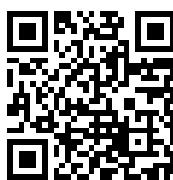

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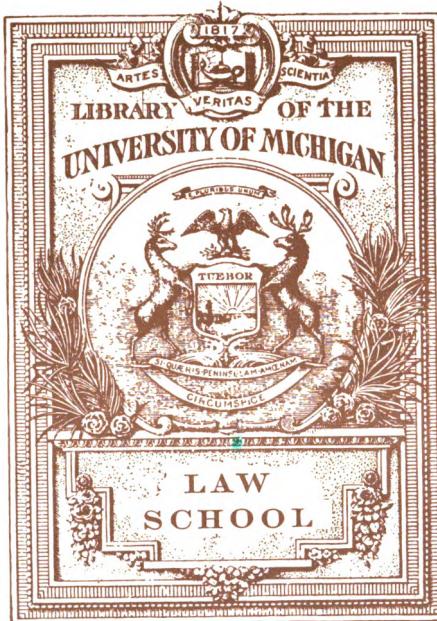
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LAWS OF HIS MAJESTY KALAKAUA I.

KING OF THE HAWAIIAN ISLANDS,

= = =
PASSED BY THE

LEGISLATIVE ASSEMBLY,

AT ITS SPECIAL SESSION,

1887.

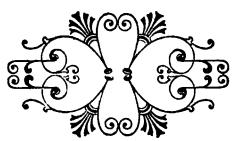
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HAWAIIAN GAZETTE PRINT.

1887.



SESSION LAWS OF 1887.

CHAPTER I.

AN ACT

TO REPEAL CHAPTER XLVII. OF THE SESSION LAWS OF
1886.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Chapter XLVII. of the Session Laws of 1886, being an Act entitled "An Act to provide a permanent settlement for Her Royal Highness Princess Poomaikelani," approved on the 15th day of October, 1886, be and the same is hereby repealed.

SECTION 2. This Act shall take effect on the 31st day of December, 1887.

Approved this 21st day of November, 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

CHAPTER II.

AN ACT

To REPEAL CHAPTER L. OF THE SESSION LAWS OF 1886.
Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Chapter L. of the Session Laws of 1886, being an Act entitled "An Act to make a permanent settlement on Thomas W. Everett," approved on the 15th day of October, 1886, be and the same is hereby repealed.

Approved this 21st day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER III.

AN ACT

**To REPEAL CHAPTER VII. OF THE SESSION LAWS OF 1880,
AS AMENDED BY CHAPTER 21 OF THE SESSION LAWS
OF 1882.**

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Chapter VII. of the Session Laws of 1880, as amended by Chapter 21 of the Session Laws of 1882, being "An Act to perpetuate the genealogy of the

(5)

Chiefs of Hawaii," approved the 9th day of August,
A. D. 1880, be and the same is hereby repealed.

Approved this 21st day of November, 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

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CHAPTER IV.

AN ACT

TO PROVIDE FOR THE NECESSARY EXPENSES OF THE EXTRAORDINARY SESSION OF THE LEGISLATURE OF THE YEAR 1887.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

That the sum of ten thousand (\$10,000) dollars be and the same is hereby appropriated out of the public moneys for the purpose of defraying the necessary expenses of the extraordinary session of the Legislature of the year 1887.

Approved this 21st day of November, A. D. 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

CHAPTER V.

AN ACT

To REPEAL CHAPTER XLVIII. OF THE SESSION LAWS OF 1886.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Chapter XLVIII. of the Session Laws of 1886, being an Act entitled "An Act to provide for a permanent settlement for Honorable W. C. Parke," approved on the 15th day of October, A. D. 1886, be and the same is hereby repealed.

SECTION 2. This Act shall take effect on the 31st day of December, 1887.

Approved this 21st day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

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CHAPTER VI.

AN ACT

To AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT TO REPEAL CHAPTER X. OF THE CIVIL CODE, AND TO REGULATE THE BUREAU OF PUBLIC INSTRUCTION," APPROVED JANUARY 10TH, 1865.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Section 2 of said Act is hereby amended so as to read as follows :

SECTION 2. There shall be an Executive Bureau to be styled the "Bureau of Public Instruction," which shall be superintended and directed by a Board to consist of five members and to be called the Board of Education.

The members of the said Board shall be appointed by the King and one of their number shall by him be appointed President, and all shall serve without pay; but no person in holy orders or a Minister of religion shall be appointed to fill the office of President.

In the absence of the President a member of the Board acting as Vice-President *pro tem* shall preside over its meetings.

Approved this 21st day of November, 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

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CHAPTER VII.

AN ACT

To AMEND CHAPTER XI. OF THE SESSION LAWS OF 1876,
RELATING TO THE PUBLIC HEALTH.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Section 2 of Chapter XI. of the Session Laws of 1876 be and the same is hereby amended to read as follows:

"That Section 1 of Chapter 59 of the Penal Code, ap-

(8)

proved July 7, 1870, be and the same is hereby amended to read as follows:

"Section 1. There shall be a Board of Health for the Kingdom consisting of five members. The members of the said Board shall be appointed by the King, and one of its members shall by him be appointed President, and all (except the President), shall serve without pay."

The said Board shall be charged with the general oversight and care of the public health.

In the absence of the President, a member of the Board may by it be chosen to act as Vice-President *pro tem*, and to preside over its meetings; the said Board shall be authorized to employ a Secretary, Medical Practitioners and Agents, who shall receive such compensation for their services as shall be approved by a majority of the members of the Board at a regularly convened business meeting thereof, said compensation to be paid out of any funds available to the Board by Legislative appropriation; provided, however, that whenever the Board shall employ its own members, the Cabinet Council shall determine the remuneration to be paid them, but no salary shall be paid the President, except as shall be appropriated by the Legislature.

And the said Board of Health shall, through its President, render to the Legislature at each of its regular sessions, an accurate and detailed report of all its expenditures and transactions, and such other information regarding the public health as the said Board shall deem of especial interest.

Approved this 24th day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER VIII.

AN ACT

TO AMEND AND CONSOLIDATE THE LAW RELATING TO IMMIGRATION.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. There shall be, and is hereby created, a Bureau in the Department of the Interior, to be styled the Bureau of Immigration, for the purpose of controlling, superintending and regulating the immigration of laborers and other immigrants.

SECTION 2. The said Bureau shall consist of the Minister of the Interior, who shall act ex-officio as the President thereof, and five other members, who shall be appointed by His Majesty the King, who shall be known as the Board of Immigration.

SECTION 3. It shall be the duty of the Minister of the Interior, with the approval of the Board of Immigration and the Cabinet, from time to time to make and promulgate such rules and regulations and to adopt such measures as may be deemed necessary or proper to promote immigration from abroad, and for the good government, control and protection of immigrants, that may come or be brought into this Kingdom; and also to make such regulations as may be deemed expedient concerning the terms of contracts of service, or assignment to service, of any immigrants who may come under, or enter into contracts of service.

SECTION 4. Such rules and regulations and amend-

ments thereto and changes therein, as may be adopted in accordance with Section 3 of this Act shall be published in a newspaper in the English and Hawaiian languages, in Honolulu, and shall thereupon have the force of law.

SECTION 5. Any person who shall violate any rule or regulation adopted and published in accordance with Sections 3 and 4 of this Act shall be liable to a fine of not more than one thousand dollars, and any Police Justice shall have jurisdiction of such offence.

SECTION 6. Moneys appropriated by the Legislature for the objects contemplated by this Act, shall be paid out of the Public Treasury, upon the order of the Minister of the Interior.

SECTION 7. An Act entitled "An Act to provide for the importation of laborers and for the encouragement of Immigration," dated the 30th of December, A. D. 1864; and an Act entitled "An Act to extend the powers of the Bureau of Immigration," dated 23d June, A. D. 1868, and an Act entitled "An Act to promote Immigration," dated 23d June, A. D. 1868, and all other laws and parts of laws inconsistent herewith are hereby repealed.

Approved this 25th day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER IX.

AN ACT

**TO AMEND THE LAW CONCERNING ROAD SUPERVISORS AND
THE DISPOSITION OF THE ROAD TAX, AND TO ESTAB-
LISH LOCAL ROAD BOARDS, AND DEFINE THEIR DUTIES.**

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That the Act entitled "An Act to provide for the appointment of Road Supervisors-in-Chief for the Island of Hawaii, for the Island of Maui, to include also the Islands of Molokai and Lanai; for the Island of Oahu and the Island of Kauai," approved on the eleventh day of August, A. D. 1884; and also Sections 168, 169, 170, 171, 180, 181 and 182 of the Civil Code, and all other laws and parts of laws inconsistent herewith, be and the same are hereby repealed.

SECTION 2. The Minister of the Interior shall appoint three competent residents of each taxation district of the Kingdom, except Honolulu, one of whom shall be named as chairman, who shall act as and be the Road Board for the District for which they are appointed. The members of the said Road Board shall serve without pay.

SECTION 3. The Road Boards shall have the entire charge and control of the public labor on all roads, bridges and public highways within their respective districts, and shall expend the road taxes and moneys appropriated by the Legislature in making and repairing such roads and bridges, at such times and in such

amounts as the respective Boards, or a majority of the members thereof, may decide. The respective Road Boards shall be and hereby are authorized to employ such overseers and clerical and other assistance as may be necessary.

SECTION 4. The chairman of each of said Road Boards shall, before entering upon the duties of his office, file in the Interior Office a bond with sufficient sureties to the Minister of the Interior in a penal sum to be fixed by the Minister of Interior, conditioned for a faithful disposition of, and accounting for, the road moneys which may be paid to him or his order.

SECTION 5. The respective Road Boards shall meet at such times and places as to a majority thereof may seem proper, at the Court House of each district or some other public place, due notice of which shall be made public for the purpose of deciding upon the locality and method of labor, and amounts of money to be expended. Such meetings shall be public, and any tax-payer resident in the district may offer suggestions concerning work to be done.

SECTION 6. A full record shall be kept by the respective Road Boards of all business transacted at any meeting, and of the work done in the district. Full accounts shall also be kept of all moneys received, showing the source from whence derived, and of all moneys paid out, showing the locality for which expended, whether for labor or material, and the persons to whom paid. Such records and accounts shall be open to the inspection of any tax-payer resident in the district, at the quarterly or other meetings of the Board.

SECTION 7. The Minister of the Interior may at any time remove any member of such Road Boards for fail-

ure or neglect to properly perform the duties of his office, publishing the reasons for such removal, if requested to do so by the person so removed. Upon the petition of twenty-five or more tax-payers of any district making charges against any member of any Road Board, and asking for his removal, the said Minister shall cause said charges to be investigated ; and if, upon investigation, it shall appear that such member of such Road Board shall have failed or neglected to properly perform the duties of a member of the Road Board, the Minister of the Interior shall remove him. All vacancies shall be filled by appointments of the Minister of the Interior.

SECTION 8. All road taxes shall be paid into the Public Treasury, and the amount so paid in from each district shall be a special deposit in the Treasury to the credit of such district, to be paid out only upon the order of the chairman of the Road Board of such district. The Minister of Finance shall, under no circumstances, allow such special deposits, or any part thereof, to be used for any other purpose than to pay the drafts which may be drawn thereon by the chairmen of the respective Road Boards.

SECTION 9. The chairman of each Road Board shall, at the end of each quarter, send to the Minister of the Interior a detailed statement of the work done in his district during the quarter, and also a detailed financial statement, setting forth all receipts and expenditures, accompanied by vouchers for all expenditures.

SECTION 10. The Superintendent of Public Works shall render such assistance as may be required by the respective Road Boards in designing and making specifications for bridges, or the execution of any engineering work.

SECTION 11. In case the road tax money for any district shall be insufficient to keep the roads of such district in proper repair, the chairman of the Road Board for such district shall report such fact to the Minister of the Interior, and make a statement of estimated requirements; and the Minister of the Interior shall, from time to time, authorize such chairman to draw upon the Interior Department for such sums as the condition of the Treasury will warrant, charging the same to such appropriations as may be available for such purpose.

SECTION 12. The Minister of the Interior shall appoint and at his pleasure remove a Road Supervisor for the District of Honolulu. Such Road Supervisor shall have charge of, and care for, all roads and road work in such district, subject to the direction and control of said Minister. The Minister of the Interior shall draw from the Treasury such sums as said district may be entitled to as the same are required, and all claims and expenditures shall be first approved by him before being paid.

SECTION 13. Any person who shall violate any provision of section eight of this Act shall upon conviction thereof be fined in a sum not less than one hundred dollars, nor more than five hundred dollars, or be imprisoned at hard labor not to exceed three months.

Approved this 25th day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER X.

AN ACT

TO AMEND THE LAW RELATING TO THE NATURALIZATION OF FOREIGNERS.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Sections 428, 429, 431 and 433, under Article VIII. of Chapter VII. of the Civil Code are hereby amended so that the same shall read as follows:

“SECTION 428. The Minister of the Interior shall have the superintendence and direction of the naturalization of foreigners.

“SECTION 429. The Minister of the Interior shall upon the application of any alien foreigner who shall, have resided within the Kingdom two years or more next preceding such application stating his intention to become a permanent resident of the Kingdom, administer or cause to be administered, the oath of allegiance to such foreigner, and cause such foreigner to subscribe thereto, provided that such foreigner is not a pauper nor a refugee from the justice of some other country.

“If such applicant shall be a resident of any Island other than Oahu, he may, after the Minister of Interior shall have approved of his application, take the oath of allegiance before any Judge of a Court of Record, which Judges are hereby authorized to administer such oaths.

“SECTION 431. The oath of allegiance shall always be subscribed by the person so naturalized, be sworn to

in the form most obligatory upon his conscience, and the jurat thereof shall be subscribed by the Minister of the Interior (or his chief clerk) or in case the applicant is a resident of another Island by a Judge of a Court of Record.

“SECTION 433. It shall be competent for His Majesty, by and with the advice and consent of the Cabinet, to confer upon any alien resident abroad, or temporarily resident in this Kingdom, letters patent of denization, conferring upon such alien without abjuration of allegiance, all the rights, privileges, and immunities of a native, said letters patent shall render the denizen in all respects accountable to the laws of this Kingdom, and impose upon him the like fealty to the King, as if he had been naturalized as hereinbefore provided.”

SECTION 2. Any Judge of a Court of Record shall immediately upon administering the oath of allegiance to any foreigner in accordance with the foregoing section, send to the Minister of the Interior, the original of such oath, retaining a copy thereof.

SECTION 3. Chapter XVIII. of the Session Laws of 1882, and all other laws and parts of laws inconsistent herewith, are hereby repealed.

Approved this 25th day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XI.

AN ACT

To AMEND SECTION 1266 OF THE CIVIL CODE RELATING TO
THE APPOINTMENT OF NOTARIES PUBLIC.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Section 1266 of the Civil Code is hereby amended so as to read as follows:

“Section 1266. There shall be appointed by the Minister of the Interior one or more suitable persons in each of the Judicial Circuits of the Kingdom to be Notaries Public and to hold office as such Notaries until removed by such Minister.”

Approved this 25th day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XII.

AN ACT

To AMEND SECTION 1 OF CHAPTER XVII. OF THE LAWS OF
1882.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Section 1 of Chapter 17 of the Laws of 1882 is hereby amended so as to read as follows:

“Section 1. That the sum of six hundred dollars per

annum is hereby granted to the Honorable H. Kuihe-lani during the term of his natural life; and the Minister of Finance is directed to pay said sum out of the Public Treasury in like manner with other salaries and appropriations."

SECTION 2. This Act shall become Law from and after the 31st day of December, A. D. 1887.

Approved this 25th day of November, A. D. 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XIII.

AN ACT

RELATING TO CORPORATIONS AND THE GRANTING OF CHARTERS OF INCORPORATION.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Minister of the Interior is hereby authorized to exercise all the power and authority vested in him or in him by and with the consent of the King in Privy Council prior to the seventh day of July, A. D. 1887, relating to Charters of Incorporation. Provided however, that no Charter of Incorporation shall be granted by said Minister of Interior without the consent of a majority of the Cabinet.

(19)

SECTION 2. This Act shall become a law from and after the date of its approval.

Approved this 24th day of November, 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XIV.

AN ACT

TO REPEAL AN ACT ENTITLED "AN ACT RELATING TO THE JUSTICES OF THE SUPREME COURT," APPROVED OCTOBER 15TH, A. D. 1886, AND TO RE-ENACT THE LAWS THEREBY REPEALED.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That an Act entitled "An Act relating to the Justices of the Supreme Court," approved October 15th, A. D. 1886, be and the same is hereby repealed.

SECTION 2. All Sections of the Civil Code and all Acts and Laws repealed by said Act entitled "An Act relating to the Justices of the Supreme Court," shall be and the same are re-enacted and declared to be law.

SECTION 3. This Act shall take effect from and after the 1st day of January 1888.

Approved this 26th day of November, 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

CHAPTER XV.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT RELATING TO THE PRACTICE OF MEDICINE BY CHINESE PHYSICIANS, APPROVED ON THE 18TH DAY OF AUGUST, A. D. 1880.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Section 3 of an Act entitled "An Act relating to the practice of Medicine by Chinese Physicians," approved on the 13th day of August, A. D. 1880, be and the same is hereby amended so as to read as follows :

"Section 3. Every such person so licensed as aforesaid shall be subject to the same laws and restrictions as other licensed Physicians and Surgeons, provided however, that no person licensed under this Act shall have authority to furnish prescriptions for the use of opium or any preparation thereof or for any poisonous drug, or to furnish certificates upon which opium or any preparation thereof may be obtained, and all certificates or prescriptions heretofore issued by persons licensed under said Act entitled "An Act relating to the practice of Medicine by Chinese Physicians," are hereby declared null and void."

SECTION 2. This Act shall become a law from the date of its approval.

Approved this 26th day of November, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XVI.

AN ACT

AMENDING SECTION 18, CHAPTER 44, OF THE LAWS OF 1882,
AS AMENDED BY CHAPTER 3 OF THE LAWS OF 1886,
RELATING TO THE REGULATION OF THE SALE OF SPIRITUOUS LIQUORS.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Section 18 of Chapter 44 of the Laws of 1882, as amended by Chapter 3 of the Laws of 1886, is hereby amended to read as follows:

“Section 18. The sale and vending of spirituous liquors shall be regulated as to the time, place, quantity, and manner in which the licensee is by such license authorized to sell and dispose of such liquors, by the terms of the license consistently with existing statutes, and any person who shall sell, or cause to be sold, any spirituous liquors, except as regulated by his license or by law, shall, for the first offense, be fined two hundred and fifty dollars, and for the second offense, be fined five hundred dollars and forfeit his license; provided, that in the event of the destruction of the premises wherein such traffic is carried on, the Minister of Interior may, at his discretion, give such licensee permission in writing to carry on such traffic, for the remainder of the time for which such license was granted, on premises other than those mentioned in the license.”

(22)

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XVII.

AN ACT

TO AMEND SECTION 3 OF CHAPTER 37 OF THE LAWS OF 1886.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Section 3 of Chapter 37 of the laws of 1886 is hereby amended to read as follows:

“Section 3. That Section 17 of said Act be and the same is hereby amended so as to read as follows:

“Section 17. All foreign Fire and Marine Insurance Companies, carrying on business in this Kingdom shall pay for and in respect of every one hundred dollars received by such Companies or their Agents respectively, for premiums during the year preceding the assessment the sum of one dollar; and such companies shall not be caused to pay any other taxes or duties under this Act.”

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XVIII.

AN ACT

To AMEND AN ACT ENTITLED "AN ACT MAKING SPECIAL APPROPRIATIONS FOR THE USE OF THE GOVERNMENT DURING THE TWO YEARS WHICH WILL END WITH THE THIRTY-FIRST DAY OF MARCH, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-EIGHT," APPROVED OCTOBER 14TH, 1886.

WHEREAS, the above-mentioned Act appropriates a much larger sum than the estimated revenue during the said period, and it is proper that the expenses of the Government should be reduced as much as possible without injuring the efficiency of its service :
NOW THEREFORE—

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. No payments shall be made upon account of any of the following items contained in said above mentioned Act from and after the 31st day of December, A. D. 1887, viz :

CIVIL LIST.

Her Majesty the Queen.....

PERMANENT SETTLEMENTS.

H. R. H. Princess Poomaikalani.....

Hon. W. C. Parke.....

Thomas W. Everett.....

DEPARTMENT OF FOREIGN AFFAIRS.

Salary of Librarian and Curator.....

Reception of Official Guests.....

Military Engineers

JUDICIARY DEPARTMENT.

Salary Third Associate Justice.....

Salary Fourth Associate Justice.....

SECTION 2. From and after the 31st day of Decem-

ber, A. D. 1887, no payment shall be made for or in respect, or on account of any of the items hereunder mentioned, except in accordance with and to the amounts expressed in this Act, that is to say :

CIVIL LIST.

His Majesty's Privy Purse and Royal State.....	\$ 5,000 00
H. R. H. the Heir Presumptive.....	1,250 00
His Majesty's Chamberlain and Secretary.....	750 00
Household Expenses	2,000 00
H. R. H. Princess Kaiulani.....	300 00

JUDICIARY DEPARTMENT.

Police Judge Honolulu	\$ 750 00
Police Judge Wailuku.....	375 00
Salary District Judge Koolaupoko	125 00

DEPARTMENT OF FOREIGN AFFAIRS.

Salary of Minister.....	\$ 1,250 00
Salary of Secretary.....	625 00

INTERIOR DEPARTMENT.

Salary of Minister.....	\$ 1,250 00
Salary of Inspector of Immigration.....	600 00

BUREAU OF POST OFFICE.

Salary of Post-Master-General.....	\$ 875 00
Salary of Deputy Post-Master-General.....	625 00

FINANCE DEPARTMENT.

Salary of Minister.....	\$ 1,250 00
Salary of Collector-General.....	875 00
Collector Mahukona.	31 25

ATTORNEY-GENERAL'S DEPARTMENT.

Salary of Attorney-General.	\$ 1,250 00
Salary of Marshal.....	875 00

BOARD OF HEALTH.

Secretary of Board of Health.....	\$ 450 00
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Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XIX.

AN ACT

TO ESTABLISH THE COMPENSATION OF REPRESENTATIVES.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The compensation of the Representatives of the people is hereby established at two hundred and fifty dollars each, for each biennial term.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of November, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XX.

AN ACT

TO REPEAL CHAPTER LXXIII OF THE LAWS OF 1886, ENTITLED "AN ACT TO REGULATE THE IMPORTATION AND SALE OF OPIUM IN THIS KINGDOM:" TO RE-ENACT THE LAWS THEREBY REPEALED AND PROVIDE FOR CERTAIN RIGHTS UNDER THE OPIUM LICENSE.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

CHAPTER LXXIII of the Laws of 1886, entitled "An Act to regulate the importation and sale of Opium in

this Kingdom," shall be and the same is hereby repealed, and the several laws and parts of laws thereby repealed are hereby expressly re-enacted and declared to be the Law of the Kingdom, provided, however, that until the expiration, cancellation or surrender of the License granted under said Chapter 73 of the Laws of 1886, the holder thereof shall be entitled to exercise the rights and privileges granted by said Law.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXI.

AN ACT

TO AMEND SECTIONS 913 AND 922 OF THE CIVIL CODE AS AMENDED BY CHAPTER XXVI OF THE SESSION LAWS OF 1882.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That Section 913 of the Civil Code as amended by Section 1 of Chapter XXVI of the Session Laws of 1882 be and is hereby amended, so as to read as follows :

"Section 913. There shall be appointed one or more District Justices for each judicial district of the Kingdom, but in case a foreigner is appointed he must be proficient in the Hawaiian language. Such Justices shall be commissioned by the Chief Justice of the Supreme Court upon the written nomination of the

Cabinet, or of a majority of the members thereof. Provided that a majority of the Justices of the Supreme Court shall have first endorsed upon the paper containing such written nomination, their approval of the appointment of the person so nominated."

SECTION 2. That Section 922¹ of the Civil Code as amended by Section 2 of Chapter XXVI of the Session Laws of 1882 be and is hereby amended so as to read as follows:

"Section 922. The several District Justices shall receive for their services such compensation as the Legislature shall, from time to time, determine and appropriate."

SECTION 3. This Act shall take effect from and after the date of its approval. All Laws and parts of Laws inconsistent herewith are hereby repealed.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XXII.

AN ACT

TO PROVIDE FOR AND REGULATE THE INTERNAL POLICE OF
THE KINGDOM.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Attorney-General shall have the care,

supervision and control of the entire Internal Police of the Kingdom, subject to the provisions of this Act.

SECTION 2. There shall be a Marshal of the Kingdom, (hereinafter named the Marshal,) who shall be Chief of Police for the Kingdom, but shall be in all matters pertaining to his office under the control and authority of, and responsible to the Attorney-General. He shall, subject to the approval of the Attorney-General, have the supervision and control of the Sheriffs and subordinate officers of the Internal Police. He shall hold office subject to removal by the Attorney-General, and shall also be removed by said Attorney-General, upon the written request of the Justices of the Supreme Court or a majority thereof. Any vacancy which shall hereafter occur in the office of Marshal shall be filled by commission from the King upon the nomination of the Attorney-General, approved by a majority of the Justices of the Supreme Court.

SECTION 3. Any person who shall be hereafter so nominated and commissioned to the office of Marshal, shall, before entering upon the duties of such office, execute and deliver to the Attorney-General a bond in a penal sum of not less than Five Thousand Dollars with sufficient surety or sureties, to be approved by any Justice of the Supreme Court, and such approval to be by such Justice endorsed on said bond, conditioned for his faithful execution of all process directed to him by any of the Courts of the Kingdom; for the faithful accounting for and due return of all fines, penalties and moneys collected by him; for the safekeeping of all prisoners duly committed to his custody; and for the faithful performance of all other duties of his office; and that he will take only the lawful fees of his office.

The Attorney-General may, with the approval of any Justice of the Supreme Court, or a majority of the Justices of the Supreme Court, may, as occasion may require, exact additional bonds or increased security from the Marshal conditioned as above, provided not more than Twenty Thousand Dollars in all shall be thus exacted. The bond or bonds given as herein provided shall be filed and preserved in the office of the Clerk of the Supreme Court.

SECTION 4. There shall be a Sheriff for the Island of Hawaii, a Sheriff for the Islands of Maui, Molokai, Lanai and Kahoolawe, and a Sheriff for the Islands of Kauai and Niihau, who shall have and exercise the care, supervision and control of the police within their respective jurisdictions, subject, however, to the superior control of the Marshal and the Attorney-General.

SECTION 5. The respective Sheriffs shall be appointed by the Marshal, by and with the approval of the Attorney-General, to be endorsed on the commission of the Sheriff so appointed. They shall hold their offices subject to removal by the Marshal with the approval of the Attorney-General.

SECTION 6. The respective Sheriffs shall give bonds with sufficient sureties, to the Attorney-General, in a penal sum of not less than Three Thousand Dollars. Such bonds shall be conditioned and may be increased or new bonds or other sureties exacted, as provided in the case of the Marshal in Section 3 of this Act, provided that not more than Ten Thousand Dollars in the aggregate shall be exacted in bonds from any Sheriff. Such bonds shall be filed and preserved in the office of the Clerk of the Supreme Court.

SECTION 7. In case of any breach of the condition of

any bond so furnished by the Marshal or by any Sheriff, any person thereby injured may institute a suit upon such bond in his own name and for his sole use or for the use of any person or persons whom he therein represents, and thereupon recover such damages as shall be legally assessed, with costs of suit, for which execution may issue in favor of such person. Such bond shall, after any judgment rendered thereon, remain as a security for the benefit of any person injured by the breach of any condition thereof, until the whole penalty shall have been recovered. No suit upon any such bond shall be commenced later than two years after the right of action shall have accrued, provided that infants, femmes coverts and persons non compos may sue upon or in respect thereof within one year after their disabilities shall be removed.

SECTION 8. The Marshal shall, with the approval of the Attorney-General, appoint and commission a Deputy Marshal, for whose acts and defaults the Marshal shall be responsible upon his official bond. The Deputy Marshal so appointed shall be authorized to do or perform any act or thing required by law to be done or performed by the Marshal. The Marshal shall exact from his Deputy bonds of indemnity with sufficient sureties for the due and faithful discharge of his duty, which bonds may be in any amount not to exceed Ten Thousand Dollars, that shall be approved by the Attorney-General.

SECTION 9. It shall be the duty of the Marshal, and of the several Sheriffs within their respective jurisdictions, to preserve the public peace, to have charge of all jails and prisons, to safely keep all persons committed to their charge; to execute all lawful precepts and mandates directed to them by any judge, court, minister

or other person thereunto authorized; to arrest fugitives from justice, as well as all criminals and violators of the laws; and generally, to perform all such other duties as may be imposed upon them by law; for any of which purposes they may command all necessary assistance, civil or military.

SECTION 10. The Marshal, for and within the Island of Oahu, subject to the approval of the Attorney-General, and the several Sheriffs for and within their respective jurisdictions, subject to the approval of the Marshal, may appoint such Deputies Sheriff and other police officers as occasion may require, and may dismiss them in their discretion; and may in like manner apportion the duties and adjust the compensation of such officers, except as otherwise provided by law. Provided, however, that the number of regular police officers or constables shall not exceed, for the Island of Oahu, one hundred; for the Islands of Maui, Molokai, Lanai and Kahoolawe, eighty; for the Island of Hawaii, one hundred; for the Islands of Kauai and Niihau, forty; and further provided, that nothing in this section contained shall be construed to prevent the appointment of any number of special constables to serve without pay, except that, for service during any emergency, such special officers may be paid, in the discretion of the officer by whom they were appointed to service during such emergency, if such payment be approved by the Attorney-General.

SECTION 11. The Marshal and the several Sheriffs may exact from the Deputies Sheriff appointed by them respectively private bonds of indemnity, and shall be severally responsible for the official acts of such Deputies.

SECTION 12. The Marshal and Sheriffs shall receive

in full payment of their services such annual salaries or compensation as shall from time to time be prescribed by the Legislature; provided, however, that the legally prescribed fees received from the sale and conveyance of property under execution or other writ or order issued from any court, to an amount not exceeding fifty dollars for any one such sale and conveyance, shall belong to the Marshal or to the Sheriff making such sale and conveyance, the excess of such fees over said sum of fifty dollars, if any, to be returned to the Treasury as a Government realization.

SECTION 13. Any police officer or constable appointed to, or holding office under this Act, may be removed at any time by any Judge of a Court of Record, or by the Police Justice of Honolulu, (if the officer so sought to be removed shall be a member of the Police Force for the Island of Oahu,) for incompetency, corruption, or misbehavior in office.

SECTION 14. In all cases in which the Marshal, or any Sheriff, Deputy Sheriff, or Constable shall be a party, plaintiff or defendant, to any suit or cause pending in any Court of the Kingdom, the officer so interested shall not be competent to execute any process in such suit, and the Court, when necessary, may appoint some disinterested person to act as a substitute for such officer, to execute such process, who shall, in all respects, be accountable to the Court for his conduct.

SECTION 15. In case of the death, resignation or removal from office of the Marshal or any Sheriff without having executed, or having executed only in part, any process in his hands, the execution of such process may be effected or completed by the deputy of such Marshal or Sheriff, or by such other police officer as shall be

thereunto appointed by the Attorney-General; provided, that if a successor to such Marshal or Sheriff shall be appointed, such successor shall be responsible for the completion of the execution of such process, from the point to which the same had progressed at the time of his assumption of such office. The power hereby conferred shall extend to the execution, acknowledgment and delivery by such deputy or other designated police officer as aforesaid, or by the successor of such Marshal or Sheriff as aforesaid, of all deeds or other instruments of conveyance.

SECTION 16. The Marshal and the respective Sheriffs, shall file all warrants, mittimusss, processes and other official papers, or the attested copies of them, by which any prisoner shall have been committed or liberated, and they shall be safely kept in a suitable box or safe, and upon the death, resignation or removal from office of such Marshal or Sheriff, shall be delivered, together with all other official records, papers and journals to his successor, or to any other officer or person duly appointed to receive them; and in default of such delivery, such Marshal or Sheriff, if living, may be held liable for embezzlement as provided by Section 2 of Chapter XVIII. of the Penal Code, and shall also be civilly liable in damages to any person or persons who shall be injured by such nondelivery. If such Marshal or Sheriff shall be dead, such civil liability shall attach to his personal representatives and the sureties upon his official bond, jointly and severally. In addition to such civil liability as aforesaid, such Marshal or Sheriff, or their personal representatives and sureties on their official bonds shall forfeit and pay for each such default in delivery, the sum of two hundred dollars, to be recovered for the use of the public treasury.

SECTION 17. All process of any Court of Record shall be addressed to the Marshal or to any Sheriff or their deputies, except as may be otherwise provided by law, and it shall be the duty of the Marshal, or Sheriff, and their deputies, to execute the same at their peril, according to the tenor thereof; and they shall not be liable for any damages resulting from the execution of such process.

SECTION 18. The Marshal, any Sheriff, Deputy Sheriff, or other police officer, may decline to levy upon or sell the alleged property of any person against whose goods and effects, an execution or other similar writ may issue, unless the party beneficially interested in such writ shall, upon request, tender to such officer a sufficient bond of indemnity against the claims of third parties.

SECTION 19. The respective Sheriffs shall, quarterly, render in duplicate a true and itemized account of all fees, fines and other money which they shall have received by virtue of their office, one copy of which shall be forwarded to the Attorney-General, and one to the Marshal, by whom respectively such reports shall be filed and preserved.

SECTION 20. The Marshall shall, quarterly render to the Attorney-General a true and itemized account of the whole amount of money received by him, in which statement the moneys received to his own use and benefit shall be stated separately from those received to the use or on account of the Government or of private parties. He shall in like manner and at like intervals, as well as at any other time when the Attorney-General shall so request, report to the Attorney-General concerning such other matters appertaining to the administration of the Police Department as the Attorney-General may deem proper.

SECTION 21. Any Court of Record may inquire, by proceedings of *Quo Warranto*, into the validity of the appointment or claim by which any person shall hereafter hold, or claim to hold, or exercise the functions, or receive or enjoy the privileges or emoluments of the office of Marshal, Sheriff, Deputy Sheriff or any other office hereinbefore provided for. The proceedings upon such inquiry shall conform as nearly as may be to the forms prescribed in the case of a writ of *Quo Warranto* to a person who claims or usurps an office in a corporation, as provided by Chapter XXXIX. of the Session Laws of 1876. Such proceedings may be instituted by either the Attorney-General in his official capacity or by any private person having any interest in such inquiry.

SECTION 22. The Marshal, Sheriffs and all Police Officers who shall be in office when this Act shall become law shall continue in office subject to its provisions.

SECTION 23. This Act shall be a law from and after the date of its approval, Sections 257 to 274 inclusive, and Sections 276 and 277 of the Civil Code, An Act entitled "An Act to transfer the supervision of the police and executive officers of the law from the Department of Interior to that of the Attorney-General." approved May 13th, 1868, and all other laws and parts of laws inconsistent herewith are hereby repealed.

I hereby certify that the foregoing Act having passed its Third Reading in the Legislature of the Hawaiian Kingdom, on the third day of December, 1887, was presented to His Majesty the King, through the Cabinet on the sixth day of December, 1887; that on the sixteenth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with

a message setting forth certain reasons why he refused to sign the same ; that it appeared that such message was not countersigned by a Minister, and that His Majesty's Act in so returning the same was done without the advice and consent of the Cabinet ; that thereafter the Legislature adopted a resolution that said Act of the King, not being countersigned by a Minister and having been done without the advice and consent of the Cabinet, could not be considered a refusal to approve the Act within the meaning of Article 48 of the Constitution, which action of the Legislature was duly communicated to the King ; and I do hereby further certify that more than ten days, (Sundays excepted) have elapsed since said Act was presented to the King and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28th, 1887.

• WILLIAM R. CASTLE,

President of the Legislature.

Attest, J. ALFRED MAGOON,

Clerk of the Legislature.

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CHAPTER XXIII.

AN ACT

To AUTHORIZE THE MINISTER OF FINANCE TO EXECUTE AND
DELIVER CERTAIN BONDS.

WHEREAS, by an Act entitled "An Act to authorize a National Loan and to define the uses to which the

money borrowed shall be applied," dated 1st September, 1886, as amended by an Act entitled "An Act to Amend an Act, entitled 'An Act to authorize a National Loan and to define the uses to which the money borrowed shall be applied,'" dated October 15, 1886, the Minister of Finance is authorized to issue Coupon Bonds of the Hawaiian Government in the aggregate not exceeding two millions of dollars;

AND WHEREAS, the Financial Agents of the Hawaiian Government, have agreed with certain English subscribers to a portion of said Loan to deliver to such subscribers Coupon Bonds expressed in sterling money, and containing provisions not expressed in or authorized by the said Act, and such subscribers have paid to said Financial Agents the amount of money subscribed by them; Now, therefore,

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Minister of Finance shall be and is hereby authorized to execute and deliver to such said subscribers Bonds to the amounts respectively subscribed by them, in words and figures as in the schedule hereunder written.

SECTION 2. Such Bonds or any portion or portions thereof, shall be redeemable at the option of the Minister of Finance, at any time or times not less than ten nor more than thirty years after the date of their issue. In case said Minister shall elect to redeem any portion less than the whole of such Bonds as shall be outstanding at any time not less than ten nor more than thirty years after the date of their issue, the Bonds so to be redeemed shall be determined by drawings by lot, to be held in November of each year in which such redemp-

tion is to take place. Such drawings shall take place in London, England, in manner as shall be expressed in said Bonds. Such Bonds shall be dated as of the first day of January, eighteen hundred and eighty-seven.

[SCHEDULE.]

TO ALL TO WHOM THESE PRESENTS SHALL COME.

I, the Honorable PAUL P. KANOA, His Hawaiian Majesty's Minister of Finance, SEND GREETING :

WHEREAS the Government of the Hawaiian Islands, having resolved to contract a loan of \$2,000,000, for the purposes of such Government did carry such resolution into a law by an Act duly passed by the Legislative Assembly of the Hawaiian Islands, dated the 1st day of September, 1886, and an Act amendatory of the said Act, dated the 15th day of October, 1886, which Acts provide as follows, that is to say :

The Minister of Finance, with the approval of the King in Cabinet Council, is hereby authorized to issue Coupon Bonds of the Hawaiian Government, of a denomination not less than \$100, and, in the aggregate not exceeding \$2,000,000, in the manner and for the purposes in this Act stated. Said Bonds shall be exempt from any taxes whatsoever, and shall bear interest payable semi-annually at the rate of six per cent. per annum, the payment of which interest shall be a charge upon the consolidated revenue of the Kingdom, and shall be redeemable not less than ten nor more than thirty years after the date of their issue either by means of a sinking fund to be established after the tenth year of the issue of the Bonds or otherwise as may, by the Minister of Finance, with the approval of the King in

Cabinet Council, be deemed most advisable at the periods of such redemption, the principal and interest to be paid in gold coin of the United States of the present standard or its equivalent. Said Bonds shall be signed by the Minister of Finance and by the Registrar of Public Accounts and be sealed by the seal of the Department of the Minister of Finance and shall not be issued at less than at the rate of ninety-eight per centum of their nominal par value in gold coin of the United States, of the present standard or its equivalent.

AND WHEREAS, there have been issued in representation of \$1,000,000, (being one-half of the above-mentioned amount of \$2,000,000), Bonds for £200,000 sterling of the following amounts and numbers, namely :

Nos. 1 to 395...	395 Bonds of £ 20 each...	£ 7,900
Nos. 396 to 1831...	1436 Bonds of £100 each...	£143,600
Nos. 1832 to 1928...	97 Bonds of £500 each...	£ 48,500
		<hr/> £200,000

BE IT KNOWN, that the bearer hereof is entitled to the sum of pounds sterling, part of the said Loan of \$2,000,000, and that this is a Special Bond for that amount with interest thereon, at the above-mentioned rate of 6 per cent. per annum pursuant to the conditions following :

1.—The said Bonds shall be exempt from any taxes whatsoever of the Government of Hawaii, and interest on the said Loan, or so much thereof as shall, from time to time remain unredeemed, shall be payable half yearly at the rate of six per cent. per annum on the first day of January and the first day of July, in every year, in London, at the Counting House of Messrs. Matheson & Co., the first half-yearly payment to be made on the first day of July, 1887.

2.—The payment of such interest shall be a charge upon the consolidated revenue of the Kingdom of Hawaii, and such Bonds shall be redeemable not less than ten nor more than thirty years after the date of their issue, either by means of a sinking fund to be established after the tenth year of the issue of the Bonds or otherwise.

3.—The principal and interest of the said Bonds shall be paid in sterling at the Counting House of Messrs. Matheson & Co., aforesaid.

4.—The Bonds to be redeemed shall be determined by drawings in the month of November, in each year, in which such redemption is to take place by lot at the Counting House in London, of Messrs. Matheson & Co., in the presence of a representative of that firm and of the agent for the time being of the Government of Hawaii, and of a Notary Public.

5.—The numbers of the Bonds shall forthwith, after such drawing be advertised in two newspapers published in London. The principal of the Bonds drawn with the interest thereon down to the day appointed for redemption shall be payable in London, at the Counting House of Messrs. Matheson & Co.

6.—All Bonds drawn shall cease to bear interest on the first day of January next, after the drawing thereof. The Bonds paid off with all the unpaid interest Coupons shall after such payment be cancelled in the presence of a representative of Messrs. Matheson & Co., and of the said agent of the Hawaiian Government or his representatives, and of a Notary Public.

7.—The payment of the principal money and interest on the said Loan shall be made as well in time of War

as of Peace, and whether the holders of the Bonds be the subjects of a friendly or of a hostile State.

8.—The Bonds shall upon the death of any of the holders thereof pass and belong to his legal representative, according to the law of succession of the country of which such holder is a subject.

9.—The said Bonds and principal money, or interest, or sinking fund thereby secured, shall not be liable to seizure or sequestration, or to any deduction whatsoever on account of taxes or imposts whether ordinary or extraordinary.

AND I the said Honorable Paul P. Kanoa do hereby bind the said Government of the Hawaiian Islands to perform faithfully and truly all the foregoing engagements and conditions.

IN WITNESS WHEREOF, I, the said Honorable PAUL P. KANOA, Minister of Finance, have to this Bond (also signed by the Registrar of Public Accounts), affixed my signature and the Seal of my Department the 1st day of January, 1887.

..... *Minister of Finance.*
SUCCESSOR TO PAUL P. KANOA.

.....
Registrar of Public Accounts.

SECTION 3. This Act shall become a law upon its approval.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXIV.

AN ACT

SUPPLEMENTAL TO THE APPROPRIATION BILL MAKING SPECIAL APPROPRIATIONS FOR THE USE OF THE GOVERNMENT DURING THE TWO YEARS WHICH WILL END WITH THE 31st DAY OF MARCH, A. D. 1888, DATED 14th OCTOBER, 1886.

WHEREAS, the Appropriation Bill above mentioned does not fully provide for certain necessary items hereunder mentioned; now therefore,

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The following sums amounting to \$119,357.95 are hereby appropriated out of any money in the Treasury for the service of the Biennial Fiscal Period commencing with April, 1, 1886, and ending with March 31, 1888, in addition to the sums appropriated by the above mentioned Act.

INTERIOR DEPARTMENT.

Lighting City of Honolulu with Electric Light.....	\$ 3,750 00
Completion of new Police Court Building, Honolulu....	8,313 95
Repairs of Mausoleums.....	600 00
Emma Square.....	80 00
Salary Japanese Inspectors and Interpreters.....	2,000 00
Traveling expenses, stationery and incidentals of Superintendent Public Works.....	250 00
Repairs and Furniture Aliiolani Hale.....	500 00
Running expenses of Steam Tugs.....	2,589 00
Government printing.....	2,500 00
Books and Stationery for Registrar of Conveyances....	400 00

Maintenance of Insane Asylum	2,800 00
Water Pipes, Kalaupapa	6,000 00
Encouragement of cultivation of Cinchona.....	2,000 00
Running expenses Honolulu Water Works.....	1,450 00
Roads of Honolulu and Pauoa.....	32,725 00
Expenses of Commission for Water Supply of Hamakua.....	2,500 00
Payment of claims of Japanese Physicians and Inter- preters.....	85,000 00

FOREIGN OFFICE.

Incidentals, Foreign Office	400 00
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ATTORNEY-GENERAL'S DEPARTMENT.

Incidentals, Criminal and Civil Expenses	3,000 00
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BOARD OF HEALTH.

Salary of President—Provided the incumbent engage in no other occupation for pay	2,500 00
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EXPENSES OF LEGISLATURE.

Expenses of Extra Session of Legislature of 1887.....	10,000 00
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SECTION 2. The appropriations hereby made shall be subject to Sections 2, 3, 4, 5, and 6, of the above mentioned Act.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXV.

AN ACT

TO PROVIDE FOR AND DECLARE THE CONSTRUCTION TO BE PLACED UPON THE WORDS "THE KING" OR "THE SOVEREIGN" IN CERTAIN CASES.

WHEREAS, it is consistent with the spirit of the Constitutional Government of the Hawaiian Kingdom that the Sovereign shall act in matters of State, only by the advice and with consent of His Constitutional Advisers; Therefore

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Wherever by virtue of any statute now in force in this Kingdom, or which shall hereafter be in force therein, any Act or thing is commanded or permitted to be done or performed by the King or the Sovereign, it shall, unless otherwise expressed, mean that such act or thing shall be done and performed by the Sovereign by and with the advice and consent of the Cabinet.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of December, A. D. 1887.
KALAKAUA REX.

BY THE KING:

L. A. THURSTON,
Minister of the Interior.

CHAPTER XXVI.

AN ACT

TO INDEMNIFY THE MINISTER OF FINANCE FOR CERTAIN EXPENDITURES.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Minister of Finance is hereby indemnified and discharged from all liability, on account of the payment of the following items, that is to say:

Running Expenses of Steam Tugs.....	\$ 5,269 48
Expenses of Election.....	3,362 64
Payment for land taken for Honolulu Water Works at Makiki	12,200 00
	<hr/>
	\$20,832 12

and said expenditures are hereby approved.

SECTION 2. This Act shall take effect from and after its passage.

Approved this 8th day of December, 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXVII.

AN ACT

TO AUTHORIZE THE HAWAIIAN GOVERNMENT TO CONTRACT FOR THE CONSTRUCTION OF INTERNATIONAL AND INTER-ISLAND SUBMARINE ELECTRIC TELEGRAPH CABLES.

WHEREAS, it is desirable to establish as soon as practicable, telegraphic communication between this Kingdom and the North American Continent, and the Australasian Colonies of Great Britain and between the different Islands of this Kingdom:

AND WHEREAS, certain persons are now engaged in the perfecting of plans for the construction and maintenance of a telegraphic Cable or Cables from some point on the North American Continent, through the Pacific Ocean, to certain of the Australasian Colonies of Great Britain:

AND WHEREAS, it seems necessary to the speedy establishment of such communication with foreign shores that the parties establishing the same shall be granted certain exclusive rights as to the landing of telegraphic Cables on our shores: Now, therefore,

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Minister of Finance with the concurrence of all the members of the Cabinet, is hereby authorized to enter into a contract with the Honorable Audley Coote, of Tasmania, his associates and assigns, or with any other persons or corporations for the construction and laying of a submarine electric cable, from

and between some point on the North American Continent and some point upon one of the Islands of this Kingdom, and for the construction and laying of a like cable or cables between the different Islands of this Kingdom, in substance as hereinafter provided.

SECTION 2. Such contract may, by its terms provide for the grant, concession and confirmation by the Hawaiian Government to the Honorable Audley Coote, his associates and assigns, or any other persons or corporations, (hereinafter named and referred to as said constructors) of the sole and exclusive right and privilege to construct or land a submarine electric telegraph cable or cables which shall reach to or from any British possession or colony upon the shores of any Island of the Hawaiian group, for or during a period not exceeding three years from the first day of January, 1888. Provided, however, that if the said Minister of Finance, at any time after the first day of August, 1889, shall require assurances from such constructors, that such cable shall be completed from some point on the North American Continent to some Island of the Hawaiian group, not later than the first day of August, 1890; and the said constructors upon such request being made, shall fail to give such assurances in that behalf as shall be satisfactory to the Hawaiian Government, then the exclusive right and privilege, the grant of which is hereinbefore authorized, shall, at the option of the said Cabinet, at once, or at any time thereafter, lapse and become void, upon notice to that effect being given to the said constructors :

And further provided, that the concession and grant hereinbefore authorized shall not be so construed as to disable, prevent or preclude the Hawaiian Government

from consenting to the laying or landing through its waters, or upon its shores, of any submarine telegraph or other electric cable or cables, which, during the period of three years, hereinbefore mentioned shall be constructed or laid; or sought to be constructed or laid, or landed upon Hawaiian shores, by or on behalf of any foreign nation or power.

SECTION 3. Such contract may further provide for the payment by the Hawaiian Government, to said constructors of an annual subsidy, not to exceed twenty thousand dollars, in legal tender of the Hawaiian Kingdom, for and during a period not to exceed fifteen years from the date of the establishment, over such cable, of telegraphic communication between the city of Honolulu and some point on the North American Continent. Provided, that such communication shall be established not later than the first day of January, 1891.

SECTION 4. The grant of any of the rights or privileges, and the payment of any subsidy hereinbefore authorized, shall be conditioned upon the covenants of said constructors, to be expressed in such contract, that is to say:

(1.) That during such period after the establishment of telegraphic communication by and over such cable, between Honolulu and the North American Continent as the Minister of Finance shall pay such subsidy as is hereinbefore authorized, the messages of, or for the Hawaiian Government shall be received and transmitted and delivered by and over such cable free of charge. Provided, however, that if the expense of so receiving, transmitting and delivering such messages, when computed at half the rate at which, when such messages shall be transmitted, ordinary press messages shall be

transmitted over such cable, shall exceed the amount of the annual subsidy paid or contracted to be paid as hereinbefore authorized for any year, then the excess of such expense shall be paid by the said Minister of Finance to said constructors.

(2.) That said constructors shall not make, or form, or permit any combination, pool, or other agreement with any other person, body, company or syndicate who or which shall hereafter own or operate any cable or cables through or across either the Indian or Pacific Ocean to or from the Australasian Colonies of Great Britain, or to or from the Hawaiian Kingdom, the effect or purpose of which combination, pool, or other agreement shall be to advance or increase the rates of telegraphy to or from the Hawaiian Islands, by or over any cable which shall be laid or constructed to or from the Hawaiian Islands by the said constructors.

(3.) That the rates for the transmission of messages to and from the Hawaiian Islands by and over any cable which shall be laid or constructed by said constructors shall not exceed the following described limit, that is to say:

(4.) For all messages other than Hawaiian Government and press messages to or fro between the point of such cable's connection with the American telegraph system and Honolulu, not more than forty per cent of the rates which shall be charged for like messages over such cable, to or fro between said American point and any point in New Zealand or Australia ;

(5.) For like messages to or fro between Honolulu and the point or points of such cable's connection with either the New Zealand or the Australian telegraph system, not more than sixty per cent of the rate which shall be

charged for like messages over such cable to or from between either said New Zealand point or said Australian point and said American point.

(6.) The rates for ordinary messages or items of news to any newspaper or news bureau of the Hawaiian Kingdom (commonly known as press messages,) shall not exceed one-half the rate which shall be charged for other messages, excepting messages to or from the Hawaiian Government, or any Officer thereof, in his Official capacity.

(7.) All messages, other than Hawaiian Government and press messages, shall be transmitted at and for one and the same rate.

(8.) In no case or instance shall any message over such cable, to or from between the Hawaiian Islands and any foreign port or point, be charged for at a greater or higher rate than shall prevail in the case of a like message over such cable to or from any other point, equally, or more remote from Honolulu.

SECTION 5. Such contract shall further provide and contain, as a part of the consideration for the grants and subsidy hereinbefore authorized, a covenant on the part of said constructors to furnish and, within six months after the completion of said cable, and the establishment of telegraphic communication thereover to any American or Australasian point or port, at their own proper charge and expense, to lay and construct a cable or series of cables, to connect the Islands of the Hawaiian group, from Hawaii to Kauai, as follows, to wit : From Hawaii to Maui, from Maui to Oahu, with a landing on Molokai, and from Oahu to Kauai.

SECTION 6. Such Inter-Island cable or cables shall be landed upon such Islands, in such reasonable manner, and

at such points as shall be designated by the Cabinet, and when so laid, constructed and landed, shall be delivered to the Minister of the Interior, for and to the use of the Hawaiian Government, at a price not to exceed the actual cost of such cable or cables delivered on board ship at the place of its or their manufacture.

SECTION 7. Said constructors shall be entitled to the use, at a rate not to exceed the usual local rates of any such Inter-Island cable or cables, together with any and all shore lines connecting the same, for the transmission of messages to and fro between Honolulu and the point or points of the landing of their international cable or cables.

SECTION 8. Upon the construction and delivery to the Minister of the Interior of such Inter-Island cable or cables as provided by Sections 5 and 6 of this Act, and the establishment of telegraphic communication thereover, the Minister of Finance shall be authorized to pay said contractors the actual cost price thereof, to be computed as provided in Section 6 of this Act.

Approved this 16th day of December, A. D. 1897.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXVIII.

AN ACT

To REGULATE CHINESE IMMIGRATION.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. In this Act "Chinese" means any person born of Chinese parents, and any native of China or its dependencies, or of any Island in the China Seas, born of Chinese parents.

SECTION 2. From and after the 1st day of March, A. D. 1888, no vessel coming from parts beyond the Hawaiian Islands shall be allowed to land Chinese at any port in this Kingdom, unless said Chinese are provided with permits to enter the Kingdom, granted, signed and sealed by the Minister of Foreign Affairs of the Hawaiian Kingdom under and subject to regulations to be prepared and published by him, by and with the consent of the Cabinet in Council, except as hereinafter provided, and excepting all Chinese to whom or for whom permission to enter the Kingdom has heretofore been granted, as shall be shown by the records of the office of the Minister of Foreign Affairs.

SECTION 3. If any Master of a vessel shall land or attempt to land any Chinese without such permit, as aforesaid, he shall be liable on conviction to a penalty of Two Hundred Dollars for each Chinese unlawfully landed or attempted to be landed ; and such passenger landed or attempting to land, shall be liable, on conviction, to a penalty of Fifty Dollars ; and the Master of such vessel shall be compelled to re-embark such

Chinese as may have unlawfully landed, and upon his neglect or refusal so to do, after notification by the Minister of Foreign Affairs, he shall be liable, on conviction, to a penalty of Two Hundred Dollars or to imprisonment for a term not exceeding thirty days.

SECTION 4. Any person who shall knowingly bring into, aid or abet in bringing into, or cause to be brought into the Kingdom any Chinese not lawfully entitled to enter it, shall be liable, on conviction, to a penalty of Two Hundred Dollars for each Chinese unlawfully brought in, or to imprisonment for a term not exceeding thirty days.

SECTION 5. The Minister of Foreign Affairs shall, subject to the regulations aforesaid, grant permits to enter the Kingdom to Chinese, as follows :

(1.) To any Chinese resident in this Kingdom at the date of the passage of this Act and to such as may become residents by virtue of its operation ; provided that such person shall have resided within the Kingdom for two years ; and provided that it shall appear to the satisfaction of said Minister that said applicant is not a vagrant, criminal, professional beggar, user of opium, or one likely to become a charge upon the country.

(2.) To such Chinese not to exceed three hundred in any one quarter year as said Minister may, with the concurrence of the Cabinet and upon the requisition of the Board of Immigration, deem advisable and beneficial to the industrial and agricultural interests of the Kingdom to admit.

(3.) To domestic servants, accompanying their employers, such employers not being Chinese.

(4.) To such other persons as may wish to sojourn temporarily in the Kingdom, as travellers, or as mer-

chants, having business interests in this Kingdom ; provided, that such sojourn shall not exceed six months ; and provided that such person so permitted to enter shall give a bond to said Minister, in the sum of Five Hundred Dollars, liquidated damages, conditioned that he will leave the Kingdom within six months, and if he shall be found within the Kingdom after the expiration of six months, he shall be deemed guilty of a misdemeanor and shall, upon conviction, be imprisoned at hard labor for a term not to exceed six months. For each permit granted under this section the Minister of Foreign Affairs shall be paid a fee of Five Dollars.

SECTION 6. Permits to enter the Kingdom shall also be granted by the Minister of Foreign Affairs, His Majesty's Consuls-General at Hongkong and San Francisco, and His Majesty's Consul or Commercial Agent at Shanghai, to any Chinese woman of good moral character or to the wives of Chinese residents in the Kingdom, and to Chinese children under fourteen years of age whose parents are residing in the Kingdom, or who accompany their parents, and to families consisting of parents and children, as aforesaid ; no charge will be made for permits granted hereunder.

SECTION 7. The Minister of Foreign Affairs shall also grant permits to enter the Kingdom without charge, to Ministers and teachers of any Christian denomination who are properly identified as such.

SECTION 8. This Act shall not apply to Diplomatic or other Officers of the Chinese or other Governments travelling upon the business of that Government, whose credentials shall be taken as an equivalent to the permit in this Act mentioned and shall exempt them and their body and household servants from the provisions of this Act as to other Chinese.

SECTION 9. All permits issued under the provisions of this Act are personal and not transferable, and a transfer or attempted transfer shall be deemed to be a cancellation and a forfeiture ; and the person making or attempting to make such transfer, and any person aiding or abetting him in so doing shall be liable, on conviction, to a penalty of Two Hundred Dollars or to imprisonment for a term not exceeding six months at hard labor.

SECTION 10. Permits issued under this Act shall be surrendered by the holder, on his entering the Kingdom, to the Collector-General of Customs or other Collector of Customs who shall hand them to the Minister of Foreign Affairs for verification.

✓ The Collector-General or any Collector of Customs shall have the authority to detain any person detected in, or reasonably suspected of a violation of any of the provisions of this Act, and to hold him until a warrant of arrest can be obtained.

SECTION 11. All offences under this Act shall be heard and determined and all penalties recovered, except as provided in Section five, in a summary manner before any Police magistrate or District Justice, subject to the right of appeal.

✓ **SECTION 12.** All moneys received by the Minister of Foreign Affairs under this Act shall from time to time, after audit and payment of the necessary expenses for carrying out its provisions, be paid into the Treasury to the Credit of the "Chinese Immigration Fund."

SECTION 13. An Act entitled "An Act to regulate the landing of passengers arriving at the different ports in this Kingdom," approved August 1st, 1878, being Chapter 20 of the Session Laws of 1878, and all Laws or parts of laws in conflict with the provisions of this Act,

and all "Regulations for the control of Chinese immigration," heretofore issued by the Minister of Foreign Affairs, by virtue of the authority conferred upon him by a Resolution of His Majesty in Cabinet Council, passed on the 13th day of July, 1883, and all amendments thereto are hereby repealed.

SECTION 14. This Act shall take effect on the 1st day of March, A. D. 1888.

Approved this 20th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XXIX.

AN ACT

To ABOLISH THE OFFICE OF GOVERNOR.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Office of Governor of any Island or Islands within this Kingdom is hereby abolished.

SECTION 2. All Laws and parts of Laws in conflict herewith are hereby repealed.

SECTION 3. This Act shall take effect from and after the thirty-first day of December, A. D., one thousand eight hundred and eighty-seven.

I hereby certify that the foregoing Act having passed its Third Reading in the Legislature of the Hawaiian Kingdom, on the first day of December, 1887, was presented to His Majesty the King, through the Cabinet

on the fifth day of December, 1887, that on the ninth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with a message setting forth certain reasons why he refused to sign the same ; that it appeared that such message was not countersigned by a Minister, and that His Majesty's act in so returning the same was done without the advice and consent of the Cabinet ; that thereafter the Legislature adopted a resolution that said act of the King, not being countersigned by a Minister, and having been done without the advice and consent of the Cabinet could not be considered a refusal to approve the act within the meaning of Article 48 of the Constitution, which action of the Legislature was duly communicated to the King ; and I do hereby further certify that more than ten days (Sundays excepted) have elapsed since said act was presented to the King and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28th, 1887.

WILLIAM R. CASTLE,

President of the Legislature.

Attest, J. ALFRED MAGOON,

Clerk of the Legislature.

CHAPTER XXX.

AN ACT

TO PROVIDE FOR A COMMISSION TO INVESTIGATE AND REPORT AT THE MAY SESSION, A. D. 1888, OF THE LEGISLATURE UPON THE FEASIBILITY AND EXPENSE OF OBTAINING FROM THE RANGE OF MOUNTAINS LYING BETWEEN KUKUIHAELE AND THE TOWN OF KOHALA, ISLAND OF HAWAII, WATER FOR MILLING, FLUMING, AND GENERAL PURPOSES THROUGHOUT THE DISTRICT OF HAMAKUA AND TO PROVIDE FOR THE EXPENSE OF SUCH COMMISSION.

WHEREAS, large supplies of water are running to waste from the range of mountains lying between the villages of Kukuihale and Kohala, Island of Hawaii:

AND WHEREAS, the adjoining District of Hamakua is without running streams of water and at times suffers very materially for water not only for milling but also for household purposes and for the supply of stock:

AND WHEREAS, many believe it practicable with a reasonable outlay of money to lead the waste water aforesaid or portions thereof through said District of Hamakua or portions thereof so as very materially to advance the prosperity and develop the resources of said District: Now, therefore,

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That the Minister of Interior as soon as

practicable after the passage of this Act shall appoint a Commission of five persons of whom one shall be a resident of Kohala, Hawaii, one a resident of, or owner of property in Waipio Valley in said Hamakua, two shall be chosen at large from said District of Hamakua, and one shall be a competent Civil Engineer, said Commission to serve without pay, except said Civil Engineer who shall be paid such compensation as shall be just and reasonable.

SECTION 2. It shall be the duty of said Commission to ascertain and report to the Minister of Interior prior to the month of May, A. D. 1888.

1st.—The estimated quantity, locality, and altitude of said waste waters and the course of the same.

2d.—Whether it is practicable to lead said water or portions thereof by ditching or otherwise through said District of Hamakua or portions thereof, and if so the proposed route or routes of leading said water, with a comprehensive itemized and detailed estimate of the cost of so doing.

3d.—All other facts necessary or proper bearing upon the subject matter of this Act.

SECTION 3. Said Commission is hereby authorized to have all necessary surveys and maps made, and generally to do all Acts and make all outlays of money necessary or proper to obtain reliable information upon all of the facts to be inquired into by them, such outlays however, including the pay of said Civil Engineer, not to exceed in all the sum of Twenty-five Hundred Dollars.

SECTION 4. The Superintendent of Public Works shall in behalf of the Government, review and verify the estimates and report of said Commission, and shall make

a report thereon to the Minister of Interior, who shall lay the same together with the report of the Commission, before the Legislature at the May Session, A. D. 1888, thereof.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXXI.
AN ACT

RELATING TO THE MILITARY FORCES OF THE KINGDOM.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Volunteer organizations known as the Honolulu Rifles, the King's Own, the Queen's Own, Prince's Own and the Leleiohoku Guards are hereby declared to be legally organized military bodies. If any of said organizations shall dissolve or disband, the Minister of the Interior with the advice and consent of the Cabinet may authorize the forming of a similar body or bodies in place thereof.

SECTION 2. In addition to the Volunteer organizations aforesaid it shall be lawful for the Hawaiian Government to enlist and maintain a permanent military force under pay not exceeding in number sixty-five men of all ranks inclusive of commissioned officers. Said commissioned officers to be a Captain and two Lieutenants and no more, appointed to the said force, who shall

be commissioned by the King, such commission being countersigned by the Minister of the Interior. But nothing herein contained shall be deemed to prevent His Majesty from appointing such persons as he may think proper, to serve without pay, on his personal staff, with such honorary rank as he may designate.

SECTION 3. All persons who may be enlisted to serve in the permanent military force mentioned in Section 2 shall take and subscribe an oath before a Police or District Justice in the following form :

I.....do make oath that I will serve as soldier for the term of years, should the Hawaiian Government so long require my service : that I will be faithful and bear true allegiance to His Majesty, his heirs and successors ; and that I will honestly and faithfully support the Constitution of the Hawaiian Islands.

So help me God

(Signature.)

The above named..... signed and took the above oath this.....day of, A. D. 18....

Before me

SECTION 4. Any person who shall be duly sworn as aforesaid and shall desert from said military force, shall, on conviction before any Police or District Justice, be subject to be imprisoned at hard labor for any term not exceeding twelve months.

SECTION 5. All of the military forces aforesaid shall (subject to the superior command of the King and the provisions of Section 7 of this Act) be under the immediate control and command of an officer with the rank of Brigadier-General who shall receive for his services a salary of one hundred and fifty dollars per month.

SECTION 6. The Brigadier-General may appoint and commission, as his personal staff, such persons as he thinks proper, to serve without pay, and with such honorary rank as he may designate.

SECTION 7. All the military forces of the Kingdom and all public property used for, and in connection with the same, and the expenditure of all moneys appropriated by law for military purposes shall be under the general control and supervision of the Minister of the Interior, who shall have authority by and with the consent of the Cabinet to appoint and remove the Brigadier-General aforesaid, or to remove any officer of the regular force ; to reduce or disband the military forces or any portion thereof and to establish and prescribe such rules and regulations not inconsistent with any law now in force for the organization, control and discipline of the military forces.

SECTION 8. Nothing in this Act contained shall be construed as rescinding any Constitution or by-laws heretofore adopted by any of the organizations herein named not inconsistent with any existing law.

SECTION 9. Any and all expenditures authorized in this Act may be paid upon the order of the Minister of the Interior from any moneys available in the appropriations for the King's Guard or for aid to Volunteer Military Companies and purchase of arms, ammunition, etc., for the military forces of the Kingdom, contained in the Appropriation Bill of October 14, 1886.

SECTION 10. This Act shall take effect and become Law from and after its approval, and thereupon the following Laws and parts of Laws below and all other Laws in conflict herewith shall be and the same are hereby repealed, that is to say :

So much of Section 21 of the first Act of Kamehameha III. to organize the Executive Ministry of the Hawaiian Islands as relates to the duties of Governors in respect to the charge of the island forces and munitions of war.

Section 3, 4, 5, 6 and 7 of Article 5, Chapter 4, part first, of the Act to organize the Executive Departments of the Hawaiian Islands.

Section 3 and 4 of Article 6, Chapter 4 of the same Act.

Section 4 of Chapter 2, part second, of the same Act relating to the Secretary of War and of the Navy.

Chapter 22 of the Laws of 1886 entitled "An Act to organize the Military Forces of the Kingdom."

I hereby certify that the foregoing Act having passed its Third Reading in the Legislature of the Hawaiian Kingdom, on the ninth day of December, 1887, was presented to His Majesty the King, through the Cabinet on the fourteenth day of December, 1887 ; that on the nineteenth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with a message setting forth certain reasons why he refused to sign the same ; that it appeared that such message was not countersigned by a Minister, and that His Majesty's Act in so returning the same was done without the advice and consent of the Cabinet ; that thereafter the Legislature adopted a resolution that said Act of the King, not being countersigned by a Minister and having been done without the advice and consent of the Cabinet, could not be considered a refusal to approve the Act within the meaning of Article 48 of the Constitution, which action of the Legislature was duly

communicated to the King ; and I do hereby further certify that more than ten days, (Sundays excepted) have elapsed since said Act was presented to the King and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28th, A. D. 1887.

WILLIAM R. CASTLE,

President of the Legislature.

Attest, J. ALFRED MAGOON,

Clerk of the Legislature.

CHAPTER XXXII.

AN ACT

TO PROVIDE FOR THE DISCHARGE OF CERTAIN DUTIES HERETOFORE PERFORMED BY THE GOVERNORS OF THE DIFFERENT ISLANDS.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Marshal of the Kingdom, for and within the Island of Oahu, and the Sheriffs of the different Islands other than Oahu, within their respective jurisdictions, shall hereafter discharge the duties hereinafter enumerated, which have heretofore been discharged and performed by the Governors of the different Islands ; that is to say: with respect to

1. The administration of oaths and the taking of depositions.

2. The selection, construction and maintenance of

pounds, the appointment and removal of pound-masters, and the apprehension and impounding of estrays.

3. The certification and recording of impressions and descriptions of brands and marks.

4. The control, preservation and disposition of wrecks and wreckage.

5. The shipping and discharge of seamen.

6. The testing and certification of weights and measures.

SECTION 2. In order to facilitate the due performance of their duties by the said Marshal and Sheriffs as provided in the preceding Section, all rights, privileges and fees heretofore accruing to, or possessed by, and all bonds running to the said Governors, or any of them, in respect of the matters pertaining to any of said duties, shall hereafter be possessed by and accrue and run to and in favor of the said Marshal and Sheriffs within their respective jurisdictions. All records heretofore kept by the several Governors shall, not later than the first day of January, 1888, be by them transferred to those persons who are by this Act appointed to perform the several duties heretofore performed by the several Governors.

SECTION 3. The Minister of Finance shall hereafter discharge and perform any and all duties heretofore by law devolving upon the Governors of the different Islands, with respect to the appointment and supervision of Tax Collectors and all other duties in connection therewith as imposed by Sections 54, 56, 62, 63, 64 and 65 of Chapter XLIII. of the Session Laws of 1882, and Sections 55 and 61 of said Chapter as amended by Chapter XXXVII. of the Session Laws of 1886, and all bonds, obligations, rights and privileges heretofore running or accruing to

any Governor by virtue of any of the sections above enumerated, shall hereafter run and accrue to the Minister of Finance. Provided, that the Sheriffs of the respective Islands other than Oahu, shall receive from the respective Tax Assessors, and deliver to the respective Tax Collectors, within their jurisdictions, their appropriate tax lists.

SECTION 4. The authority heretofore possessed by the different Governors to bind out minors by articles of apprenticeship, as provided by Section 1397 of the Civil Code, is hereby transferred to the Judges of the Supreme Court, or of any Circuit Court, or other Court of Record sitting in probate, any one of whom may act in the premises.

SECTION 5. The duty heretofore imposed upon the respective Governors relating to the preparing of jury lists and the drawing of juries is hereby transferred to the Chief Clerk of the Supreme-Court for the Island of Oahu, and the clerks of the respective Circuit Courts for the several judicial circuits.

SECTION 6. This Act shall take effect and become a law on the first day of January, in the year eighteen hundred and eighty-eight.

I hereby certify that the foregoing Act, having passed its Third Reading in the Legislature of the Hawaiian Kingdom, on the second day of December, 1887, was presented to His Majesty the King, through the Cabinet, on the fifth day of December, 1887, that on the ninth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with a mes-

sage setting forth certain reasons why he refused to sign the same ; that it appeared that such message was not countersigned by a Minister, and that His Majesty's act in so returning the same was done without the advice and consent of the Cabinet; that thereafter the Legislature adopted a resolution that said act of the King, not being countersigned by a Minister and having been done without the advice and consent of the Cabinet could not be considered a refusal to approve the Act within the meaning of Article 48 of the Constitution, which action of the Legislature was duly communicated to the King ; and I do hereby further certify that more than ten days (Sundays excepted) have elapsed since said Act was presented to the King, and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28th, 1887.

WILLIAM R. CASTLE,
President of the Legislature.

Attest, J. ALFRED MAGOON,
Clerk of the Legislature.

CHAPTER XXXIII.
AN ACT

GRANTING TO SAM'L G. WILDER AND HIS ASSOCIATES
THE RIGHT TO LAY DOWN AND OPERATE A SYSTEM OF
WATER WORKS IN THE TOWN OF HILO, ISLAND OF
HAWAII.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The right is hereby granted to Sam'l G. Wilder and his associates and assigns or such corporation as may be incorporated or organized by him or them for the purposes herein named, to construct, lay down and operate for the term of fifty years from the passage of this Act a system of Water Works from which to supply the inhabitants of the town of Hilo, in the Island of Hawaii, with water, the water to be led from the Wailuku river at a point below any now existing artificial canals from said river, and to be conducted to a convenient point near the Waiakea river and to be distributed in pipes through any or all of the streets of the said town now existing, or that hereafter may be laid out.

SECTION 2. For the carrying out of the privilege granted by the first section of this Act, the grantees aforesaid are hereby authorized to make such reasonable excavations for the laying of pipes in said streets of the said town of Hilo, as may be from time to time necessary, provided that all excavations be promptly filled when the pipes are laid, and the streets so excavated re-

stored to as good condition as they were before the work of excavation was begun, and provided that all pipes, conduits hydrants and structures of any kind used in connection with this system of water works, shall be so placed as not to obstruct or inconvenience the free use by the public of all streets or roads or lands in, or through which the said pipes, hydrants, conduits and other structures may be conducted or placed.

SECTION 3. The rates to be charged to persons using the water from the system of works by this Act authorized, shall be no greater than is charged by the Hawaiian Government in the town of Honolulu, Island of Oahu, for like water privileges.

SECTION 4. The grantees of the privileges granted by this Act are hereby authorized to lay down pipes without charge in any Government lands, in or through which the same may be deemed necessary to pass.

SECTION 5. The grantees of the privileges granted by this Act shall at the expense of the Government cause to be placed at convenient distances from each other along the route of the water pipes when laid in pursuance of this Act, suitable hydrants from which water may be obtained without charge by the proper authorities to be used for the extinguishing of fires, and watering the streets.

SECTION 6. All excavations and erections to be made in pursuance of this Act shall, so far as the same may affect the public convenience, be done in the manner to be approved by the Superintendent of Public Works.

SECTION 7. The Hawaiian Government shall have the right, at any time, to purchase from the then owners of the water works hereby authorized, all of the plant,

fixtures, rights, privileges and franchises belonging to or connected with the said water works. The price to be paid shall be the actual cost of all plant and material used in the construction, extension and improvement of the said water works, in constructing the necessary reservoirs and appurtenances in connection therewith, also the purchase price of any water rights bought by the owner or owners of the said water works and a proportionate part of rents for water rights paid in full for the term of this franchise or any part thereof.

SECTION 8. Water shall be supplied from said water works without discrimination as to supply or price to all persons who shall offer to pay for the same, subject to such reasonable rules and regulations as may be adopted by the owners of said works.

SECTION 9. The owners of said water works shall on the 1st day of July of each year file in the office of the Minister of the Interior, a detailed statement of all moneys received or expended by them for, or on account of, or in connection with said water works.

Approved this 20th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXXIV.

AN ACT

TO REPEAL THE ACTS ENTITLED RESPECTIVELY "AN ACT TO PROHIBIT NATIVES FROM LEAVING THE ISLANDS," APPROVED THE SECOND DAY OF JULY, A. D. 1850; AND "AN ACT TO RE-ENACT AN ACT ENTITLED AN ACT TO PROHIBIT NATIVES FROM LEAVING THE ISLANDS, PASSED THE SECOND DAY OF JULY, A. D. 1850," APPROVED THE 31ST DAY OF DECEMBER, A. D. 1864.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The several Acts entitled respectively "An Act to prohibit Natives from leaving the Islands," approved the 2d day of July, 1850, and An Act to re-enact An Act entitled An Act to prohibit Natives from leaving the Islands, passed on the second day of July, A. D. 1850," approved the 31st day of December, A. D. 1864, shall be, and the same are hereby repealed.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXXV.

AN ACT

RELATING TO THE PRACTICE OF MEDICINE.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That an Act entitled "An Act to regulate the Hawaiian Board of Health," approved the seventh day of October, 1886, be and the same is hereby repealed.

SECTION 2. That Section 53 of the Penal Code as amended by an Act entitled "An Act to amend Section 53 of Chapter 55 of the Penal Code," approved on the 15th day of September, A. D. 1876, is hereby repealed.

SECTION. 3. Any person who shall attempt the cure of another by practice of sorcery, witchcraft, anaana, hoopiopio, hoounauna, hoomanamana, or other superstitious or deceitful methods, shall, upon conviction thereof before a District or Police Justice be fined in a sum not less than one hundred dollars, nor more than two hundred dollars or be imprisoned at hard labor not to exceed six months.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

CHAPTER XXXVI.

AN ACT

To PROVIDE A PENSION FOR HIS EXCELLENCY JOHN OWEN DOMINIS.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. It shall be lawful for the Minister of Finance from and after the 31st day of December, 1887, to pay to His Excellency, John Owen Dominis, out of any moneys in the Treasury available for such purpose, an annual pension of Eighteen Hundred Dollars. Such payments may be made in equal monthly installments and shall continue during the natural life of the said John Owen Dominis. Provided, however, that no money shall be paid by virtue hereof while the said John Owen Dominis shall hold any office of profit or emolument under the Hawaiian Government.

SECTION 2. This Act shall take effect from and after the date of its approval.

I hereby certify that the foregoing Act having passed its Third Reading in the Legislature of the Hawaiian Kingdom on the seventh day of December, 1887, on the fourteenth day of December, 1887, was presented to His Majesty, the King, through the Cabinet, and was not returned to the Legislature within ten days (Sundays excepted) thereafter, and that the Legislature had

not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 29th, 1887.

WILLIAM R. CASTLE,

President of the Legislature.

Attest, J. ALFRED MAGOON,

Clerk of the Legislature.

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CHAPTER XXXVII.

AN ACT

To AMEND CHAPTER 44 OF THE SESSION LAWS OF 1886,
RELATING TO THE DIVISION OF TAXATION, EDUCATIONAL AND JUDICIAL DISTRICTS.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That that part of Section 1 of Chapter 44 of the Session Laws of 1886 referring to the Island of Kauai, approved on the 15th day of October, A. D. 1886 be and is hereby amended so as to read as follows:

The Islands of Kauai and Niihau shall be divided into six districts, as follows:

1. From Puanaaiea Point to the Ile of Eleele, to be styled the Waimea District.

2. From and including the Ile of Eleele to and including Mahaulepu, to be styled the District of Koloa.

3. From and including Kipu to and including Wailua, to be styled the District of Lihue.

4. From Wailua to Kealaakaiole to be styled the Kawaihau District.

5. From and including Kealaakaiole to Puanaaiea Point to be styled the Hanalei District.

6. The Island of Niihau.

SECTION 2. All Laws and parts of Laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3. This Act shall take effect from and after its approval.

Approved this 8th day of December, 1887.

KALAKAUA REX.

BY THE KING :

L. A. THURSTON,

Minister of the Interior.

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CHAPTER XXXVIII.

AN ACT

To RENDER UNLAWFUL THE GRANTING OF LICENSES FOR THE VENDING OF SPIRITUOUS LIQUORS AT RETAIL IN ANY DISTRICT OF THE HAWAIIAN KINGDOM OTHER THAN HONOLULU, IN THE ISLAND OF OAHU.

WHEREAS, the experience of the past four years has proved that the granting of licenses for the sale of spirituous liquors at retail in the various districts of this Kingdom, is productive of evil results and does not prevent the illicit sale of such liquors. Therefore,

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. It shall not be lawful hereafter to grant any license or licenses for the vending of spirituous li-

quors at retail, in any district of the Hawaiian Kingdom other than the District of Honolulu, in the Island of Oahu.

SECTION 2. The several licenses heretofore granted for the sale of intoxicating liquors at retail in various districts of this Kingdom other than Honolulu, shall continue in force until their several terms of duration shall have expired, anything in this Act contained to the contrary notwithstanding, but the same shall not be re-issued.

SECTION 3. This Act shall take effect and become a law from and after the date of its approval, and all laws and parts of laws inconsistent with or repugnant here-with are hereby repealed.

I hereby certify that the foregoing Act having passed its Third Reading in the Legislature of the Hawaiian Kingdom on the third day of December, 1887, was presented to His Majesty the King, through the Cabinet, on the sixth day of December, 1887; that on the sixteenth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with a message setting forth certain reasons why he refused to sign the same; that it appeared that such message was not countersigned by a Minister and that His Majesty's act in so returning the same was done without the advice and consent of the Cabinet; that thereafter the Legislature adopted a resolution that said act of the King, not being countersigned by a Minister, and having been done without the advice and consent of the Cabinet could not be considered a refusal to approve the Act within the meaning of Article 48 of the Constitution,

which action of the Legislature was duly communicated to the King ; and I do hereby further certify that more than ten days (Sundays excepted) have elapsed since said Act was presented to the King, and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28, 1887.

WILLIAM R. CASTLE,

President of the Legislature.

Attest: J. ALFRED MAGOON,
Clerk of the Legislature.

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