In regard to the character and quality of service required of appointees, if made in these islands, applies with nearly equal force to appointments in Alaska and all the island dependencies. I read what they have so forcibly said on pages 115 to 116, inclusive, of the report:

A small number of American officials will be necessary for the Philippine Service. The highest, according to the form of government recommended by the commission, may be divided into two classes.
In the first group belong the governor, secretary, attorney-general, civil and military secretaries, and the other members of the departmental boards and other departments of the Federal service in the Philippines. It is not meant that in this case the same relation of the States of the Union. Indeed, there are obvious advantages, including harmonic and efficiency, in uniting all the branches of the government, as far as possible, in the hands of one executive, the President of the Philippines; the Americans are to reside in the Philippines.

The next group is that of those who are appointed by the President; those of the second, probably transferred from the home office. In neither case will it have been necessary for limiting the term of office except, of course, in the case of the governor, whose term must be long enough, however, to enable him to accomplish something. The commission half of the Senate is to consist of appointed members, and it is the duty of the President, Secretary, and other heads of departments to be appointed senators.

But it is equally unfortunate if, when these officials had come to understand the language and to have gathered valuable experience, their places should be taken by the American officials for the next term, thereby making the foreign service necessary, and with whom again it would be balked of its proper fruition. These recommendations apply to the judges, the chiefs of the customs, post-office, and other departments; it would be the first requisite in the highest offices which Americans will be called upon to enter, and the public service, as well as to economic administration, free from any taint of corruption. The appointment of officials and employees is a matter of public trust; their retentiveness, and their retention as long as they discharge their duties satisfactorily, are the opinion of the commission, indispensable principles of administration in the Philippines.

With a view to facilitate the discharge of their official duties, as well as to promote the employment of American officials, the commission holds it essential that the American officials in the Philippines should learn the language of the people (Tagalog, Ilocano, Visayan, Ilocó, etc.) among whom they live, and that facility in the use of the vernacular be a condition of aspiring to important offices. The town and county commissioners or supervisors, if they are not as a class brainy, they are better educated. The American official has to do with natives, the greater the need and more imperative the duty of learning their language. By no other means can the American and Filipino official be brought together, and the lines between them eroded. Of course this recommendation is not inconsistent with another recommendation that the commission, with the commission, be kept in the schools of the archipelago to the utmost extent feasible.

The business or merit system of civil service is economical of officials, for it puts the public good first. The patronage system, on the other hand, creating offices for favorites irrespective of the needs of the country, implies a public trust to be bestowed as a political consideration. The patronage system, the people are contented and only a small force is necessary. The patronage system, on the other hand, necessarily involves incapacity and inefficiency as well as unbridled power, and embitters the governed, and necessitates in consequence large armies to keep them in check.

As has been shown elsewhere, Spain, prior to the last insurrection, spent an annual foreign subsidy of $1,500,000 for the Philippine army and monthly $500,000 for the civil guard, the latter being kept up for the protection of the imports and the former of 13,291, of whom, however, only 2,310 were Europeans. Burmah, with about 1,000,000 people, has an army of 1,320, of whom one-third are British and two thirds Asiatic (almost entirely Indians); and an annual expedition of the establishment is about 30,000 rupees. In addition, the Burmese military force consists of 3,000 men, at an annual cost of 3,565,957 rupees, and military police force of nearly 18,000 men, at a cost of 4,912,300 rupees; a total of 21,312 men, at a cost of 7,478,257 rupees. The figures are extraordinarily high: first, because Burma is a comparatively new acquisition; secondly, the population is scattered, and thirdly, the army is a standing army, and all equipped by wild and savage tribes. In an old colony like Ceylon, with 2,500,000 inhabitants, the whole establishment is about 1,500 officers and men, at a cost of less than 600,000 rupees. The experience of Ceylon indicates what might be accomplished in the Philippines in another course of a dozen or two.

To the number of Americans who may be needed for the Philippines, the commission feels that the number required will only serve the first indications. Take British India and the feudal native states, with an army of 35,000 men, and an annual expenditure of 1,000,000 rupees. This area alone has an area of nearly 1,000,000,000 square miles and a population of over 250,000,000. The whole of the higher executive and judicial work in this immense area is performed by 51 British officers, including attorneys, solicitors, and magistrates. The population of the Philippines, however, is not over 10,000,000. It is estimated that only a small number of Americans are needed as the organizing and directing talent in the government. They should be men of the highest qualifications, and to secure them, and at the same time good government, it is indispensable that they should be offered high compensation and appointments during good behavior and efficiency. On them, and practically on them alone, will depend the fulfillment of our high hopes for the Philippines.

Again, on page 131, the commission gives this as their eighth conclusion:

The greatest care should be taken in the selection of officials for adminis-

tration. They should be men of the highest character and fitness, and parti-

cularly their native can not be entirely separated from the government of the Philippine Islands.

If the conclusions reached by these eminent commissioners, made on personal examination and after careful study and consideration, are true, it follows that economical and successful administration of these dependencies can be made only through competent and selected men, and continued in accordance with the letter and spirit of this bill.

The most effective home institutions for the cultivation of the principles of religion and civil liberty are nonpartisan. The New England connection of learning, towns, churches, and schools, is a nonpartisan and the most effective educational body.

In the minds of all persons liable to taxation meet on equal terms, choose the necessary officers, discuss the common needs of the youth of the district, make provision therefor, deal with subjects which touch closely their pockets and the nearest interests of their homes. The same is true, only as affecting a larger class, in the local schools and the local government.

The common school will well be the same in educational institutions and in the churches, the determination of property and personal rights in courts, and the organization and teaching in the Army and Navy nonpartisan; and these institutions are for the nonpartisan. In these principles, there are some measure to the idea of education in these principles, in the idea of the community. They quicken and strengthen his power of thought, stimulate his ambition, show him that his rights of person and property are as fully protected as those of any class; that there is no class of nobility but those who think noble thoughts and perform noble actions.

The product of our institutions in developing from the lowest stations in life the noblest, finest, highest specimens of individual manhood has been the wonder of the age and the amazement of mankind. This is the crowning glory of our free institutions. The present duty of the government is to compensate the civil service, of those dependences, commencing with the primary or lower institutions of society, and there educate and develop the child, even the wayward child, into the noble man; the man into the honest, high-minded citizen and statesman and politician. And the work of the spirit and work of the nation, undertaken in the spirit of the good Samaritan, of the good neighbor, among the nations of the earth.

The political economy of this nation, on the terms announced in that resolution, for the relief of the Cubans is the first application of the doctrine of the good Samaritan, so far as I am aware, to national rights and duties. As there announced, the application is an unselfish intervention by the United States to relieve one nation of its "abhorrent conditions," robbed, stripped, wounded, half dead. In driving away the robber and granting relief to the Cubans, the Porto Ricans and Filipinos were found in like condition under the power of the same oppressor. Every noble instinct, as well as the spirit upon which the name of the good Samaritan is based, demands that like relief should be granted to them. The nations who volunteer to relieve the half dead must be allowed some discretion in regard to the remedies to be applied, certainly until the sick is restored to reason and in consequence of the good Samaritan spirit. The motive inciting to this action is the noblest known to the world. Its glory must not be dimmed by withdrawal before substantial relief has been given, religious and civil liberty established, nor by allowing selfish motives to dominate the minds of the people.

No worthy citizen of any political party can or will desire to have the nation's noble work in this behalf prove unsuccessful. They all are ready and will most heartily aid the President and heads of Departments in selecting and appointing high-minded, capable men, and in the future administration of the government is in the spirit of the good Samaritan, and in firm reliance on the guidance of the Father of men and nations, most surely the croakings of the pessimists will prove but idle words, born of their own doubts and fears, and there will be erected in the future a light-house of religious and civil liberty, which shall enlighten, elevate, and render contented and happy all the inhabitants thereof and afford help and encouragement to surrounding nations. To this end this measure, if enacted into law and obeyed in letter and spirit, will prove an important step in the right of the Cubans want, and undertake, demands that like relief should be granted to them. The nurse who volunteers to relieve the half dead must be allowed some discretion in regard to the remedies to be applied, certainly until the sick is restored to reason and in consequence of the good Samaritan spirit. The motive inciting to this action is the noblest known to the world. Its glory must not be dimmed by withdrawal before substantial relief has been given, religious and civil liberty established, nor by allowing selfish motives to dominate the minds of the people.

Unless further discussion of it is desired, I ask unanimous consent of the Senate that it may receive present and favorable consideration.
Mr. HALE. Mr. President, before the matter is voted on, I desire to say that I wish I could share in the hope and expectation that the Senator from Vermont [Mr. Ross] has, that the peaceful and perfect programme that he has marked out for what are called our new possessions could ever be realized. I do not expect it ever will be realized. The history of colonial possessions from the days of the Romans to the present time is a history of robbery, of peculation, of extravagant expenditure of money, of wrongdoing in high places, and of corruption brooked and large. I do not think that the examples of to-day go to show that we are to be exempted from the monstrous evils that have always attended colonial rule.

The proconsular system of the Roman Empire and of the Roman Republic was the system that produced the abuses against which Cato spoke to the Senate, and, to use Macaulay's language, Tacitus thundered against the oppressor of Africa. The world has not changed. The jaunty way in which the American people embarked in this enterprise of colonial possessions and sent out its officials and its armies has certainly had a rebuke in what has been seen to happen in the last few months; and the Senator from Vermont and I will be older than we are now before the rule that has been laid down in all history is changed in our experience.

I do not object to the passage of the bill, but before it was passed I wanted to say this.

Mr. ALLISON. I hope the Senator from Vermont will not press that bill at this time. I yielded to the Senator with the view of giving him an opportunity of making some observations on the bill. After I have concluded the business I have in hand I shall not interfere with the further business of the Senate to-day. I now ask that the conference report on the District of Columbia appropriation bill may be laid before the Senate, without interfering, of course, with whatever is the order of business this morning.

Mr. HOAR. I suggest to the Senator from Iowa that he allow the bill of the Senator from Vermont to be considered—indeed, it is before the Senate—and then that the Senator from Vermont give way to the conference report, because if the bill has to be called up anew a week or a fortnight hence it will take an hour or two then, whereas it might not take five minutes to finish it now.

Mr. ALLISON. The junior Senator from Massachusetts [Mr. Lodge], who has charge of what is known as the Philippine bill, which is the regular order by unanimous consent of the Senate, desires it to preserve that situation and position.

Mr. HOAR. That bill can be laid aside informally. I think the bill of the Senator from Vermont will not take much time.

Mr. ALLISON. If it will not take much time, that is another matter.

I ask now that whatever is the pending business before the Senate may be informally laid aside until I can present to the Senate the conference report on the District of Columbia appropriation bill.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside, and the conference report on the District of Columbia appropriation bill be laid before the Senate. The Chair hears no objection, and that order is made.

CIVIL OFFICES IN ALASKA, HAWAII, ETC.

Mr. McMillan. I ask unanimous consent for the present consideration of the bill (S. 3959) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein.

Mr. ROSS. Senate bill 3959 was laid aside temporarily for the consideration of the conference report on the District of Columbia appropriation bill, and, unless there is objection, I should like to have action upon the bill by the Senate.

The PRESIDENT pro tempore. What is the request of the Senator?

Mr. ROSS. That the bill I have named be considered at the present time, unless there is objection or more discussion is desired upon it. The bill is really under consideration now. It was laid aside temporarily for the consideration of the conference report. The amendment reported by the committee has been read.
The PRESIDENT pro tempore. The Chair is informed that
the bill was before the Senate and that the amendment reported
by the committee had been read.

Mr. ALDRICH. What is the bill? Let it be read by title.
The PRESIDENT pro tempore. The title will be stated.
The SECRETARY. A bill (S. 3000) regulating appointment to
and removals from civil offices in outlying dependencies of the
United States.

The PRESIDENT pro tempore. The bill is before the Senate
as in Committee of the Whole, and the amendment reported by
the committee will again be stated.

The Secretary read the amendment reported by the Committee
to Examine the Several Branches of the Civil Service, which was,
to strike out all after the enacting clause and insert:

That all appointments to civil offices made by the President or any head
of a Department in Alaska, Hawaii, or any place brought within the jurisdic-
tion of the United States by the recent treaty with Spain, shall be made
irrespective of the political opinions of the persons appointed, and, so far as
consistent with the proper performance of the duties of the office, in such a
manner as to represent the entire country. In case of removal from any
such office, whenever practicable, charges shall be made in writing and a copy
thereof furnished to the accused, who shall be afforded reasonable oppor-
tunity to make answer thereto; and the President or head of a Department
making the appointment may, wherever the public interest shall seem to re-
quire it, suspend the official pending hearing or investigation of such charges.

The PRESIDENT pro tempore. The question is on the amend-
ment of the committee, which has been read.

Mr. GALLINGER. Mr. President, when the Senator from
Vermont [Mr. ROSS] a little time ago asked for the consideration
of this bill, I raised some objection, and it went over. I merely
rise to-day to say that while I shall not object, as I desire to be
very courteous to the Senator from Vermont, I regard it as an
unnecessary and an absurd bill.

The amendment was agreed to.
The bill was reported to the Senate as amended, and the amend-
ment was concurred in.

Mr. VEST. Mr. President, from what committee does the bill
come?

The PRESIDENT pro tempore. From the Committee to Exami-
nine the Several Branches of the Civil Service.

Mr. ROSS. I will state that the report of the committee is
unanimous.

Mr. VEST. It seems to be a very strange bill.

Mr. TURLEY. Mr. President, I am a member of the committee
which reported the bill, and the Senator from Texas [Mr. Cul-
berman] and myself, the Senator from Vermont will remember,
when the bill was in committee, asked, and we understood it was
agreed to, that the caption of the bill be changed so as to strike
out the words "outlying dependencies."

Mr. ROSS. There is provision for that in the amendment re-
ported to the title of the bill.

Mr. TURLEY. I mean in the title of the bill.

Mr. ROSS. That will be in order after the bill shall have been
passed.

The PRESIDENT pro tempore. There is a proposed amend-
ment to the title, which will be reached in time. The question
now is on ordering the bill to be engrossed for a third reading.

Mr. VEST. I must confess, Mr. President, I do not understand
this bill. I have very little knowledge of any such legislation. We are
telling the President of the United States—true, it is a mere plati-
titude—that he shall make appointments with a view to the inter-
ests of the whole country. I hardly think it is exactly our prov-
ince to tell the Executive what his duty is about appoint-
ments. That matter is exclusively for him, with the approval of the Sen-
ate. The Constitution gives him the right to make appointments
on the advice and consent of the Senate; and now we anticipate
his action and say, if I understand it—a Senator was talking to
me at the moment and perhaps I did not correctly catch the mean-
ing of the bill—"Mr. President, you must make these appoint-
ments with a view to the best interests of the entire country." I
am not representing the President, but I rather think he will do
that, and rather think we are going out of our way to tell him he
ought to do it. If we had a Democratic President, I should cer-
singly think so.
The PRESIDENT pro tempore. The question now is, Shall the bill be engrossed for a third reading?

Mr. MASON. Do I understand that the question now is on the engrossment and third reading of the bill?
The PRESIDENT pro tempore. The question is on ordering the bill to be engrossed for a third reading.

Mr. MASON. Then I ask to have it read in full.

The PRESIDENT pro tempore. The bill will be read in full as it has been amended.

The bill was read in full as amended, and ordered to be engrossed for a third reading.

The PRESIDENT pro tempore. The question now is, Shall the bill be read a third time?

Mr. MASON. I object to the further consideration of this bill at the present time. I have not had a chance to examine it, and this is the first time I have heard of it.

Mr. LODGE. It is too late now to object.

The PRESIDENT pro tempore. The Chair understands the bill is paralementary before the Senate and that an objection does not lie against it.

Mr. MASON. What is the entry in the Journal in regard to it? The PRESIDENT pro tempore. The bill was laid before the Senate this morning on the request of the Senator from Vermont [Mr. Ross] without objection; the Senator from Vermont made a speech upon it, and then it was laid aside.

Mr. GALLINGER. If I may be permitted, while I do not wish to obstruct this bill further than to vote against it, the Senator from Vermont asked distinctly in my presence that the bill be laid before the Senate, and that I might not make some remarks upon it. That is a customary thing to do, without proceeding to the consideration of a bill.

Mr. MASON. I did not understand that the bill had been taken up.

The PRESIDENT pro tempore. The present occupant of the chair was not present at the time it took place, but the Chair is informed.

Mr. ROSS. I asked that the bill be considered.

The PRESIDENT pro tempore. The Chair is informed that the Senator from Vermont expressed unanimous consent for the consideration of the bill, that that consent was given, and that it was, by unanimous consent, laid aside in order that the Senator from Iowa [Mr. ALLISON] might present the conference report on the District of Columbia appropriation bill. Therefore, if that is a correct statement, the bill is before the Senate, and no objection will lie against it. The question is on the third reading of the bill.

Mr. SCOTT. I move that the bill be indefinitely postponed.

Mr. PENROSE. I second the motion.

The PRESIDENT pro tempore. The Senator from West Virginia moves the indefinite postponement of the bill. [Putting the question.] By the sound, the "aye" have it.

Mr. ROSS. I call for the yeas and nays on the motion. The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I have a general pair with the Senator from Michigan [Mr. BURROWS]. If he were present, I should vote "nay."

Mr. DAVIS (when his name was called). I am paired with the Senator from Tennessee [Mr. CHILTON].

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah [Mr. RAWLINGS], who is absent.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. CLAY]. I suggest to the Senator from Louisiana [Mr. CAFFERY] that we might transfer our pairs, if agreeable to him, when we may both vote.

Mr. CAFFERY. That meets my approval.

Mr. LODGE. I vote "nay."

Mr. CAFFERY. I vote "nay."

Mr. MARTIN (when his name was called). I have a general pair with the Senator from Illinois [Mr. CULLOM]. In his absence I withhold my vote. I should vote "nay" if he were present.

Mr. MORGAN (when his name was called). I am paired with the junior Senator from Iowa [Mr. GEAR].

Mr. PENROSE (when his name was called). I have a general pair with the Senator from Delaware [Mr. KENNEY]. He being absent, I will withhold my vote. I should vote "nay" if he were present.

Mr. PLATT of New York (when his name was called). I have a general pair with the Senator from Idaho [Mr. HEITFIELD]; but this question being one that is nonpolitical, I will take the liberty of voting, and will vote "nay."

Mr. THURSTON (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN]. If he were present, I should vote "yea."

Mr. TURLEY (when his name was called). I have a special pair with the Senator from Connecticut [Mr. PLATT], who is necessarily absent. As I am informed he would vote "nay" on this question, I shall vote. I vote "nay."

Mr. BACON. The junior Senator from Rhode Island [Mr. WETMORE], with whom I am paired, is absent, and so I withhold my vote. If he were present, I should vote "nay."

Mr. CULBerson (after having voted in the negative). I desire to ask the junior Senator from Wisconsin [Mr. QUARLES] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CULBerson. I have a general pair with that Senator, and therefore I withdraw my vote.

Mr. SPOONER. I wish to announce that my colleague [Mr. QUARLES] is absent acting upon a subcommittee of the Senate.

Mr. THURSTON. I understand that no quorum has voted. If that is the fact, I will take the liberty of voting, notwithstanding my pair. I vote "yea."

The result was announced—yeas 12, nays 28; as follows:

YEAS—12

Butler, 10, Depew, 4, Aldrich, 1, Baldwin, 1.

Carter, 1, Halsey, 1, Clark, 1, Shawley, 1.

Gallinger, 1, Jones, Nat, McCullough, 1, Hannon, 1.

NAYS—28

Butler, 1, Depew, 4, Aldrich, 1, Baldwin, 1.

Carter, 1, Halsey, 1, Clark, 1, Shawley, 1.

Gallinger, 1, Jones, Ark, McCullough, 1, Hannon, 1.

NAYS—28

Butler, 1, Depew, 4, Aldrich, 1, Baldwin, 1.

Carter, 1, Halsey, 1, Clark, 1, Shawley, 1.

Gallinger, 1, Jones, Ark, McCullough, 1, Hannon, 1.

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NAYS—28

Butler, 1, Depew, 4, Aldrich, 1, Baldwin, 1.

Carter, 1, Halsey, 1, Clark, 1, Shawley, 1.

Gallinger, 1, Jones, Ark, McCullough, 1, Hannon, 1.

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NAYS—28

Butler, 1, Depew, 4, Aldrich, 1, Baldwin, 1.

Carter, 1, Halsey, 1, Clark, 1, Shawley, 1.

Gallinger, 1, Jones, Ark, McCullough, 1, Hannon, 1.
The result was announced—yeas 10, nays 35; as follows:

**YEAS—10.**

- Baker, *•*
- Carter, *•*
- Gallinger, *•*
  - Hale, *•*
  - Hanshorough, *•*
  - McMillan, *•*
  - Morgan, *•*
  - Newell, *•*
  - Proctor, *•*
  - Quail, *•*
  - Ross, *•*
  - Seward, *•*
  - Shoup, *•*
  - Stewart, *•*
  - Teller, *•*
  - Walton, *•*

**NAYS—35.**

- Aldrich, *•*
- Allison, *•*
- Bard, *•*
- Batch, *•*
- Berry, *•*
- Caffery, *•*
- Chandler, *•*
- Clark, *•*
- Cockrell, *•*
- Culberson, *•*
- Daniel, *•*
- Fairbanks, *•*
- Forsker, *•*
- Frye, *•*
- Harris, *•*
- Horr, *•*
- Jones, Ark., *•*
- Keen, Platt, N. Y.
- Kyle, *•*
- Lodge, *•*
- McComas, *•*
- Mcelroy, *•*
- Nelson, *•*
- Perkins, *•*
- Pettigrew, *•*
- Pettus, *•*
- Turley, *•*

**NOT VOTING—41.**

- Allen, *•*
- Bacon, *•*
- Baker, *•*
- Beveridge, *•*
- Burrows, *•*
- Chilton, *•*
- Clay, *•*
- Coulom, *•*
- Davis, *•*
- Deboe, *•*
- Depew, *•*
- McComber, *•*
- Sullivan, *•*
- Taliferro, *•*
- Martin, *•*
- Mason, *•*
- Turner, *•*
- Warren, *•*
- Wellington, *•*
- Wilmot, *•*
- Wolfcott, *•*

So the Senate refused to postpone the bill indefinitely.

**The PRESIDENT pro tempore.** The question recurs, Shall the bill be read a third time?

Mr. MASON. Mr. President, I desire to offer a few remarks in regard to the pending bill. The original bill as it was introduced provided:

That appointments to civil offices in Alaska, in Hawaii, in Guam, in Cuba, in Porto Rico, and in the Philippine Islands shall be made irrespective of the political affiliations of the appointees and in such manner as to represent the entire country and to give to each political party, as nearly as practicable, its proportional share thereof.

Section 2 provided:

That such appointees shall not be removed from office except for incompetency, misconduct, inefficiency, or neglect of duty. Before removal the charges shall be made in writing and a copy thereof furnished to the accused, who shall be ordered to make answer thereto in writing, under oath, within a reasonable time, named in the order for answer.

Section 3 provided:

That if the accused shall fail to make answer within the time named the charges shall be taken as confessed. If the answer shall deny the charges the President may refer the same to the truth of the charges to any impartial person, who shall, in the vicinity of the place where the office is located, hear the testimony and report the facts found thereon to the President.

This bill was introduced and referred to the committee in January of this year, and of course we all had constructive notice, at least, as to what the bill provided. We may not, of course many of us did not, have actual notice, but we certainly had constructive notice; and now, for the first time, the Senate's attention is called to the fact that all the three sections of the bill are stricken out; the author is heard in support of his bill as amended, and by some management which is not in keeping with the facts of the case, as I understood it, for I was in the Senate Chamber, we are forced to a vote upon this bill without discussion and without an opportunity of weighing its good or bad qualities. Yes, as the Senator from Pennsylvania suggests to me, it may be unconstitutional, and some of our constitutional lawyers have not had an opportunity to discover wherein it is or is not constitutional.

I wish, before I proceed to a discussion of the merits of this case, to call attention to the marked difference between legislation if it is introduced by one of our brother Senators or if it is introduced by some other brother Senator, not necessarily showing any special influence or advantage that any distinguished Senator may have over some experienced brother upon this floor, but to show how eager we are to take up and discuss in brief moments those things which seem to be satisfactory or will give us an opportunity to say to the world that we are in favor of civil service, for I propose to show before I sit down that there is no civil service here. It is a division of the spoils, and you gentlemen who have been preaching civil service, which is one of the living hypocrisies of the age, abandon your high plane of civil service and say, "No more examinations for fitness, but let us agree, boys, that whichever one of us wins we will divide the plums regardless of the man's ability, fitness, education, or training for the situation."

Mr. GALLINGER. And do it geographically.

Mr. MASON. Yes, and do it geographically. Now, I do not know whether or not our distinguished appointee in Cuba, Mr. Neely, was examined and gave the distance from the earth to the moon. One distinguished gentleman who was examined out West by the Civil Service Commission was asked how many Hessian came over to fight the Americans, and his answer was that a great many more came over than went back. [Laughter.] I think he received 90 per cent for the answer that he gave to that important question, when he was being examined to determine whether or not he could throw a letter into the Chicago box that was addressed to St. Louis. [Laughter.]

But, as I said before, I want to show the difference in treatment that this revolutionary bill has received and that which was received by the resolution I introduced, expressing sympathy for the struggling Boers. I introduced the resolution long before the appearance of Santa Claus last Christmas, long before you gentlemen went home or stayed in Washington to celebrate your Christmas holidays. I had supposed, by reason of the precedents established from the days of Monroe down to the days of Grover Cleveland, and the present Administration, too, that when I introduced a part of the Republican platform, which we adopted at St. Louis and which was adopted at the polls, from the beginning of the roll call, from the distinguished Senator from Rhode Island [Mr. ALDRICH], who answers first, down to my younger and less experienced friend who answers last, every man in the Senate would pray for a moment when he could express his sympathy for the struggling Republic in South Africa.

I introduced that resolution. I had not the good fortune the distinguished Senator has who presented this of being able to report my own resolution. On the 6th day of December, as I remember, I sent it adrift as a cocksure of doom and despondency, into the very valley of the shadow of death, preserved over by the distinguished Senator from Minnesota [Mr. DAVIS] whom I now address.

Mr. President, I am sorry to address the Senate when there are so few present to hear these remarks of wisdom that fall from my lips so easily.

Mr. WELLINGTON. Would it not be well to have a quorum present? I raise the question of the presence of a quorum.

Mr. MASON. I am obliged to the Senator from Maryland. The PRESIDING OFFICIAL (Mr. KEAN in the chair). The Senator from Maryland suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

- Aldrich, *•*
- Bacon, *•*
- Bard, *•*
- Batch, *•*
- Berry, *•*
- Butler, *•*
- Caffery, *•*
- Carter, *•*
- Chandler, *•*
- Clark, *•*
- Cockrell, *•*
- Culberson, *•*
- Daniel, *•*
- Fairbanks, *•*
- Forsker, *•*
- Frye, *•*
- Galier, *•*
- Harris, *•*
- Horr, *•*
- Jones, Ark., *•*
- Keen, Platt, N. Y.
- Kyle, *•*
- Lodge, *•*
- McClosky, *•*
- Nelson, *•*
- Perkins, *•*
- Pettus, *•*
- Proctor, *•*

The PRESIDING OFFICIAL. Thirty-eight Senators have answered to their names. A quorum is not present.

Mr. PETTICREW. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 16, 1899, at 12 o'clock m.
Fishes of Hawaii:
The President pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the United States Commissioner of Fish and Fisheries, submitting an estimate of appropriation, $6,500, for the investigation of fisheries of Hawaii, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

HAWAIIAN POSTAL SAVINGS BANK.

Mr. DANIEL. I ask for the present consideration of the bill reported from the Committee on Foreign Relations authorizing the Secretary of the Treasury to settle the debt of Hawaii.

The President pro tempore. The Senator from Virginia asks unanimous consent for the consideration of a bill the title of which will be stated.

The Secretary. A bill (S. 4650) to amend and reenact an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

The President pro tempore. The bill has been read in full to the Senate. Is there objection to its present consideration?

Mr. PETTIGREW. I should like to hear the bill read through.

The President pro tempore. The bill will be again read.

The Secretary proceeded to read the bill.

Mr. PETTIGREW. I shall object to the consideration of the bill at this time.

The President pro tempore. Objection is made to the consideration of the bill.

STEAMSHIPS IN COASTING TRADE.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 4615) to facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. NELSON. I offer an amendment to the bill, to insert in line 6, after the name "Porto Rico," the words "and the Territory of Hawaii."

The President pro tempore. The amendment will be stated.

The Secretary. It is proposed to amend, in line 6, after the name "Porto Rico," by inserting "and the Territory of Hawaii," so as to make the bill read:

"Be it enacted, etc. That the provisions of the act of June 5, 1894, entitled "An act to facilitate the entry of steamships," are hereby extended to steamships engaged in trading between ports of Porto Rico and the Territory of Hawaii and those of the United States."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to facilitate the entry of steamships engaged in the coasting trade between Porto Rico, the Territory of Hawaii, and the United States."

By Mr. FOSS: A bill (H. R. 11849) to provide for the acquisition by the United States of lands and rights therein necessary to the establishment of a naval station in Pearl Harbor, island of Oahu, Hawaii, and for the dredging of approaches to said harbor—to the Committee on Naval Affairs.
May 18, 1900
House
v. 33 (6)
p. 5730

By Mr. Newlands: A bill (H.R. 11668) providing for appeals and writs of error from the supreme court of the Hawaiian Islands and for writs of habeas corpus to the courts of the United States - to the Committee on the Territories.

May 21, 1900
House
v. 33 (7)
p. 5827

Senate Bills Referred:
S. 4560. An act to provide for officers in the customs district of Hawaii - to the Committee on Ways and Means.

May 22, 1900
House
v. 33 (7)
p. 5836

MAUSOLEUM OF HAWAIIAN KINGS.

Mr. KNOX. I desire to call up Senate joint resolution No. 76, and ask unanimous consent for its immediate consideration. The SPEAKER. The gentleman from Massachusetts asks unanimous consent for the present consideration of a joint resolution of the Senate, which the Clerk will now report.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following described lands lying and being situated in the city of Honolulu, Hawaiian Islands, heretofore used as a mausoleum for the royal family of Hawaii, to wit: The mausoleum premises, beginning at the north corner of said lot; on the southeast side of Nuuanu street, the same being the west corner of L. C. A. 628, to M. Kakauanoa, as shown on government survey's registered map No. 838, and running by true bearings: South 20° 30' east 380 feet along L. C. A. 628, to Kakauanoa; south 20° 30' west 380 feet, to stone wall; north 30° 30' west 20.9 feet, along L. C. A. 10,005 ap 2, to Pikol; north 57° 15' west 100 feet along L. C. A. 10,005 ap 2 to Pikol; north 10° 40' west 280.5 feet along L. C. A. 10,005 ap 2, to Pikol, and L. C. A. 363, to J. Robinson; north 30° 40' east 367 feet along Nuuanu street to initial point; area, 119,410 square feet, be withdrawn from sale, lease, or other disposition under the public land laws of the United States.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Reserving the right to object, I should like to inquire if this resolution has been referred to the proper committee of the House?

Mr. KNOX. This is a Senate resolution. It was referred to the Committee on Territories of the House, considered by that committee, and favorably reported. I would like to say to the gentleman from Alabama, so that the House may understand what the resolution is, that the simple withdrawal of the public lands the mausoleum or graveyard where the old Hawaiian kings and royal family are buried, sleeping in unconsciousness of the fact that we have annexed the islands to the United States. It is proper that their burial place should be preserved.

Mr. UNDERWOOD. Has the resolution a unanimous report from the Committee on Territories of the House?

Mr. KNOX. It has a unanimous report from the committee.

Mr. UNDERWOOD. What disposition will be made of this property after it is withdrawn?

Mr. KNOX. It is a royal cemetery and it is to remain forever as it is now.

Mr. LACEY. I would like to ask the gentleman a question. I did not catch the full reading, but I understood the resolution simply to withdraw this land from the operation of the land laws of the United States.

Mr. KNOX. From the public domain of the United States.

Mr. LACEY. But the difficulty about that is this: The land laws of the United States have not been extended to Hawaii and it may be disposed of under the land laws of Hawaii. Ought not the resolution to be amended so that the land will not be disposed of either under the land laws of Hawaii or of the United States?

Mr. KNOX. It is perfectly guarded under the Hawaiian law, and it was to prevent any question that might arise under the public-land laws of the United States, or any claim that it might be disposed of under them.

Mr. LACEY. There is no possible way of disposing of it under the land laws of the United States. If that is all, it is not needed, but if we attempt to prevent its disposition at all it seems to me...
that the resolution ought to be amended so as to include the land laws of Hawaii as well.

Mr. KNOX. The general public-land laws of Hawaii are continued in force, except as Congress otherwise directs. We have provided that no lease of lands or disposition of the public lands of Hawaii shall take place unless authorized by act of Congress. It presupposes the power of Congress to lease for a term of years or to otherwise dispose of lands in Hawaii. It is to make sure.

While it is safeguarded under the land laws of Hawaii, we want to make it sure under the public-land laws of the United States, that there shall be no disposal of the mausoleum of the royal family of Hawaii.

Mr. LACEY. What land laws of the United States have we passed that would affect this?

Mr. KNOX. The land law that we created by the bill we passed, that created the power of Congress to regulate, to lease, and dispose of lands in Hawaii. It is to guard against that that this bill provides.

Mr. LACEY. The land laws of the United States have not been extended to Hawaii.

Mr. KNOX. I know that. They have been extended only to the extent of the former bill passed.

Mr. McRAE. I would like to ask the gentleman from Massachusetts a question. This land, as I understand, is to be preserved for cemetery purposes. I would ask the gentleman if the bill dedicates the land to that purpose, and if not, why it should not?

Mr. KNOX. There has been a law in Hawaii dedicating about 119,610 square feet, which from time immemorial has been used as a mausoleum or burial place for the members of the royal family of Hawaii.

Mr. McRAE. I understand that feature of it. Does this resolution dedicate it for that purpose?

Mr. KNOX. It is now dedicated for that purpose. This bill provides that this plot shall be withdrawn from sale, lease, or any other disposition under the land laws of the United States. It is to preserve it as it is, and to keep it as dedicated.

Mr. McRAE. That withdraws it from sale, which is right. Should it not go further, and dedicate the land for that purpose?

Mr. KNOX. By the former bill we preserve all the land laws of Hawaii that are not in contravention of our own laws, and this plot is already dedicated under the laws of Hawaii to this use.

Mr. McRAE. I am afraid that you do not dedicate it.

Mr. KNOX. It is already dedicated under the Hawaiian laws.

Mr. WHEELER of Kentucky. Mr. Speaker, I hope there will be no further objection to this bill on this side of the Chamber; for I am persuaded that a few kings, dead or living, are only necessary to complete the policy of the present Administration, and I trust the bill will be passed.

Mr. STEELE. That was very severe!

Mr. WHEELER of Kentucky. Yes.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. KNOX, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

Mr. Fletcher, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 4615) to facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the Territory of Hawaii and the United States, reported the same without amendment, accompanied by a report (No. 1641); which said bill and report were referred to the House Calendar.
Mr. PAYNE. Mr. Speaker, I present a report from the Committee on Ways and Means.

The SPEAKER. The gentleman from New York calls up a privileged bill, which the Clerk will report.

The bill (S. 4500) to provide for officers in the customs district of Hawaii was read, as follows:

*Be it enacted, etc., That there shall be in the customs district of Hawaii one collector, who shall reside at Honolulu, and who shall receive a salary of $4,000 per annum, and such deputy collectors and other customs officers as the Secretary of the Treasury shall deem necessary.*

Mr. PAYNE. Mr. Speaker, I want to say that a bill like this passed the last House unanimously, and this bill is unanimously reported by the Committee on Ways and Means. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MCIKAE. With the opportunity to move an amendment to limit the number of officers, I am ready to consent to it.

Mr. PAYNE. I do not understand the gentleman.

Mr. MCIKAE. With an opportunity to move an amendment to limit the number of officers.

Mr. PAYNE. Why, if the gentleman desires to offer an amendment, I will yield to him for that purpose.

The SPEAKER. Is there objection, with that understanding? There was no objection.

Mr. PAYNE. Mr. Speaker, this bill has been read. It simply provides for a collector of customs at Honolulu, at a salary of $4,000 a year. While the bill that passed the House regulated the matter of customs duties for the Hawaiian Islands and created customs districts, it did not provide for any collector of customs at Honolulu. That was an omission. I want to say that in the last Congress a bill was introduced in the House providing for the collection of customs in the Hawaiian Islands, providing collection districts, and also providing for this very officer, a collector of customs at Honolulu, at a salary of $4,000. It was the unanimous voice of the committee at that time, and of the House as well, but the bill was not acted upon by the Senate. I understand at the Treasury Department that they are anxious that this legislation be had now, because they want to send officials there to provide for the collection of the customs, to reach there by the 15th of June. If I mistake not, the Hawaiian bill goes into operation on the 1st of July.

Mr. KNOX. Forty-five days from the date of its passage.

Mr. PAYNE. It will be necessary for the officials to reach there by the 15th of June in order to get the machinery in order to collect the customs.

Mr. KNOX. It goes into effect earlier than the gentleman stated.

Mr. RIDGELY. Will the gentleman allow me to ask him a question?

Mr. PAYNE. Certainly.

Mr. RIDGELY. Is it proposed to put a tax upon commerce between the Hawaiian Islands and the United States, the same as was proposed a short time ago in the case of the Chinese trade?

Mr. PAYNE. Not by this bill. I will say, however, that the House and Senate did impose in the Hawaiian bill a tax upon articles coming from the Hawaiian Islands, which articles were imported into the Hawaiian Islands from foreign countries prior to the passage of the bill. While the gentleman from Kansas [Mr. RIDGELY] may regard this as a violation of the Constitution, yet both sides of the House fractured the Constitution with respect to the Hawaiian bill, if that is a fracture of it.

Mr. RIDGELY. Can the gentleman inform us as to whether his committee would favor a tax upon the commerce between this country and the Hawaiian Islands?

Mr. PAYNE. I cannot speak for the committee. So far as I am concerned, I am in favor of the provision that was put in the Hawaiian bill, to put the full tariff duties of the United States upon all articles the products of foreign countries which were imported into Hawaii previous to the passage of the bill and afterwards imported into the United States.

Mr. RIDGELY. How about goods that are produced there and goods that are produced here being exchanged?

Mr. PAYNE. Oh, sufficient to say that I voted for the Hawaiian bill, which does not impose a duty upon those articles, the Hawaiian people not having had any hurricane or any other destructive calamity, and having sufficient resources within themselves to provide for the government of the islands otherwise than by imposing duties upon articles of traffic between this country and the Hawaiian Islands. There is no necessity for it, and of
course I did not suggest any, but I voted for the bill which provides for duties upon the articles which I have stated.

Mr. McRAE. Mr. Speaker——

The SPEAKER. The question is——

Mr. PAYNE. Mr. Speaker, the gentleman from Arkansas desires to make a statement.

Mr. McRAE. I hope the gentleman will modify the bill and limit the number of officers to be employed. I do not think that he should give to an executive officer the right to appoint as many as he may deem necessary, without any maximum limitation.

Mr. PAYNE. I think that is the provision of the general law.

Mr. McRAE. I think not.

Mr. PAYNE. It is the same provision that was in the bill two years ago.

Mr. McRAE. Then the bill was wrong two years ago. There ought not to be any law allowing to an Executive Department the right to fix the number of officers without some knowledge in this case how many they ought to have; but the Department ought to have some idea of the number of people that will be necessary to perform the work, and the committee should have obtained such information and made a limit.

Mr. HOPKINS. Does not the gentleman think his own statement refutes his position?

Mr. McRAE. It does; but if I had charge of the bill, I would know more about it than it appears is known by the gentleman in charge of it.

Mr. HOPKINS. You say you do not know the number required. Now, do you not believe that the Secretary of the Treasury is better capable of determining that than a member of the House?

Mr. McRAE. He ought to be able to tell the committee what the public service requires.

Mr. HOPKINS. It might require five men at one time and ten men at another. It all depends upon the amount of commerce.

Mr. PAYNE. I want to say to the gentleman from Arkansas that it is within the discretion of the Secretary of the Treasury as to how many officials he will appoint at nearly every subport in the United States—where there are subports of entry. I know it is so in my district, and under one Administration there were more officials than under another, without any change of law, and it was found to be lawful in each case. It depends entirely upon the Administration; and it is a matter that you cannot fix a hard and fast rule about, especially in regard to this country, as we have to go there and try and find out what is necessary.

Mr. McRAE. Does the gentleman mean to tell me that at all the ports of the United States the Secretary of the Treasury has power to employ, without limit, such officials as he may see fit?

Mr. PAYNE. Well, I did not say quite that much. A part of the ports of the United States he has the power to appoint deputies and inspectors, and under limit, so far as practical observations have been concerned. In some ports in my own district, subports, one Secretary of the Treasury would sometimes allow more than another.

Mr. McRAE. I do not want any statute passed that has not the number fixed. Of course I am not familiar with the requirements of this case, but I would not give this unlimited power to an executive officer in any permanent statute. This I do not at this time, when Congress is just about to adjourn, in a Presidential year, give an Executive Department the right to fix the number of officers. The temptation is too great. I think it is without precedent, so far as I know, and unless the gentleman will suggest some number, I will move to insert "not exceeding five in number."

Mr. PAYNE. Mr. Speaker, I will simply say this, before moving the previous question on the amendment and the bill, that it is impossible to fix the number in a matter of this kind; otherwise I will have no objection. We do not know how many men are needed. This bill was carefully considered two years ago by the Committee on Ways and Means of the House and adopted. A similar provision was adopted in the Senate on the Porto Rican bill, if my recollection is right, when it came from the Senate. Therefore I move the previous question on the bill and amendment.

The SPEAKER. The gentleman from Arkansas offers the amendment which the Clerk will read.

The Clerk read as follows:

Insert after the word "collectors," in line 8, the words "not exceeding five in number."

Mr. PAYNE. The gentleman does not mean that.

Mr. McRAE. I have not a copy of the bill, and have not been able to get one, so as to see the proper place to insert the amendment. I want to limit the officers not named.

The Clerk read as follows:

So that it will read, "and such deputy collectors, not exceeding five in number."

The SPEAKER. Upon the bill and amendment the gentleman from New York asks the previous question.
Mr. WILLIAMS of Mississippi. Before that question is put, Mr. Speaker, of course the House wants to understand the amendment. The gentleman from Arkansas has not a copy of the bill. As it is, with his amendment, it reads "deputy collectors not to exceed five in number and such other customs officers as the Secretary of the Treasury deems necessary."

Mr. McRAE. It is to come in after the indefinite number of officers. If you will give me a copy of the bill, I will show where I want it to go in; and if it reads as the gentleman from Mississippi suggests, it is not where it should come in.

The SPEAKER. The Chair has no power in a matter of that kind.

Mr. WILLIAMS of Mississippi. I ask that the gentleman be permitted to insert the amendment at the proper place. It was done by the Clerk in mistake.

Mr. McRAE. It should come in after the last word.

The SPEAKER. Let the Clerk report it to the House, so that it will be understood.

The Clerk read as follows:

After the word "necessary" insert at the end of the bill "not exceeding five in number;" so that it will read, "and such deputies and other customs officers as the Secretary of the Treasury shall deem necessary, not exceeding five in number."

The SPEAKER. The question is on ordering the previous question.

Mr. PAYNE. I withdraw that for the moment. I do not see how that amendment can be put in there without destroying the bill. To insert the words "not exceeding five in number" will apply to the collector, clerks, and everything else.

Mr. McRAE. I did not intend it to do that.

Mr. PAYNE. To put this on the bill destroys the service down there. I now demand the previous question.

Mr. McRAE. Then let me modify the amendment. I do not want any misunderstanding about it. I will ask that it be inserted after the word "officer," but I really believe that it makes no difference whether there or at the end.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. This is all out of order.

Mr. PAYNE. I demand the previous question.

Mr. WILLIAMS of Mississippi. May I ask the gentleman to withdraw the call for the previous question?

The previous question was ordered.

The SPEAKER. The question now is on the amendment offered by the gentleman from Arkansas [Mr. McRAE].

The question was taken; and on a division (demanded by Mr. McRAE) there were—ayes 55, noes 87.

So the amendment was rejected.

The bill was ordered to be read a third time; and being read the third time, it was passed.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.
An act (S. 4560) to provide for officers in the customs district of Hawaii. (Approved and Signed by the President)

Steamships between Porto Rico, Hawaii, and the United States.

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4615) to facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the Territory of Hawaii and the United States.

The bill was read, as follows:

"An act to facilitate the entry of steamships," are hereby extended to steamships engaged in trading between ports of Porto Rico and the Territory of Hawaii and those of the United States.

The SPEAKER pro tempore. Is there objection?

Mr. PAYNE. I should like to ask the gentleman if that bill has been reported by any committee of the House?

Mr. FLETCHER. It has been reported by the Committee on Commerce of the Senate and by the Committee on Interstate and Foreign Commerce of the House—a unanimous report.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. FLETCHER, a motion to reconsider the last vote was laid on the table.

Enrolled Bills Signed:
S. 4615. An act to facilitate the entry of steamships in the coasting trade between Porto Rico and the Territory of Hawaii and the United States.

A bill (S. 4615) to facilitate the entry of steamships in the coasting trade between Porto Rico and the Territory of Hawaii and the United States. (Approved and Signed by the President)

Presidential Approvals:
An act (S. 4615) to facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the Territory of Hawaii and the United States; and
A joint resolution (S. R. 76) withdrawing certain lands on the island of Oahu, Hawaii, from the public domain.

Issuance of bonds in territories.

Mr. HEITFELD. I ask unanimous consent for the present consideration of the bill (S. 4078) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.

The PRESIDENT pro tempore. The bill has been read as in Committee of the Whole.

Mr. ALDRICH. Let it be read again for information.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, resumed its consideration.
The bill was reported from the Committee on Territories with an amendment, in line 10, page 2, after the word "given," to strike out the words "at least" and insert "not more than sixty nor less than;" so as to make the bill read:

Be it enacted, etc., That the act of Congress approved July 23, 1858, entitled "An act to prohibit the passage of local or special laws in the Territories of the United States, to limit Territorial indebtedness, and for other purposes," is hereby amended so as to permit, authorize, and legalize the issuance of bonds by chartered municipal corporations having a bona fide population of not less than 10,000 persons, in any Territory of the United States, for erecting a city hall and purchasing the ground, and that the limitations of said act of July 23, 1858, shall not apply to such municipal corporations: Provided, That before any bonds shall be issued by the mayor and common council of such municipal corporation shall cause to be published in a newspaper of general circulation published in said city or town a notice of the time and place of holding such election.

Such notices shall be given not more than sixty nor less than thirty days before such election. The question of the issuance of said bonds no person shall be qualified to vote except he be in all respects a qualified elector and owner or real or personal property subject to taxation within the municipality. In case two-thirds of the qualified voters, as above described, shall vote affirmatively for the issuance of said bonds, then the mayor and common council shall issue the same, no otherwise. Said bonds shall contain all necessary provisions as to form, and such municipality shall provide a proper sinking fund for the redemption of said bonds. Said bonds shall not bear a rate of interest exceeding 6 per cent, and the interest shall be paid semiannually, and none of said bonds shall be held at less than their par value: Provided further, That no city under this act shall issue bonds in excess of $50,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

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TERRITORIAL INDEBTEDNESS.

The SPEAKER. The Chair lays before the House a Senate bill which does not carry an appropriation, and which is exactly similar to a House bill favorably reported. The Clerk will read the bill.

The Clerk read as follows:

A bill (S. 4072) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and so forth.

Be it enacted, etc., That the act of Congress approved July 30, 1858, entitled "An act to prohibit the passage of local or special laws of the Territories of the United States, to limit Territorial indebtedness, and for other purposes," is hereby amended so as to permit, authorize, and legalize the issuance of bonds by chartered municipal corporations having a bona fide population of not less than 10,000 persons, in any Territory of the United States, for erecting a city hall and purchasing the ground for the same.

The limitations of said act of July 30, 1858, shall not apply to such municipal corporations: Provided, That before any bonds shall be issued by the mayor and common council of such municipal corporation shall be held in such city or town, and the mayor and common council of such municipal corporation shall cause to be published in a newspaper of general circulation published in said city or town a notice of the time and place of holding such election.

Such notice shall be given not more than sixty nor less than thirty days before such election. The question of the issuance of said bonds no person shall be qualified to vote except he be in all respects a qualified elector and owner of real or personal property subject to taxation within the municipality. In case two-thirds of the qualified voters, as above described, shall vote affirmatively for the issuance of said bonds, then the mayor and common council shall issue the same, and not otherwise.

Said bonds shall contain all necessary provisions as to form, and such municipality shall provide a proper sinking fund for the redemption of said bonds. Said bonds shall not bear a rate of interest exceeding 6 per cent, and the interest shall be paid semiannually, and none of said bonds shall be sold at less than their par value: Provided further, That no city under this act shall issue bonds in excess of $50,000.

Mr. FINLEY. Is this a request for unanimous consent?

The SPEAKER. Not at all. The bill comes up as the regular order.

Mr. FINLEY. I should be glad to hear some explanation of the bill.

Mr. FLYNN. A bill identical with this has been unanimously reported by the Committee on Territories. It authorizes cities or towns in the Territories having over 10,000 population to issue bonds not to exceed $50,000 in any one case for the purpose of erecting city buildings. It prescribes qualifications of electors and the like. They must be taxpayers; and after legal notice has been given, two-thirds of the qualified electors must vote on the proposition. The bonds are to be brought in at 5 per cent interest and not be sold at less than par.

Mr. FINLEY. As I understand, this is a Senate bill.

Mr. FLYNN. But a committee of this House has favorably reported a bill identical in its provisions.

Mr. FINLEY. My recollection is that a bill similar to this was before the Committee on Territories.
Mr. FLYNN. Yes, sir.
Mr. FINLEY. And the bill applies, I believe, to all cities and towns in the Territories?
Mr. FLYNN. All cities and towns having over 10,000 people.
Mr. FINLEY. When was this bill considered by the committee—in January?
Mr. FLYNN. No; the report was made by our committee in April.
The bill was ordered to a third reading, and read the third time,
The SPEAKER. The question is on the passage of the bill.
Mr. LENTZ. I object.
The SPEAKER. To what does the gentleman object?
Mr. LENTZ. I object to this business going on. I do not know what it is. I can not find out.
The SPEAKER. That is not the fault of the Chair or the House.
The bill was regularly laid before the House and read.
Mr. LENTZ. I ask to know what it is we are doing.
The SPEAKER. The bill has been read and explained and discussed.
Mr. LENTZ. I could not hear it.
The SPEAKER. The question is on the passage of the bill.
The bill was passed.
The SPEAKER. Without objection, a House bill of similar purport to the Senate bill just passed will be laid on the table.
There was no objection.
Mr. SHATTUCK. I move to reconsider the vote by which the Senate bill was passed, and also move that the motion to reconsider be laid on the table.
The latter motion was agreed to.

Enrolled Bills Signed:
A bill (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit Territorial indebtedness, etc.;

Enrolled Bills Signed:
S. 4075. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.

Presidential Approvals:
An act (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.
Upon these plantations are employed about 60,000 Asiatics, as well as a certain proportion of the Kanaka and Portuguese population. The tendency is to regard the Asiatic laborers as mere machines. Their food, their health, their sanitary conditions are looked after only with a view to maintaining their efficiency as machines. As to the Kanakas, they are a kindly people who have received a fair education, but who seem unable to withstand the contact of strong and vigorous races, and as a result the native race is gradually becoming extinct.

It is probable that these islands will support a population of a half million of people, and the development of the industries there will necessitate the increase of population by means of immigration from without. Chinese immigration is now prohibited by the United States laws, but other Asiatics, such as the Japanese, can enter, and they are crowding there in large numbers. Unless, therefore, we are content to allow the Japanese to gradually meet all the increasing requirements of these islands for laborers, we must devise some system by which the migration of citizens of the United States, white or black, or of the white people of other countries shall be promoted; and we can never expect to be able to successfully promote such migration if the laboring class is to be attached, as heretofore, in a semiservile capacity to the soil, without rights in it. The promotion, therefore, of small land holdings is absolutely essential to the promotion of a desirable immigration, and without the latter Hawaii will be republican in name only.

The task is a difficult one, I admit, but the more difficult it is the sooner we should enter upon it. We cannot expect the class which has heretofore governed the islands, intelligent, public-spirited, and capable though it be, to work out the reforms that will be essential to the maintenance of republican institutions. They are the landed class. They are the beneficiaries of the system which now prevails there, a system which increases the dignity and wealth of the landowner and degrades the condition of the land laborer, a system which has given this class the wealth which it possesses. It can never be expected that the beneficiaries of an abuse will reform that abuse. This is too much to hope of human nature. The landowning class will control the political government of Hawaii, and any reform in the future must be compelled and forced by the United States Government through its control over Hawaii as a Territory of the United States.

It is urged that the sugar industry is such as to require large holdings and semiservile labor, and that the climate of Hawaii is unsuited to the labor of any other class than that now employed there, and that therefore reform is hopeless. My answer is that by admission of Hawaii to the commercial union of the United States large markets have been given to her sugar production, which have vastly increased its value, and that we will be recreant to our duty if we permit the entire benefits of this increase of the value of their sugar product to go to capital instead of being divided into some fair proportion between capital and labor. Are we to perpetuate a system which will raise the value of sugar lands from $50 an acre to a thousand, two thousand, and three thousand dollars an acre and say none of the benefits of this system shall go to the labor employed upon the land? The very foundation of the protective system of this country is that monopoly of American markets given to American products tends not so much to the advantage of capital as it does to the elevation of labor. If, then, our tariff on sugar gives to Hawaii a share in the monopoly of American markets, should we not see to it that this advantage accrues to the labor as well as to capital, the men employed to the soil as well as the men who own the soil?

As to the climate, the very fact that 15,000 Portuguese are now employed there indicates that it is adapted to the white races. The immigration of the Italians and Portuguese can be encouraged there rather than the immigration of Asiatics. The Italians and Portuguese in our Western country constitute a very valuable part of our community. They are soon assimilated. Their children are educated in our schools and become familiar with and attached to our institutions. Then, again, the climate is adapted to our negroes, who are now citizens of the United States, entitled to political rights; and then the overcrowded condition of Porto Rico offers an opportunity for the gradual transfer of thousands of people who are accustomed to a climate almost identical with that of Hawaii, and who have been trained in the very industries pursued in Hawaii. But the migration of the
Hawaiian Islands. See also New Possessions.

Bills to construct submarine cable to (see bills S. 2, 1928, 3140; H. R. 930, 2960, 3390, 6766, 8303).

Bills to provide government for (see bills S. 228; H. R. 2073).

Bill to extend immigration laws to (see bill S. 600).

Bills to extend laws relative to commerce, navigation, and merchant seamen over (see bills S. 738, 2439; H. R. 5065).

Bills to provide for telegraphic communication to (see bills S. 1473, 1025; H. R. 2790).

Bill to extend immigration, contract labor, and Chinese-exclusion laws of United States to (see bill S. 2344).

Bills to amend act to allow C. C. Moreno and others to lay submarine cable to (see bills S. 2604; H. R. 1069).

Bill placing under jurisdiction of Secretary of Navy appropriation for improvement of Pearl Harbor (see bill S. 2708).

Bills for establishment of naval station in Pearl Harbor, island of Oahu (see bills S. 4230; H. R. 11649).

Bill to provide for officers in customs district of (see bill S. 4568).

Bill to facilitate entry of steamships engaged in coasting trade between United States and (see bill S. 4615).

Bill to amend act to provide government for (see bill S. 4650).

Bills to extend anti-contract-labor laws to (see bills H. R. 2971, 8874).

Bill to extend customs and internal-revenue laws over (see bill H. R. 4599).

Bill relative to silver coinage and silver certificates of (see bill H. R. 7091).

Bill providing for appeals and writs of error from supreme court of (see bill H. R. 11688).

Joint resolution to reserve certain lands in city of Honolulu, island of Oahu (see S. R. 76).

Joint resolution relative to sending of newspapers and periodicals to soldiers in (see H. J. Res. 209).

Resolution of inquiry in House relative to banks or other institutions used by Government for deposit of public moneys in (H. Res. 308) referred 3668.

Resolution of inquiry in Senate relative to regulations for travel in, debated and referred 5362.

Amendments in Senate to bill (S. 228) to provide government for 1113, 1337.

Amendment in Senate to guarantee republican form of government for 601.

Amendments in Senate for appropriation for topographical and geological surveys in 3872, 4839.

Estimate of additional appropriation for expenses of United States courts in (S. Doc. 347) 5207.

Estimates of appropriations to carry out certain provisions of act to provide government for (S. Doc. 348) 5307.

Estimate of appropriation for investigation of fisheries of (S. Doc. 366) 5580.

Estimate of appropriation for quarantine service in (H. R. Doc. 666) 5504.

Letter of Secretary of Navy relative to jurisdiction of appropriation for improvement of Pearl Harbor (S. Doc. 90; H. R. Doc. 332) 1021, 1033.

Letter of Secretary of State transmitting reports of decisions of supreme court of Hawaii in certain cases relative to application of Constitution of United States to (H. R. Doc. 297) 678, 696.

Conference report on bill (S. 228) to provide government for 4388.

Memorial of citizens of Honolulu favoring extension of American Territorial laws over 559.

Statement of financial resources of 3199.

Statistics relative to trade, area, population, churches, newspapers, etc., of 4486.

Paper relative to land system of (S. Doc. 72) 735.
New Possessions. See also Alaska; Cuba; Guam; Hawaiian Islands; Philippine Islands; Porto Rico.

Bill regulating appointments to and removals from civil offices in (see bill S. 3000).

Bills to provide better facilities for safe-keeping and disbursement of public moneys in (see bills S. 3948; H. R. 9388).

Bill authorizing establishment of banks in Cuba, Porto Rico, and Philippine Islands, and to issue letters of credit (see bill H. R. 3988).

Bill to extend laws enacted by Congress for the Territories to (see bill H. R. 6870).

Joint resolution fixing status of islands ceded to United States by Spain (see H. J. Res. 115).

Resolution in Senate declaring obligations of United States to 601.

Resolution in Senate declaring that provisions of Constitution unaided by act of Congress do not extend over, debated 695, 1033.

Resolution in Senate to print report of Charles E. Magowan on legal status of territory and inhabitants of, passed (S. Doc. 284) 8414.

Resolution of inquiry in Senate relative to topographical and geological surveys on islands under jurisdiction of United States, passed 702.

Resolution of inquiry in Senate relative to collection of revenue in, passed 1118, 1156.

Resolution of inquiry in Senate relative to surveys made by Navy Department in, passed 3551.

Resolution of inquiry in House relative to banks or other institutions used by Government for deposit of public moneys in (H. Res. 298), referred 3669.

Amendment in Senate declaring policy of United States concerning 601.

Letter of Secretary of Treasury relative to establishing depositories of public money in (H. R. Doc. 177) 493.

Report of Secretary of Interior relative to topographic and geologic surveys on islands under jurisdiction of United States (S. Doc. 115) 1153, 1498.

Report of Secretary of Navy relative to surveys in (S. Doc. 359) 5259.

Report of Secretary of Treasury relative to coast surveys on islands under jurisdiction of United States (S. Doc. 120) 1347.

Report of Secretary of War relative to tariff collections in (S. Doc. 354) 1761, 8463.


Argument by Carman F. Randolph relative to territorial expansion 8551, 8554.

Territories

Bill to donate public lands to (see bill S. 27).

Bill extending desert-land laws to (see bill S. 765).

Bills to amend act to better define and regulate rights of aliens to hold and own real estate in (see bills S. 2011; H. R. 3397).

Bills to prevent adulteration of foods, beverages, candies, drugs, and condiments in (see bills S. 2050, 2223, 2426, 3618; H. R. 2561, 4618, 6246, 9677).

Bill to restrict grounds of divorce in (see bills S. 2533; H. R. 6441).

Bills to amend act to prohibit passage of special or local laws in (see bills S. 4075, 4293; H. R. 8355, 9708, 10737, 10943).

Bill prohibiting legislatures from creating new counties by special act (see bill H. R. 1025).

Bill to confer appellate jurisdiction on circuit courts of appeal to review judgments of supreme courts of (see bill H. R. 6033).

Bill to establish court of appeals for Arizona, New Mexico, and Oklahoma (see bill H. R. 6034).

Bill to prohibit passage of local or special laws and to limit Territorial indebtedness in (see bill H. R. 9708).

Bill to amend act for protection of lives of miners in (see bill H. R. 10533).

Compilation of organic acts of (S. Doc. 148) 1431, 1487.

Territory of Hawaii. See Hawaiian Islands.
S. 222—

To provide a government for the Territory of Hawaii.

Introduced by Mr. Cullom and referred to Committee on Foreign Relations 39, 233.—Reported back with amendments 643.—Debated and amended 1359, 1836, 1889, 1918, 1978, 1979, 2022, 2122, 2123, 2157, 2240, 2316, 2380, 2408. —Passed Senate 2449.—Referred to House Committee on Territories 2490.—Reported back with amendment (H. R. REPORT 549) 2637.—Mady special order 2740.—Debated and amended 3702, 3746, 3769, 3800, 3814, 3857, 3865.—Passed House 3865.—Laid on table in Senate with House amendment 3007.—Senate nonconurs in House amendment 5934.—House insists on its amendment 4072.—Conference appointed 3969, 4072.—Conference report made, debated, and rejected in Senate 4357, 4409, 4454, 4508.—Senate further insists on its disagreement to House amendment 4508.—House further insists on its amendment 4528.—Second conference appointed 4508, 4528.—Conference report made, debated, and agreed to 4648, 4733, 4766.—Examined and signed 4800, 4806.—Approved by President 4892.

H. R. 2972—

To provide a government for the Territory of Hawaii.

Introduced by Mr. Hitt and referred to Committee on Territories 165.—Reported back with amendment (H. R. REPORT 305) 1739.
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H. R. 3558, 3943; H. Res. 45, 53.)

55th Congress, 3d session.
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Bill to amend act to provide government for Hawaii (see bill S. 4650.)
Miscellany:


KNOX, W. S. Government for the Territory of Hawaii. Mr. Knox from the Committee on Territories, submitted the following reports to accompany H. R. 2972; (H. Rep. 305; 56th Congress, 1st session.)

U. S. CONGRESS. 2d session, 55th Congress, 1898 (Speeches on Hawaii).


(The above list was prepared by Miss Charlotta Hoskins and Miss Janet Bell, of the University of Hawaii Library Staff, June 22, 1944)