Mr. KNOX. No; the labor contracts are not recognized in any way.

Mr. McCRAE. 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. McCRAE. 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. 226, the print of April 18. The changes from what the bill was when left the House are so slight and so few that I thought I could state them intelligently.

Mr. McCRAE. 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. KNOX. 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 all franchises granted in good faith by the Hawaiian government in contemplation of the 7th day of July, 1886, and the 20th 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 20th day of September. Those 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 committee report that the transfers might be more fully than they would be under 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 in a tribunal which might perhaps 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 of the United States could.

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. KNOX. 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 is that in regard to the application of the cost laws 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. Nevertheless, there was preparation made over the entire country to engage in this coating 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 by the Constitution of the present state, and that provision with all the jurisdiction of a 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 judicial from the legislative department, 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 proviso on 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-