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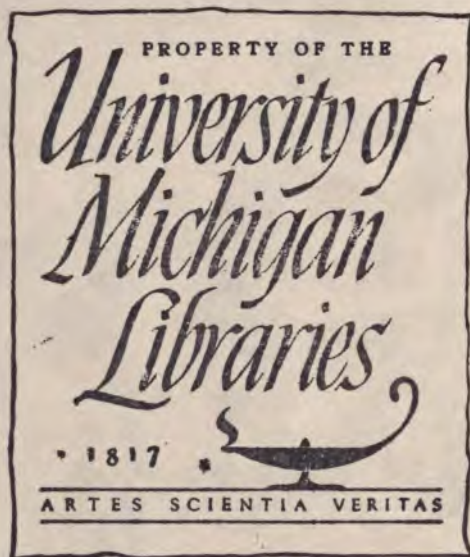
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CONSTITUTION  
OF THE  
REPUBLIC OF HAWAII  
AND  
LAWS PASSED  
BY THE  
EXECUTIVE AND ADVISORY COUNCILS  
OF THE  
REPUBLIC.

HONOLULU:  
ROBERT GRIEVE, STEAM BOOK AND JOB PRINTER.  
209 Merchant street (up stairs).  
1895.

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**A C T S**  
OF THE  
**EXECUTIVE AND ADVISORY COUNCILS**  
OF THE  
**REPUBLIC OF HAWAII.**

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**ACT 1.**

AN ACT TO CONFER UPON MEMBERS OF BOARDS OF REGISTRATION OF VOTERS AND EXAMINERS OF APPLICANTS FOR SPECIAL RIGHTS OF CITIZENSHIP THE POWER TO ADMINISTER OATHS.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. Every member of the Boards of Registration of Voters and every Examiner of Applicants for special rights of Citizenship is hereby authorized to administer oaths in all cases in which oaths are by law authorized, and particularly the oaths of Officers, Electors, Legislators and Jurors prescribed by Article 101 of the Constitution.

SECTION 2. This Act shall take effect from the date of its publication.

Approved this 19th day of July, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.



**ACT 2.**

## AN ACT RELATING TO THE DRAWING OF JURORS.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. Whenever from any cause a less number than twenty-four properly qualified jurors out of any panel, native or foreign, are in attendance at any term of the Circuit Court in any Circuit, or whenever during the term of any Circuit Court, for any reason the available number of properly qualified jurors from either panel now authorized by law is less than twenty-four, the Circuit Judge together with a clerk of Court may forthwith in the discretion of such Judge draw from the Circuit at large in the manner provided in Section 2 hereof a new panel, or a sufficient number to make up a panel of thirty-six in the First Circuit and twenty-four in the other Circuits; and the persons so drawn shall serve for the remainder of the term for which they were drawn, together with the qualified members of the old panel, if any.

SECTION 2. Such Circuit Judge together with a clerk of the Circuit Court or of the Judiciary Department shall draw such additional panel as follows: For a native jury in any Circuit such Judge shall select the names of fifty persons of aboriginal or part aboriginal blood; and from said fifty shall draw by lot so many names as may be required to make the panel full. For a foreign jury for the First Circuit the said Judge shall select fifty names of persons other than aboriginal

Hawaiians, and from such fifty shall draw by lot such number as may be required to make a full panel. In all Circuits other than the First Circuit whenever it is necessary or proper to have a jury composed wholly or in part of other than aboriginal Hawaiians the Circuit Judge shall summon such jury from time to time as required from the Circuit at large.

SECTION 3. The Circuit Judges may draw successive panels in the manner aforesaid as many times as may be necessary.

SECTION 4. All laws and parts of laws in conflict herewith are hereby repealed.

SECTION 5. This Act shall take effect from and after its publication.

Approved this 9th day of August, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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### ACT 3.

AN ACT TO AMEND ACT NO. 66 OF THE LAWS OF THE PROVISIONAL GOVERNMENT, ENTITLED "AN ACT RELATING TO THE LANDING OF ALIENS IN THE HAWAIIAN ISLANDS," APPROVED MARCH 1ST, 1894.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. Section one of Act No. 66 of the Laws of the Provisional Government, entitled "An Act relating to the landing of Aliens in the Hawaiian Islands," approved March 1st, 1894, is hereby amended by adding at the end of said

Section the following words, viz., "binding such alien to work as an agricultural laborer for a term of not less than two years."

SECTION 2. This Act shall take effect from the date of its publication.

Approved this 9th day of August, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 4.

### AN ACT TO PROVIDE FOR A LABOR COMMISSION.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. The President of the Republic is hereby directed to appoint a commission of five persons, who shall be known as the "Labor Commission," one of whom shall act as chairman thereof, and who shall have power to administer oaths.

SECTION 2 Such persons may be officers of the Government, members of the Executive or Advisory Councils, or otherwise; but there shall be included in such commission at least one person who is financially interested in the sugar industry, and one who represents the mechanical trades in the Republic.

Vacancies caused by resignation, refusal to serve, or other cause, shall be filled by appointment of the President.

SECTION 3. It shall be the duty of such Commission to make full and careful inquiry and investigation covering a period from at least one year prior to the taking effect of the McKinley Tariff Act to the first day of July, 1894, concerning:

1. The number and nationality and residence of all agricultural laborers now employed in the Republic, showing the number engaged in each particular branch of agriculture.

2. The rate of wages paid to the different nationalities of such laborers in the different portions of the Republic.

3. The number, nationality and residence of all mechanics now employed in the Republic.

4. The rate of wages paid to the different nationalities of such mechanics in the different portions of the Republic.

5. The prices received by Hawaiian sugar planters for raw sugar.

6. The cost of producing sugar, showing, so far as practicable, the cost of each stage and process, and showing more particularly the proportionate cost of unskilled labor.

7. Whether or not an increased number of agricultural and other unskilled laborers will be needed in the near future, and if so, in connection with what industries, and how many laborers will probably be required.

8. The trials which have been given to co-operative production, or profit sharing, in the production of sugar, rice or other agricultural products, in this country, giving, so far as practicable, the details of the several agreements and methods adopted, and the results thereof.

9. Whether or not a system of co-operative production or profit-sharing is feasible in connection with the main agricultural industries of the country; and, if so, upon what lines.

10. Whether or not such a system of production has ever been adopted in any other country situated similarly to

Hawaii, and in the production of similar products to those produced here ; and, if so, what the results were.

11. Whether or not there is anything in the climatic or other conditions in this country which render it physically impossible for Europeans and Americans to successfully engage in field labor in this country.

12. If Europeans and Americans are found capable of personal field labor, whether or not it is feasible to secure the immigration of a sufficient number of Europeans or Americans to supply the present and probable requirements for unskilled labor. If so, upon what terms and by what means, and from what countries.

13. What the effect of Chinese immigration has been in this country.

14. What the effect of restriction of such immigration has been.

15. Whether or not it is necessary or advisable to allow the further immigration of Chinese. If so, upon what conditions.

16. What the effect of Japanese immigration has been in this country.

17. Whether or not it is necessary or advisable to allow the further immigration of Japanese. If so, upon what conditions.

18. What the condition of field labor and of mechanics is, and during the last few years, has been in this country, as compared with other countries.

19. What rate of wages is paid in other countries to skilled and mechanical labor in the production of products similar to those raised here.

20. Any other matters of a kindred character which will throw light upon the subject, and tend to solve the problems incidental to the labor question in this country.

21. In what manner and to what extent men introduced as contract laborers have competed with the mechanical or business interests of the country.

SECTION 4. It shall be the duty of all Government officers, officers of corporations, and other persons to furnish to such Commission, upon its request, all information within their knowledge bearing upon the subject matter of this Act; and power is hereby conferred upon such Commission, or a majority of its members, to issue subpoenas to witnesses to appear and testify before such Commission, and to produce papers before it, in the same manner as subpoenas are issued by the Supreme Court. Disobedience or refusal to answer questions asked pursuant to any subpoena issued by such Commission may be punished by any Justice of the Supreme Court, on a certification to him by the Commission, or a majority of its members, of the fact of such disobedience; the punishment to be the same as that for disobedience of a subpoena of the Supreme Court.

SECTION 5. The said Commission shall reduce to writing the gist of the evidence taken by it, and shall, from time to time, as soon as reasonably may be, report the results of their investigation, together with such recommendations as they may think proper, to the Executive and Advisory Councils or the Legislature if the same is in session, or to the Executive Council if the Legislature has adjourned.

SECTION 6. The members of the said Commission shall receive such compensation as shall be determined by the Legislature; and they are hereby authorized to employ a stenographer and typewriter, and to pay the necessary incidental expenses involved in collecting the information herein provided for, and to pay the traveling expenses of the members and of all witnesses necessarily incurred in procuring such information; provided however, that this

shall not authorize any member of the Commission to travel beyond the limits of the Republic in procuring such information.

SECTION 7. There is hereby appropriated out of the Treasury the sum of five thousand dollars for the purpose of defraying the expenses of said Commission.

SECTION 8. This Act shall take effect from the date of its approval.

Approved this 16th day of August, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 5.

AN ACT TO AUTHORIZE THE MINISTER OF THE INTERIOR TO GRANT LICENSES TO FOREIGN VESSELS TO ENGAGE IN CERTAIN COASTING TRADE.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. The Minister of the Interior is hereby authorized to grant licenses to foreign vessels to carry freight and passengers between Laysan Island, Lisiansky Island, Morrell Island, Ocean Island, Midway Island, Pearl and Hermes Reef and French Frigate Shoals, and the ports of entry of the Hawaiian Islands. Such licenses shall be issued for each round trip on the payment to the Collector General of Customs of the sum of twenty-five dollars (\$25.00). A bond shall be given

in the sum of five hundred dollars (\$500.00) on behalf of the vessel receiving such license conditioned that such vessel shall not violate any regulations which may be made by the Minister of the Interior concerning the coasting trade, or any provision of law in respect to the same.

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

Approved this 30th day of August, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 6.

AN ACT AUTHORIZING THE EXECUTIVE COUNCIL TO MAKE CONTRACTS FOR MAIL SERVICE BETWEEN PORTS IN THE REPUBLIC OF HAWAII AND PORTS IN NORTH AMERICA AND GRANT AID TO STEAMSHIPS CARRYING SUCH MAIL.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. The Executive Council is authorized to make contracts for the carriage of the mails, for any time, not exceeding two years, upon such terms and conditions as they may deem best for the public good, with the agents or owners of steam vessels plying regularly between any port in these Islands and any port in North America: and to grant to the vessels of any such contractor, in consideration of the free carriage of such mails, freedom from all port



charges, except pilotage, and a free space for the storage of coal for the use of such contractor, not to exceed three thousand tons at one time. It shall be made a condition of such concession that the steamship company receiving such concession shall agree not to charge higher rates for passage and freight than those now charged by the Oceanic Steamship Company.

SECTION 2. Nothing in this Act contained shall be so construed, as authorizing the Executive Council to in any way pledge or render the Government liable for the payment of any subsidy.

SECTION 3. This Act shall take effect from the date of its approval.

Approved this 30th day of August, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 7.

AN ACT MAKING SPECIAL APPROPRIATIONS FOR THE USE OF  
THE GOVERNMENT DURING THE TWO YEARS WHICH WILL  
END WITH THE 31ST DAY OF MARCH, A. D. 1896.

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii:*

SECTION 1. The following sums amounting to \$489,359.59 are hereby appropriated out of any moneys which shall be received by the Treasury during the biennial period ending

March 31st A. D. 1896, from the loan authorized by the Act approved January 11th, A. D. 1893, and by Act 16 of the Provisional Government, approved February 18th, 1893, from any surplus receipts from deposits in the Postal Savings Bank, and from current revenue; provided, however, that any moneys advanced from current revenue or from deposits in the Postal Savings Bank for the objects named, may as soon as practicable, be reimbursed from moneys obtained from such loan:

### INTERIOR DEPARTMENT.

#### NEW WHARVES, SEA WALL, DREDGING HARBOR AND BAR, HONOLULU.

New Wharves and Sea Wall . . . . .	\$118,000	
New Pile Driver . . . . .	2,500	
		————— \$120,500 00

#### ROADS, BRIDGES AND LANDINGS.

Wharf at Napoopoo . . . . .	\$ 600	
Wharf at Kawaihae . . . . .	1,000	
New Road Hakalau Gulch . . . . .	5,000	
New Road Puna . . . . .	20,000	
New Roads Kau . . . . .	5,000	
New Roads S. Kona . . . . .	10,000	
New Roads N. Kona . . . . .	8,000	
New Road Wailuku . . . . .	8,000	
Beach Road Honolulu . . . . .	7,500	
Nuanu Pali Road . . . . .	1,000	
Bridge Wailua Kauai . . . . .	1,050	
Road to Kaiwika Homestead, Hawaii . .	3,500	
Reconstruction of Roads, Hilo and North Hilo . . . . .	30,000	
		————— 160,550 00

NEW BUILDINGS, VAULTS, MAGAZINE AND  
HOSPITALS.

Completion of New Market, Honolulu...\$	25,000
New Laundries .....	10,000
Light Houses .....	22,300
Central Fire Station .....	6,000
New Buildings at Insane Asylum.....	7,500
New Jail, Hilo.....	3,500
Court House, Koloa .....	1,200

PUNA.

Olaa School House.....	800
Kapoho School House.....	800

SOUTH KONA.

Honaunau School House.....	800
Milolii Teacher's Cottage and Tank....	550
Hookena School House, 2 rooms.....	2,000

NORTH KONA.

Kailua Primary Room .....	1,000
Holualoa 2 roomed School House .....	2,000

WAILUKU.

Ulupalakua 2 roomed School House....	2,000
Ulupalakua Teacher's Cottage .....	800

MAKAWAO.

Kealahou One Room Addition .....	1,200
Kealahou Cottage .....	500
Portuguese Settlement, Haleakala, 2 Rooms .....	2,500
Cottage .....	1,000

EWA AND WAIANAË.

Two Roomed School House, Ewa.....	\$ 2,000
Cottage, Ewa .....	300

WAIALUA.

One Room Addition.....	800
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KOOLAULOA.

Kahuku 2 Roomed School House.....	2,000
Kahuku Cottage .....	800

WAIIMEA KAUAI.

Makaweli School House 1 Room .....	1,000
Makaweli Cottage.....	800

HANAËLEI.

Wainiha School 1 Room.....	1,000	
Wainiha Cottage.....	800	
Koolau School House, Enlarged. ....	500	
Koolau Cottage .....	800	27,255 00
	<hr/>	102,755 00

ADDITIONS AND IMPROVEMENTS TO WATER  
WORKS.

Honolulu .....	\$112,000	
Hilo .....	3,500	
Wailuku.....	15,000	
	<hr/>	130,500 00
Volcano Road.....	9,035	13
Road Damages.....	20,919	46
Purchase of kuleanas Leper Settlement.....	5,000	00
	<hr/>	<hr/>
		\$489,359 59

SECTION 2. It shall be lawful for the Minister of Finance to continue to make payments in accordance with the appropriations authorized by this Act until the 31st day of July, A. D. 1896.

SECTION 3. The Minister of Finance shall not cause or allow to be paid from the Treasury any money for the objects named in this Act, except as herein provided, and the unauthorized expenditure of any money from the Treasury to be thereafter accounted for to the Legislature by indemnity bill is hereby expressly prohibited.

SECTION 4. All and every contract for constructing or repairing public works amounting to five hundred dollars (\$500), and for furnishing material, and other supplies, shall be awarded only upon public advertisement for tenders, excepting the item "Road to Kaiwiki Homesteads, Hawaii, \$3500;" and no public works, material or supplies, shall be divided or parceled out for the purpose of evading the provisions of this Section.

SECTION 5. This Act shall be styled the "Loan Appropriation Bill."

SECTION 6. This Act shall take effect from and after the date of its publication.

Approved this 6th day of September, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

## ACT 8.

### AN ACT RELATING TO ELECTIONS AND CONTESTED SEATS IN THE LEGISLATURE.

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii:*

#### PROVISIONS FOR PRESERVING THE PURITY OF ELECTIONS.

SECTION 1. Offenses against the election laws and against the Rules and Regulations concerning the administering of oaths and the holding of elections, promulgated by the President, are divided into two classes, viz.: "Election Frauds" and "Misdemeanors," as hereinafter defined.

#### ELECTION FRAUDS.

SECTION 2. The following persons shall be deemed guilty of an election fraud:

1. Every person who shall directly or indirectly, personally or through another, give, procure or lend, or agree or offer to give, procure or lend, or who shall endeavor to procure, any money or office or place of employment of valuable consideration to or for any elector, or to or for any person for an elector, or to or for any person in order to induce any elector to vote or refrain from voting, or to vote or refrain from voting for any particular person or party, or who shall do any such act on account of any person having voted or refrained from voting for any particular person at any election.

2. Every person who shall directly or indirectly, personally or through another, make any such gift, loan, offer, promise, procurement or agreement as aforesaid, to any person, except to such assistants as are permitted by law, or by the Rules and Regulations issued by the President in accordance with the Constitution, in order to induce such person to procure or endeavor to procure the election of any person to the Legislature; or to procure the vote of any elector at any election.

3. Every person who shall advance or pay, or cause to be paid, any money to, or to the use of, any other person, with the intent that such money, or any part thereof, shall be expended in bribery at any election, or for any purpose connected with or incidental to any election other than the objects and purposes for which money is by law or the said Rules and Regulations allowed to be expended, excepting only reasonable expenses for conveying voters to the polling places on election days; or who shall knowingly pay or cause to be paid any money to any person in the discharge or repayment of any money wholly or partly expended in bribery at any election, or for any purpose connected with or incidental to any election, other than the objects and purposes for which money is by law or the said Rules and Regulations allowed to be expended.

4. Every elector who shall, before, during or after any election, directly or indirectly, personally or through another, receive, agree or contract for any money, gift, loan or valuable consideration, office, place or employment for himself or any other person, for voting or agreeing to vote, or for refraining to vote or agreeing to refrain from voting, or for voting or refraining to vote for any particular person or party.

5. Every person who shall at any election, personally or

through another, or by any ways or means on his behalf, directly or indirectly, give or provide, or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay wholly or in part any expenses incurred for any meat, drink, entertainment or provision to or for any person in order to be elected, or for being elected, or for procuring the election of any candidate, or for the purpose of influencing such person or any other person to vote or refrain from voting; or for voting or refraining from voting for any particular person or party, at such election, or on account of such person having voted or refrained from voting, or voted or refrained from voting for any particular person or party.

6. Every person who shall directly or indirectly, personally or through another, make use of, or threaten to make use of, any force, violence or restraint; or inflict or threaten to inflict any injury, damage or loss in any manner, or in any way practice intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting, or to vote or refrain from voting for any particular person or party, at any election, or on account of such person having voted or refrained from voting or voted or refrained from voting for any particular person or party; or who shall by abduction, distress or any device or contrivance impede, prevent or otherwise interfere with the free exercise of the elective franchise.

7. Every person who, at any election, votes or attempts to vote in the name of any other person, living or dead, or in some fictitious name, or who, having once voted, votes or attempts to vote again, or knowingly gives or attempts to give more than one ballot for the same office at one time of voting.

8. Every person who, before or during an election, know-



ingly publishes a false statement of the withdrawal of any candidate at such election.

9. Every person who induces or procures any person to withdraw from being a candidate at an election in consideration of any payment or gift, or valuable consideration; or of any threat; and every candidate who withdraws from being a candidate in pursuance of such inducement or procurement.

10. Every public officer by law or by said Rules and Regulations required to do or perform any act or thing with reference to any of the provisions in any law concerning elections or in said Rules and Regulations contained, who shall wilfully fail, neglect or refuse to do or perform the same, or who shall wilfully perform it in such a way as to hinder the objects thereof, or who shall be guilty of any wilful violation of any of the provision thereof.

#### PUNISHMENT FOR ELECTION FRAUDS.

SECTION 3. Every person found guilty of an Election Fraud shall be punished by a fine of not less than one hundred dollars or exceeding one thousand dollars, or by imprisonment at hard labor for any term not less than ten days or exceeding two years, or by both such fine and imprisonment at the discretion of the Court.

Besides such punishment, such person shall be disqualified from voting and from holding any office under the Government, and from being elected to or occupying a seat in the Legislature, for six years from the date of such conviction.

If the person so convicted shall hold any office, either elective or appointive, at the time of such conviction, such office shall at once and without mention in such sentence, or other proceeding, be vacated by such conviction.

The judge or magistrate before whom such conviction is had shall immediately transmit to the Minister of the Interior

the name of such person, the offense of which he has been convicted and the sentence of the Court.

#### MISDEMEANORS.

SECTION 4. The following persons shall be guilty of a misdemeanor :

1. Every person, except such assistants as are by law or by said Rules and Regulations specifically authorized to be employed, who shall, for the purpose of promoting or preventing the election of any candidate at any election, be engaged or employed for payment or promise of payment, or for any valuable consideration, to act as agent, clerk or messenger, or in any other capacity.

2. Every person furnishing, hiring, or using any premises or portion thereof licensed to sell beer, wines or spirits, as a committee room for the purpose of promoting the election of any candidate at any election.

3. Every person who shall be disorderly or create a disturbance whereby any meeting of the Board of Registration of voters or of the Inspectors of Election during an election shall be disturbed or interfered with ; or whereby any person who intends to be lawfully present at any such meeting or election is prevented from attending ; or who shall cause any disturbance at any election ; and every person assisting or aiding or abetting any such disturbance.

4. Any candidate who fails or neglects to furnish the list of agents prescribed in said Rules and Regulations.

5. Every person who shall, either in person or through another, in any manner break up or prevent, or endeavor to break up or prevent, the holding of any meeting of the Board of Registration of voters, or in any manner break up or prevent, or endeavor to break up or prevent, the holding of any election.

6. Every person who, being a candidate for election, or an agent of any such candidate, or a member of any committee acting for or on behalf of any such candidate, shall fail to file the statement of expenses or of lack of expenses, as required in said Rules and Regulations.

7. Every person who shall wilfully violate or fail to obey any of the provisions of law or of said Rules and Regulations, punishment for which is not otherwise herein specifically provided for.

8. Any person who shall wilfully tear down, or destroy, or deface any election proclamation or any poster, or notice, or list of votes, or card of instructions, or specimen ballot, issued or posted by authority of law.

#### PUNISHMENT FOR MISDEMEANORS.

SECTION 5. Any person convicted of a misdemeanor under the provisions hereof shall be punished by a fine of not more than five hundred dollars, or by imprisonment at hard labor for not more than six months, or by both such fine and imprisonment, in the discretion of the Court.

#### JURISDICTION TO TRY OFFENSES.

SECTION 6. Jurisdiction is hereby conferred upon District Magistrates and Circuit Judges to issue warrants and hear and determine all offenses arising hereunder, subject to the usual right of appeal.

Any person in any way violating any of the provisions hereof may also be prosecuted for the violation of any other then existing law, rule or regulation.

#### CAUSES OF VACATING A SEAT.

SECTION 7. The seat of any elective member of the Legislature shall become vacant whenever such member :

Shall become President, a Cabinet Minister, or Judge of the Supreme Court ; or,

Shall die ; or,

Shall resign ; or,

Shall be convicted of any offense, conviction for which would have disqualified him from being elected ; or,

Shall be convicted of an Election Fraud, as the same is now or hereafter may be defined by law, or of a violation of any of the provisions of the said Rules and Regulations which, by the provisions hereof or by law, entail a forfeiture of such seat ; or,

Be guilty of gross misconduct or neglect of the duty for which he was elected, or of continued unexcused absence from the meetings of the Legislature, whereof the Legislature alone shall judge ; or,

Shall fail to possess or comply with any of the requirements necessary for an elective member of the Legislature ; or,

If any agent or assistant or member of a committee having charge of or assisting in the election of any such member shall be convicted of an Election Fraud connected with the election of such member, as the same is now or hereafter may be defined by law ; provided such fraud has been perpetrated with the knowledge or connivance of the candidate.

#### CONTESTED ELECTIONS. PROCEEDINGS.

SECTION 8. Any candidate directly interested, or any thirty duly qualified voters of any election district, may file a petition in the Supreme Court, setting forth any cause or causes why an election shall be declared void, or a seat in the Legislature vacant, or the decision of any Board of Inspectors, or of the Marshal or any Sheriff, reversed or changed.

If such petition shall be based upon any act alleged to have been done, or omitted to have been done, in connection with any election, it shall be filed in the office of the Clerk of the Supreme Court within thirty days following the election proposed to be contested. Such petition shall be accompanied by a deposit of such costs as may be prescribed by the Court.

#### NOTICE OF CONTEST.

SECTION 9. A notice of not less than fourteen days shall be given to the Inspectors of the Election District in which such contest is made, and to the candidate who shall have been returned or whose seat is contested, and to any others whose rights or interests are particularly affected, who shall be designated by the Court.

Besides such notice, a written or printed notice of the time and place of hearing such contest shall be posted in the District, in some public and frequented place, or published in some newspaper circulated in the District, for not less than ten days prior to such hearing.

#### EVIDENCE OF VOTER.

SECTION 10. No person who has voted at any election shall, in any legal proceeding, be required to state for whom he voted.

#### HEARING OF ELECTION CONTEST.

SECTION 11. All petitions contesting the validity of any election, or to vacate a seat in the Legislature, shall be heard by the Court as soon as reasonably may be, whether in term time or vacation, at such time or times, place or places, as the Court may direct.

SECTION 12. At the hearing the Court shall cause the evidence to be reduced to writing in full or sufficiently to ascer-

tain all of the facts involved, and shall thereupon give judgment, stating all findings of facts and the law thereupon, which shall then be transmitted in full to the Minister of the Interior. If such finding shall be that the election was invalid, or the seat vacant, a new election shall at once be ordered by said Minister.

#### COSTS.

SECTION 13. Such award as to costs in such proceedings shall be made as the Court shall determine. Costs shall be the same as in trials in the Circuit Court in Chambers.

#### DECISION FINAL.

SECTION 14. The decision of the Court concerning any question properly involved in any such petition shall be final and binding upon all parties.

#### RULES OF PROCEDURE.

SECTION 15. The course of proceedings shall be subject to the Rules of the Supreme Court. The Court may make such special rules concerning contested election cases and petitions to vacate a seat in the Legislature as it may find necessary or proper.

The Court shall have like powers as in trials at a regular term of the Court, concerning compelling the attendance of witnesses, punishing, contempts and all matters pertaining to such hearing.

SECTION 16. Every record made in pursuance of law by a Board of Registration of Voters, or a Board of Inspectors of Election, shall be *prima facie* evidence of the facts therein set forth, and shall be received as such in any Court or tribunal in which the same is offered as evidence.

SECTION 17. This Act shall take effect from the date of its publication.

Approved this 4th day of October, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 9.

AN ACT RELATING TO BONDS OF GOVERNMENT OFFICIALS AND  
EMPLOYEES.

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii :*

SECTION 1. In every case where bonds for the faithful performance of duty are not already required by law of officers or employees in any Department or Bureau of the Government, the head of the Department or of the Bureau, as the case may be, may require every such officer or employee to give a bond for the faithful performance of his duties.

SECTION 2. Whenever any such bond shall be required by the head of a Department, the amount of the penalty and the conditions of the bond shall be such as the head of the Department shall deem proper. And when any such bond is required by the head of a Bureau, the amount of the penalty and the conditions of the bond shall be such as the head of the Bureau with the approval of the head of the Department shall deem proper.

SECTION 3. All such bonds heretofore given are hereby ratified and confirmed.

SECTION 4. This Act shall take effect from the date of its publication.

Approved this 4th day of October, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 10.

AN ACT TO PROMOTE THE OBJECTS OF THE BERNICE PAUahi  
BISHOP MUSEUM OF ETHNOLOGY AND NATURAL HISTORY.

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii:*

SECTION 1. All books and specimens and all materials required for the management and increase of the collections of the Bernice Pauahi Bishop Museum shall be imported free of all duties, upon the sworn certificate of one of the Trustees of the Estate of Bernice Pauahi Bishop, appointed in pursuance of and under the will of the late Bernice Pauahi Bishop, deceased, that such articles are imported for the use of the Museum connected with the Kamehameha school, and for no other purpose.

SECTION 2. All alcohol required in the preservation of specimens for the sole and special use of the said Museum and for no other purpose shall, upon the sworn certificate of one of the Trustees mentioned in Section 1 of this Act, be withdrawn from the Custom House in Honolulu free of all duty.



SECTION 3. During the month of January in each year a sworn statement shall be filed by one of said Trustees with the Collector-General of Customs, showing the quantity of alcohol used at said Museum during the preceding year and the quantity on hand on January 1st.

SECTION 4. This Act shall take effect from and after the date of its publication.

Approved this 18th day of October, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 11.

AN ACT TO AMEND SECTION 2, ACT 4, OF THE LAWS PASSED BY THE EXECUTIVE AND ADVISORY COUNCILS OF THE REPUBLIC OF HAWAII, BEING AN ACT TO PROVIDE FOR A LABOR COMMISSION.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. Section 2, of Act 4, passed by the Executive and Advisory Councils of the Republic of Hawaii is hereby amended so that the same shall read:

“Section 2. Such persons may be officers of the Government, members of the Executive or Advisory Councils, or otherwise; but there may be included in such Commission one person who is financially interested in the sugar industry, and one who represents the mechanical trades in the Republic.

“Vacancies caused by resignation, refusal to serve, or other cause, shall be filled by appointment of the President.”

SECTION 2. This Act shall take effect from the date of its publication.

Approved this 18th day of October, A. D. 1894.

SANFORD B. DOLE,

President of the Republic of Hawaii.

J. A. KING,

Minister of the Interior.

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## ACT 12.

AN ACT AUTHORIZING THE PAYMENT OF FIFTY-TWO DOLLARS AND TWENTY CENTS (\$52.20) TO JOHN F. COLBURN.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. The Minister of Finance is hereby authorized to pay to John F. Colburn the sum of Fifty-two Dollars and twenty cents (\$52.20.), balance of salary due him, out of any money in the Public Treasury, not otherwise appropriated.

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

Approved this 18th day of October, A. D. 1894.

SANFORD B. DOLE,

President of the Republic of Hawaii.

J. A. KING,

Minister of the Interior.

## ACT 13.

AN ACT AUTHORIZING THE GRANTING OF AMENDMENTS TO CHARTERS OF INCORPORATION AND ARTICLES OF ASSOCIATION, AND CONFIRMING ALL AMENDMENTS HERETOFORE ALLOWED AND GRANTED.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. The Minister of the Interior, with the approval of the Executive Council, shall have power to grant and allow amendments to all existing Charters of Incorporation and Articles of Association of incorporated Companies and all hereafter granted, provided such amendments confer no other or greater powers or privileges than could be lawfully conferred or obtained in an original Charter of Incorporation or Articles of Association.

SECTION 2. All amendments to existing Charters of Incorporation or Articles of Association heretofore allowed and granted are hereby declared valid.

SECTION 3. This Act shall take effect from and after the date of its publication.

Approved this 18th day of October, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. King,  
Minister of the Interior.

**ACT 14.**

AN ACT RELATING TO THE SETTLEMENT OF BOUNDARIES OF LANDS, AND PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS OF BOUNDARIES, AND TO DEFINE THEIR DUTIES.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. It shall be the duty of the President of the Republic, with the approval of the Cabinet, to appoint one or more Commissioners of Boundaries to hold office during his pleasure; and he shall have power, with such approval, to fill vacancies caused by death, removal, or other cause. There shall not be more than one Commissioner for each judicial circuit, and the same person may be appointed for one or more circuits.

SECTION 2. All owners of Ahupuaas and portions of Ahupuaas, Ilis and portions of Ilis and other denominations of lands within the Hawaiian Islands, whose lands have not been awarded by the Land Commissioners, patented or conveyed by deed from the King or Government, by boundaries decided in such award, patent or deed, may file with the Commissioner of Boundaries for the circuit in which the land is situated, an application to have the boundaries of said land decided and certified to by said Commissioner or his successor in office. The application shall state the name of the land, the names of the adjoining land or lands, and the name of the owners of the same where known, and it shall also contain a general description, by survey or otherwise, of the boundaries as claimed.

SECTION 3. It shall be the duty of the Commissioner, on receipt of such application as above provided, to notify the owner or owners of the land, and also those of the land adjoining, of the time when he will be prepared to hear their case. Further, it shall be the duty of the Commissioner to advertise for not less than three weeks in at least one English and one Hawaiian newspaper a notice of the locality to be adjudicated on and the date and place of hearing. The Commissioner shall receive at such hearing all the testimony offered; shall go on the ground when requested by either party, and shall endeavor otherwise to obtain all information possible to enable him to arrive at a just decision as to the boundaries of said lands. Upon giving a decision, the Commissioner shall therein describe the boundaries decided on by survey, by natural topographical features, or by permanent boundary marks, or partly by each; and he shall have the power to order such surveys and marks to be made or erected as he may consider necessary, at the expense of the parties in interest, but he shall in no case alter any boundary described by survey in any patent or deed from the King or Government, or in any Land Commission Award.

SECTION 4. Any party deeming himself aggrieved by the decision of the Commissioner may appeal therefrom to the Supreme Court within thirty days from the rendition of the decision, and within said period shall pay all costs accrued and shall deposit with the Commissioner a good and sufficient bond to the Clerk of the Supreme Court, in the sum of one hundred dollars, conditioned for the payment of costs further to accrue in case of defeat; provided, however, that any land owner absent from the Republic, and not represented by an authorized agent within the Republic, shall have the right of appeal for one year from the rendition of said decision.

SECTION 5. Whenever any person shall appeal, as provided in the last preceding section, it shall be the duty of the Commissioner to transmit to the Clerk of the Supreme Court a copy of the record and of his decision, together with any exhibits filed and the bond for costs to accrue. The Supreme Court may permit the introduction of new evidence which could not with due diligence have been obtained before, and its decision shall be final and binding.

SECTION 6. Each Commissioner shall have power to administer oaths, to punish contempts, to grant adjournments, to subpoena and compel the attendance of witnesses, and the production of books and papers, to issue execution for costs and generally to exercise the same authority in regard to his special jurisdiction as is by law conferred upon District Magistrates.

SECTION 7. The Minister of Interior is hereby forbidden to issue any patent from and after the passage of this Act, in confirmation of an Award by name, made by the Commissioners to quiet land titles, without the boundaries being defined in such patent, according to the decision of a Commissioner of Boundaries, or the Supreme Court, on appeal.

SECTION 8. Each Commissioner shall keep a record of his proceedings in books, to be furnished him by the Minister of the Interior, which books, when filled, shall be returned to the Minister.

SECTION 9. The certificates of each Commissioner shall be made on stamped paper, furnished by the Minister of the Interior, and each Commissioner shall collect and account to the Minister of Interior, for the benefit of the Public Treasury, one dollar for each stamped certificate issued by him.

SECTION 10. Each Commissioner shall, within thirty days after issuing a certificate of boundaries, deposit a certified copy thereof in the office of the Minister of the Interior.

SECTION 11. All applications on file with any Commissioner appointed under the Act to Facilitate the Settlement of Boundaries, approved on the 22nd day of June, 1868, and all records in the possession of any said Commissioner, shall be immediately transferred to the Commissioner having jurisdiction under this Act.

SECTION 12. Each Commissioner shall receive the sum of ten dollars for each and every day he shall be employed in settling boundaries, and his traveling expenses in viewing the *locus in quo*; and in all cases he shall receive two dollars for each certificate granted, fifty cents for every hundred words contained in the description in such certificate, and twenty-five cents for every hundred words contained in the record of the testimony in the case.

SECTION 13. The costs in each case shall be borne by the petitioner or respondent, or shall be apportioned between them, as equity and justice may require, in the judgment of the Commissioner, subject to appeal as herein provided.

SECTION 14. This Act shall take effect from the date of its publication, and all laws and parts of laws inconsistent herewith are hereby repealed.

Approved this 27th day of October, A. D. 1894.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

**ACT 15.**

AN ACT TO APPROPRIATE A SUM OF MONEY TO DEFRAY THE  
GENERAL EXPENSES OF THE SUPPRESSION OF THE REBEL-  
LION OF THE MONTH OF JANUARY, 1895.

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii :*

SECTION 1. There is hereby appropriated the sum of  
Fifty Thousand Dollars (\$50,000), from the Public Treasury  
for the purpose of defraying the general expenses incident to  
the suppression of the rebellion of the month of January,  
1895.

SECTION 2. This Act shall take effect from the date of  
its publication.

Approved this 16th day of January, A. D. 1895.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.



**ACT 16.**

AN ACT TO AMEND ACT 46 OF THE LAWS OF THE PROVISIONAL  
GOVERNMENT OF THE HAWAIIAN ISLANDS, RELATING TO  
THE NATIONAL GUARD OF HAWAII.

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii:*

SECTION 1. Section 12 of the said Act is hereby amended  
to read as follows:

“Section 12. Vacancies in elective offices of the National  
Guard, not in active service, are filled by election; in active  
service or during the existence of martial law over any part of  
the Hawaiian Islands, such vacancies shall be filled by the  
Commander-in-Chief. When vacancies occur at any election  
through the promotion of any officer, such vacancies may  
then and there be filled without further order. Elections of  
company officers shall be presided over by an officer appoint-  
ed for that purpose by the Commander-in-Chief; and such  
presiding officer shall give at least seven days’ notice of his  
appointment to all parties interested, by causing the order  
appointing him to be posted in the company armory and  
read to the company. He shall within three days following  
the election, report the result of said election to the Com-  
mander-in-Chief.”

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

Approved this 16th day of January, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

J. A. KING,

Minister of the Interior.

**ACT 17.****AN ACT RELATING TO THE IMMIGRATION OF ALIENS AND  
FOREIGNERS UNDER CONTRACT OF SERVICE.**

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii :*

SECTION 1. From and after the passage of this Act, it shall be unlawful for any person, company, partnership or corporation in any manner whatsoever to prepay the transportation, or in any way assist, encourage or arrange for the importation, migration or introduction of any alien or aliens, any foreigner or foreigners into the Hawaiian Islands, under contract or agreement, made previous to the importation, migration or introduction of such alien or aliens, foreigner or foreigners, to perform agricultural or domestic labor or for service in mills or factories in the Hawaiian Islands, provided however that any person, company, partnership or corporation may bring aliens or foreigners into the Hawaiian Islands as aforesaid, upon receiving from the Board of Immigration its written approval of the contracts under which it is proposed to introduce such aliens or foreigners.

For the purposes of this Act all aliens and foreigners arriving within the jurisdiction of the Republic of Hawaii in any vessel, or who, having so arrived, may be performing quarantine on shore, shall be deemed to be without the Hawaiian Islands, and the provisions of this Act regarding the importation, migration or introduction of aliens and foreigners

shall apply to such aliens and foreigners so arriving or in quarantine.

SECTION 2. All contracts or agreements which may hereafter be made by and between any person, company, partnership or corporation, and any alien or aliens, foreigner or foreigners, to perform agricultural or domestic labor or for service in mills and factories in the Hawaiian Islands, previous to the migration, importation, introduction or arrival of the person or persons whose labor or service is contracted for into the Hawaiian Islands, shall be void, except such contracts and agreements as shall have been approved by the Board of Immigration as aforesaid.

SECTION 3. For every violation of any of the provisions of Section 1 of this Act, the person, company, partnership or corporation violating the same shall forfeit and pay for the benefit of the Treasury for every such offense the sum of the Three Hundred Dollars for each alien or foreigner introduced or landed in the Hawaiian Islands, or whose passage has been prepaid, or whose introduction into this country has been assisted, encouraged or arranged for contrary to the provisions of Section 1 of this Act, upon conviction thereof before a District Magistrate.

SECTION 4. The master of any vessel who shall knowingly bring within the Hawaiian Islands on such vessel, and land or permit to be landed from any foreign port or place any alien or foreigner who, previous to embarkation on such vessel, had entered into contract or agreement to perform agricultural or domestic labor or service in mills or factories in the Hawaiian Islands, which contract or agreement had not been approved by the Board of Immigration as aforesaid, shall forfeit and pay for the benefit of the Treasury the sum of One Hundred Dollars for each alien or foreigner so intro-

duced or landed upon conviction thereof before a District Magistrate.

SECTION 5. This Act shall not apply to immigration of laborers under contract under the provisions of the Convention between this country and Japan of January 28th, A. D. 1886.

SECTION 6. This Act shall take effect from the date of its publication.

Approved this 1st day of February, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

J. A. KING,

Minister of the Interior.

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## ACT 18.

AN ACT PROVIDING FOR THE CARRYING OUT BY THE MARSHAL OR HIS DEPUTY OF SENTENCES OF MILITARY COMMISSIONS AND COURTS MARTIAL.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. It shall be the duty of the Marshal or his Deputy, whenever so required by the order of the Commander-in-Chief of the Military Forces, or by the Precept or Mandate of the President, and upon and in conformity therewith, to execute and carry out the sentence of any Military Commission or Court Martial convened, or to be convened, in the manner and at the time and place designated in the order approving the findings and proceedings of and confirm-

ing or modifying the sentence imposed by such Military Commission or Court Martial.

Any jail or prison of the Republic or other place designated by the President or Commander-in-Chief may be used as a place of imprisonment or detention of any person convicted and sentenced to imprisonment by any such Commission or Court Martial.

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

Approved this 8th day of February, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

J. A. KING,

Minister of the Interior.

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## ACT 19.

AN ACT TO APPROPRIATE THE FURTHER SUM OF TWENTY-FIVE THOUSAND DOLLARS TO DEFRAY THE GENERAL EXPENSES OF THE SUPPRESSION OF THE REBELLION OF THE MONTH OF JANUARY, 1895.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. There is hereby appropriated the further sum of Twenty-five Thousand Dollars (\$25,000) from the Public Treasury for the purpose of defraying the general expenses incident to the suppression of the rebellion of the month of January, 1895.

SECTION 2. This Act shall take effect from the date of its publication.

Approved this 4th day of March, A. D. 1895.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

J. A. KING,  
Minister of the Interior.

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## ACT 20.

### AN ACT RELATING TO MARTIAL LAW, TRIALS BY MILITARY COMMISSION AND THE LIABILITY OF OFFICERS OF THE GOVERNMENT AND OTHERS FOR ACTS DONE IN SUPPRESSING REBELLION.

Whereas, Being seduced by the insidious counsel of wickedly designing persons, many individuals resident in the Island of Oahu did conspire by force to overthrow the Constitution and Government here established by law, and in furtherance of such their purpose did with force and in confederated multitude on the 6th day of January, 1895, and on divers other days then following, in the District of Honolulu, Island of Oahu, levy war against this Republic, and did commit murder and other felonies, and did provide themselves with arms, ammunition and dynamite with treasonous purpose, and with intent to terrorize the inhabitants of the city of Honolulu, and for a time to overturn and destroy all Government; and

Whereas, Upon being informed of said rebellion the President in pursuance of his Constitutional Authority did pro-

claim that Martial Law should obtain and prevail throughout the Island of Oahu ; and

Whereas, The Military and Police Forces of this Government, with the loyal co-operation of other residents of the Hawaiian Islands, have arrested the spread of said rebellion and have saved the lives and property of law abiding citizens from imminent general sacrifice ; and

Whereas, It is expedient that all persons, who in good faith have acted for the crushing of rebellion, should be indemnified and kept harmless for such their acts of loyalty :

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii :*

SECTION 1. All proclamations and orders published or made and all acts, matters and things commanded, directed or done, or to be commanded, directed or done by the President, or by any officer of the Government, or other person acting under the authority of the President, for the purposes and during the time herein declared, that is to say, on, from and since January 6th, 1895, until martial law shall be declared to be no longer in force, whether done in a district in which martial law was proclaimed or was in force, or done in a district in which martial law was not in force, in the proclamation or furtherance of martial law, or in the suppression of insurrection, or in the establishment of a military tribunal, or in the arrest, imprisonment, deportation, trial, conviction or sentence of any person charged with treason, misprision of treason, conspiracy to incite or commit treason, or with any disloyal or seditious practice or with any act or conspiracy dangerous to the peace or to the safety of life or property, or in the arrest and detention of persons held for investigation, are hereby declared to have been done within the constitutional authority of the President and are confirmed.

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

Approved this 15th day of March, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

FRANCIS M. HATCH,

Minister of Foreign Affairs.

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**ACT 21.**

AN ACT MAKING ADDITIONAL APPROPRIATIONS FOR THE USE OF THE GOVERNMENT OF THE REPUBLIC OF HAWAII.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. The following sums, amounting to \$23,500, are hereby appropriated from the Public Treasury, in addition to the sums heretofore appropriated, for the following purposes, namely:

DEPARTMENT OF FOREIGN AFFAIRS.

Expenses of Executive Council . . . . .	\$ 2,000 00
Expenses of Advisory Council . . . . .	1,500 00
Suppression of the Rebellion of January, 1895 . . . . .	15,000 00

INTERIOR DEPARTMENT.

Expenses of Election . . . . .	5,000 00
	<hr/>
	<u>\$ 23,500 00</u>



SECTION 2. This Act shall take effect from the date of its publication.

Approved this 15th day of March, A. D. 1895.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

FRANCIS M. HATCH,  
Minister of Foreign Affairs.

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**ACT 22.**

AN ACT TO REPEAL SECTIONS 2, 3, 4, 5 AND 6 OF AN ACT ENTITLED, "AN ACT TO PROVIDE FOR THE BRINGING OF SUITS BY OR AGAINST THE HAWAIIAN GOVERNMENT," APPROVED SEPTEMBER 6TH, 1888.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. Sections 2, 3, 4, 5 and 6 of an Act entitled, "An Act to provide for the bringing of suits by or against the Hawaiian Government," approved September 6th, 1888, are hereby repealed.

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

Approved this 15th day of March, A. D. 1895.

SANFORD B. DOLE,  
President of the Republic of Hawaii.

FRANCIS M. HATCH,  
Minister of Foreign Affairs.

**ACT 23.****AN ACT TO PREVENT PERSONS OF CERTAIN CLASSES FROM  
ENTERING THE HAWAIIAN ISLANDS.**

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii :*

SECTION 1. It shall be unlawful for any person to land in the Hawaiian Islands from any vessel arriving from a foreign port who is a criminal or refugee from justice, or who has been convicted of crime, or who has been under arrest for a criminal offense, and has departed or escaped from the Hawaiian Islands in order to avoid trial, or who has been deported from the Hawaiian Islands by order of the President or Marshal in time of martial law, or who has been banished by the sentence of any Court ; unless such person shall have received a permission from the Minister of Foreign Affairs to so land.

SECTION 2. Any person landing or attempting to land in the Hawaiian Islands in violation of the provisions of this Act shall be deemed guilty of a misdemeanor and on conviction shall be punished by imprisonment at hard labor for a term not exceeding two years or a fine not exceeding five thousand dollars, or both by such fine and imprisonment.

SECTION 3. The master or any other officer of any vessel, or any person who shall knowingly bring within the Hawaiian Islands and land or attempt to land or permit to be landed any person described in Section 1 of this Act with knowledge or reasonable cause to believe that such person is

within the prohibition of Section 1 shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than five hundred dollars for each and every such person so brought and landed, or attempted or permitted to be landed, and may be imprisoned at hard labor for a term not exceeding one year; and any such vessel shall not have clearance from any port of the Hawaiian Islands until such fine is paid.

SECTION 4. This Act shall take effect from the date of its publication.

Approved this 15th of day March, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

FRANCIS M. HATCH,

Minister of Foreign Affairs.

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## ACT 24.

AN ACT TO PREVENT THE BRINGING OF ACTIONS AGAINST OFFICERS OF THE GOVERNMENT OR OTHERS FOR ACTS DONE IN SUPPRESSING REBELLION.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. No prosecution, indictment, action or suit shall be maintained in any court, criminal or civil, against any officer of the Government or other person acting *bona fide* under the authority of the President, or in good faith for the purpose of suppressing rebellion, for any acts, matters and things done or omitted to be done or which shall be done on, from and since January 6th, 1895, until martial law shall be declared to be no longer in force, whether done in a

district in which martial law was proclaimed or in force, or done in a district in which martial law was not in force, in the suppression of rebellion or in furtherance of the object of martial law, or in the arrest, imprisonment, deportation, trial, conviction or sentence of any person charged with treason, misprision of treason, conspiracy to incite or commit treason or with any disloyal or seditious practice or act or with any act or conspiracy dangerous to the peace or the safety of life or property, or in the arrest and detention of persons held for investigation.

SECTION 2. In order to prevent any doubt which might arise whether any act alleged to have been done as aforesaid under the order or authority of the President or to have been done *bona fide* in order to suppress insurrection was so done, it shall be lawful for the President or his successor to declare such acts to have been done under such order or authority or *bona fide* for the purpose aforesaid; and such declaration by any writing under the hand of the President or his successor shall in all cases be conclusive evidence that such acts were so done respectively; and such order or declaration may be shown under the general issue or pleaded in bar; and if so pleaded, such plea shall suffice, although it may set out merely the general effect of such order or declaration, or the fact only that such order or approval was given prior to the matter complained of or has been since received.

SECTION 3. This Act shall take effect from and after the date of its publication.

Approved this 15th day of March, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

FRANCIS M. HATCH,

Minister of Foreign Affairs.

**ACT 25.****AN ACT RELATING TO THE UNAUTHORIZED WEARING OF POLICE  
BADGES AND UNIFORMS AND OF BADGES AND UNIFORMS  
RESEMBLING THE SAME.**

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii:*

SECTION 1. Any person not a duly commissioned police officer, or member of the Police Organization known as the "Citizens' Guard," who shall wear or display a Policeman's badge or a Citizens' Guard badge, or wear a Policeman's uniform or the uniform of a member of the Citizens' Guard, with intent to deceive, shall be deemed guilty of a misdemeanor, and upon conviction be punished by a fine not to exceed fifty dollars.

SECTION 2. Any person not a duly commissioned police officer, or member of the Police Organization known as the "Citizens' Guard," who shall wear or display a badge or uniform resembling the badges or uniforms authorized by the Marshal to be worn by police officers and members of the Citizens' Guard with intent to deceive, shall be deemed guilty of a misdemeanor, and be punished by a fine not to exceed one hundred dollars.

SECTION 3. This Act shall take effect from the date of its publication.

Approved this 15th day of March, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

FRANCIS M. HATCH,

Minister of Foreign Affairs.

**ACT 26.****AN ACT TO PROVIDE FOR THE JUDICIAL INVESTIGATION OF  
CLAIMS AGAINST THE HAWAIIAN GOVERNMENT.**

*Be it Enacted by the Executive and Advisory Councils of the  
Republic of Hawaii:*

**SECTION 1.** The Supreme Court shall have exclusive jurisdiction to hear and determine the following matters, and shall determine all question of fact involved without the intervention of a jury.

**First.** All claims against the Government founded upon any statute of the Republic; or upon any regulation of an Executive Department; or upon any contract, expressed or implied, with the Government, and all claims which may be referred to it by either House of the Legislature. Provided, however, that no suit shall be maintained, nor shall any process issue against the Government, based on any contract or any act of any Government officer which such officer is not authorized to make or do by the laws of this Republic, nor upon any other cause of action than as herein set forth.

**Second.** All set-offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever on the part of the Government against any person making claim against the Government under the provisions of this Act.

**SECTION 2.** Upon the trial of any cause in which any set-off, counter-claim, claim for damages, or other demand is set up on the part of the Government against any person making claim against the Government in said Court, the

Court shall hear and determine such claim or demand both for and against the Government and claimant; and if upon the whole case it finds that the claimant is indebted to the Government, it shall render judgment to that effect, and such judgment shall be final.

SECTION 3. No person shall file or prosecute as aforesaid any claim for or in respect to which he or any assignee of his has pending in any other court any suit or process against any person who, at the time when the cause of action alleged in such suit or process arose, was, in respect thereto, acting or professing to act, mediately or immediately, under the authority of the Government.

SECTION 4. Aliens, who are citizens or subjects of any Government which accords to citizens of this Republic the right to prosecute claims against such Government in its courts, shall have the privilege of prosecuting claims against this Government as aforesaid.

SECTION 5. Every claim against this Government, cognizable as aforesaid, shall be forever barred unless the petition setting forth a statement thereof is filed in the court, or transmitted to it by the Secretary of the Senate or the Clerk of the House of Representatives, as provided by law, within two years after the claim first accrues. Provided, that the claims of persons under legal disability shall not be barred if the petition be filed in the Court or transmitted, as aforesaid, within one year after the disability has ceased.

SECTION 6. The claimant shall, in all cases, fully set forth in his petition the claim, the action thereon in the Legislature, or by any of the departments, if such action has been had; what persons are owners thereof or interested therein, when and upon what consideration such persons became so interested; that no assignment or transfer of said claim, or of any part thereof or interest therein, has been made, except

as stated in the petition ; that said claimant is justly entitled to the amount therein claimed from this Government, after allowing all just credits and off-sets ; that the claimant, and, where the claim has been assigned, the original and every prior owner thereof, if a citizen, has at all times borne true allegiance to this Government, and whether a citizen or not, has not in any way voluntarily aided, abetted, or given encouragement to rebellion against this Government, and that he believes the facts as stated in the said petition to be true. And the said petition shall be verified by the affidavit of the claimant, his agent or attorney.

SECTION 7. Any person who corruptly practices or attempts to practice any fraud against this Government in the proof, statement, establishment, or allowance of any claim, or of any part of any claim against this Government, shall *ipse facto* forfeit the same to this Government ; and it shall be the duty of said court, in such cases, to find specifically that such fraud was practiced or attempted to be practiced, and thereupon to give judgment that such claim is forfeited to this Government, and that the claimant be forever barred from prosecuting the same.

SECTION 8. No interest shall be allowed on any claim up to the time of the rendition of judgment thereon by the Court, unless upon a contract expressly stipulating for the payment of interest.

SECTION 9. The judgments of the Supreme Court in all matters brought before it under the provisions of this Act shall be final.

SECTION 10. This Act shall take effect from the date of its publication.

Approved this 16th day of March, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

FRANCIS M. HATCH,

Minister of Foreign Affairs.



**ACT 27.**

AN ACT TO AMEND SECTION 1 AND SECTION 5 OF ACT 74 OF THE PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS, ENTITLED "AN ACT RELATING TO CHINESE IMMIGRATION, SUPPLEMENTARY TO CHAPTER 80 OF THE SESSION LAWS OF 1892, PASSED THE 30TH DAY OF NOVEMBER, A. D. 1892, ENTITLED 'AN ACT RESTRICTING CHINESE IMMIGRATION.'"

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. Section 1 of said Act is hereby amended by striking out the words "out of the wages due the laborers" and the words "his employer" and inserting in the place of the latter the words "said laborer," so that said section, as amended, shall read as follows:

"Section 1. In addition to the conditions named in Section 2 of Chapter LXXX. of the Session Laws of 1892, upon which permits may be granted to Chinese to enter the Hawaiian Islands to engage as agricultural laborers in the field, or in rice or sugar mills, such permits shall only be granted upon the further condition that the sum of one dollar and fifty cents at the end of each month shall be paid by said laborer to the Board of Immigration, in such manner and subject to such regulations as said Board shall direct, until such payments amount in each case to the sum of thirty-six dollars, to be held as a fund to the credit of the laborer for the uses and purposes hereinafter set forth."

SECTION 2. Section 5 of said Act is hereby amended by striking out the words "every employer of Chinese admitted into this country under permits provided by said Act, who shall fail to remit to the Board of Immigration the amount

above provided out of the wages of such laborers” and inserting in their place the words “Every employer of Chinese admitted into this country under permits provided by this Act shall deduct each month from the wages due such laborer at the end of each month the sum of one dollar and fifty cents, and every employer who shall fail to remit to the Board of Immigration the amount above provided out of the wages of such laborers, and every laborer who shall refuse or neglect to pay such amount,” so that said section, as amended, shall read as follows :

“Section 5. Every employer of Chinese admitted into this country under permits provided by this Act shall deduct each month from the wages due such laborer at the end of each month the sum of one dollar and fifty cents, and every employer who shall fail to remit to the Board of Immigration the amount above provided out of the wages of such laborers, and every laborer who shall refuse or neglect to pay such amount at the time and in the manner directed by said Board, shall be guilty of a misdemeanor and liable to a fine of not less than ten nor more than fifty dollars for each failure ; and the said Board may thereafter refuse to grant the application of such employer for permits for Chinese to enter this country.”

Provided, however, if any such employer shall within thirty days after each failure show to said Board good and satisfactory reasons for such failure, said penalties shall not be imposed.

SECTION 3. This Act shall take effect from the date of its publication.

Approved this 19th day of March, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

J. A. KING,

Minister of the Interior.

**ACT 28.**

AN ACT TO AMEND ACT 8 OF THE LAWS OF THE PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS, RELATING TO SEDITIOUS OFFENSES.

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. Act 8 of the Laws of the Provisional Government of the Hawaiian Islands is hereby amended by inserting after Section 5 the following new section and by changing the numbers of Sections 6 and 7 to 7 and 8 respectively:

“Section 6. If any person is convicted of the offense of the publication of a seditious libel with reference to the publication of words in a newspaper of which he is an editor, publisher, owner or proprietor, the Judge or Magistrate, trying the case, may in addition to the sentence awarded against such person suspend the further publication of such newspaper for any period not exceeding four years. Every such suspension of the publication of a newspaper shall extend to and include any newspaper that may be started in place of such suspended newspaper, having the person so convicted of seditious libel as an editor, publisher, owner or proprietor thereof.”

SECTION 2. This Act shall take effect upon its publication. Approved this 19th day of March, A. D. 1895.

SANFORD B. DOLE,

President of the Republic of Hawaii.

J. A. KING,

Minister of the Interior.

**ACT 29.****AN ACT RELATING TO PERSONS HAVING CERTAIN LAWLESS INTENTIONS.**

*Be it Enacted by the Executive and Advisory Councils of the Republic of Hawaii:*

SECTION 1. If the Marshal or a Deputy Marshal or any Sheriff or Deputy Sheriff knows or has reason to believe that any person has lawless intentions that are hostile to public order, or the established system of Government, he may complain to a Circuit Judge, who shall take his sworn statement reduced to writing or that of any witnesses that he may produce. If it appears to the satisfaction of the Judge from such information that the complainant has reason to believe that the person complained of harbors lawless intentions hostile to public order, or the established system of Government, he shall cause him to be arrested and brought before him by warrant, and shall thereupon examine him in regard to the truth of the complaint.

In such examination the prisoner shall have the same rights of producing witnesses and proofs in his defence as are accorded by Section 2, of Act 6 of the Constitution to a person charged with an offence.

SECTION 2. If upon such examination it is shown that the prisoner had at the time of his arrest lawless intentions hostile to public, order or the established system of Government, he shall be sentenced to banishment from the Hawaiian Islands for any term of years not less than two years, or in

the discretion of the Judge, he may be required to give a bond with sufficient surety in favor of the Minister of Finance to be approved as to amount and surety by the Judge, conditioned that he will not within one year do anything of a lawless character hostile to public order, or the established system of Government; and if such bond be not executed according to the order of the Judge, nor approved by him, the prisoner shall be committed to prison and shall remain in custody until the bond be so executed and approved. Provided however, that any prisoner so imprisoned for failure to furnish a bond, as so required, may upon his own request have a sentence of banishment recorded against him as aforesaid.

SECTION 3. Any person against whom a sentence of banishment shall have been rendered under this Act shall be held in confinement by the Marshal or his Deputy until there shall be an opportunity for carrying out the sentence, and he shall not thereafter without the consent of the Executive Council be permitted to return to the Hawaiian Islands before the expiration of his term of banishment which shall begin to run from the date of his leaving the country.

SECTION 4. If any person banished under the provisions of this Act shall return to the Hawaiian Islands before the expiration of his term of banishment without the consent of the Executive Council, he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment at hard labor for a term not to exceed two years.

SECTION 5. In any proceedings under this Act the defendant may appeal from the decision of the Judge or Magistrate to the Supreme Court in Banco, and no other appeal shall be allowed. He shall not be entitled to bail as of right.

SECTION 6. In case of a sentence of banishment against

any person, as herein provided, the Judge may award as part of the costs of court against such person, a sufficient sum to cover the expense of his deportation.

SECTION 7. This Act shall take effect upon its publication.  
 Approved this 19th day of March, A. D. 1895.

SANFORD B. DOLE,  
 President of the Republic of Hawaii.

J. A. KING,  
 Minister of the Interior.

**ACT 30.**

AN ACT MAKING ADDITIONAL APPROPRIATIONS FOR THE USE OF  
 THE GOVERNMENT OF THE REPUBLIC OF HAWAII.

*Be it Enacted by the Executive and Advisory Councils of the  
 Republic of Hawaii:*

SECTION 1. The following sums, amounting to Twenty  
 Thousand Dollars (\$20,000.00), are hereby appropriated from  
 the Public Treasury, in addition to the sums heretofore  
 appropriated, for the following purposes, namely:

DEPARTMENT OF FOREIGN AFFAIRS.

General expenses of Suppressing the Rebellion  
 of January, 1895 ..... \$ 10,000 00

FINANCE DEPARTMENT.

Expenses of the Government Revenue and Patrol

Boat .....	10,000 00
	\$ 20,000 00
	\$ 20,000 00

**SECTION 2.** This Act shall take effect from the date of its publication.

Approved this 23rd day of May, A. D. 1894.

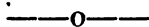
**SANFORD B. DOLE,**  
President of the Republic of Hawaii.

**J. A. King,**  
Minister of the Interior.

1



# ACTS OF THE EXECUTIVE AND ADVISORY COUNCILS OF THE REPUBLIC.



		PAGE
ACT	1. An Act to Confer on Members of Boards of Registration of Voters and Examiners of Applicants for Special Rights of Citizenship the Power to Administer Oaths. . . . .	3
ACT	2. An Act Relating to the Drawing of Jurors. . . . .	4
ACT	3. An Act to amend Act No. 66 of the Laws of the Provisional Government, Entitled "An Act Relating to the Landing of Aliens in the Hawaiian Islands," Approved March 1st, 1894. . . . .	5
ACT	4. An Act to Provide for a Labor Commission. . . . .	6
ACT	5. An Act to authorize the Minister of the Interior to Grant Licenses to Foreign Vessels to Engage in Certain Coasting Trade. . . . .	10
ACT	6. An Act authorizing the Executive Council to Make Contracts for Mail Service between Ports in the Republic of Hawaii and Ports in North America and Grant Aid to Steamships Carrying such Mail. . . . .	11
ACT	7. An Act Making Special Appropriations for the Use of the Government during the Two Years which will end the 31st day of March, A. D. 1896. . . . .	12
ACT	8. An Act Relating to Elections and Contested Seats in the Legislature . . . . .	17
ACT	9. An Act Relating to Bonds of Government Officials and Employees. . . . .	26

	PAGE
ACT 10. An Act to Promote the Objects of the Bernice Pauahi Bishop Museum of Ethnology and Natural History .....	27
ACT 11. An Act to amend Section 2 of Act 4 of the Laws passed by the Executive and Advisory Councils of the Republic of Hawaii, being An Act to provide for a Labor Commission. ....	28
ACT 12. An Act authorizing the Payment of Fifty-Two Dollars and Twenty cents (\$52.20) to John F. Colburn .....	29
ACT 13. An Act authorizing the Granting of amendments to Charters of Incorporation and Articles of Association, and Confirming all amendments heretofore Allowed and Granted.....	30
ACT 14. An Act Relating to Settlement of Boundaries of Lands, Providing for the appointment of Commissioners of Boundaries and to Define their Duties .....	31
ACT 15. An Act to appropriate a Sum of Money to Defray the General Expenses of the Suppression of the Rebellion of the Month of January, 1895.	35
ACT 16. An Act to amend Act 46 of the Laws of the Provisional Government of the Hawaiian Islands, Relating to the National Guard of Hawaii .....	36
ACT 17. An Act Relating to the Immigration of Aliens and Foreigners under Contract of Service .....	37
ACT 18. An Act Providing for the carrying out by the Marshal or his Deputy of Sentences of Military Commissions and Courts Martial.....	39
ACT 19. An Act to appropriate the Further Sum of Twenty Five Thousand Dollars to Defray the General Expenses of the Suppression of the Rebellion of the Month of January, 1895 .....	40

	PAGE
ACT 20. An Act Relating to Martial Law, Trials by Military Commission and the Liability of Officers of the Government and Others for Acts Done in Suppressing Rebellion . . . . .	41
ACT 21. An Act Making additional appropriations for the Use of the Government of the Republic of Hawaii . . . . .	43
ACT 22. An Act to Repeal Sections 2, 3, 4, 5 and 6 of an Act Entitled "An Act to Provide for the Bringing of Suits by or against the Hawaiian Government," approved September 6th, 1895. . . . .	44
ACT 23. An Act to Prevent Persons of Certain Classes from Entering the Hawaiian Islands . . . . .	45
ACT 24. An Act to Prevent the Bringing of Actions against Officers of the Government or Others for Acts Done in Suppressing Rebellion . . . . .	46
ACT 25. An Act Relating to the Unauthorized Wearing of Police Badges and Uniforms and of Badges and Uniforms Resembling the Same . . . . .	48
ACT 26. An Act to Provide for the Judicial Investigation of Claims against the Hawaiian Government. . . . .	49
ACT 27. An Act to amend Section 1 and Section 5 of Act 74 of the Provisional Government of the Hawaiian Islands, Entitled "An Act Relating to Chinese Immigration, Supplementary to Chapter 80 of the Session Laws of 1892, Passed the 30th Day of November, A. D. 1892, Entitled "An Act Restricting Chinese Immigration." . . . . .	52
ACT 28. An Act to amend Act 8 of the Laws of the Provisional Government of the Hawaiian Islands, Relating to Seditious Offenses . . . . .	54
ACT 29. An Act Relating to Persons Having Certain Lawless Intentions. . . . .	55

	PAGE
<b>ACT 30. An Act Making Additional appropriations for the Use of the Government of the Republic of Hawaii .....</b>	<b>57</b>

# INDEX.

---

## ACTS AMENDED.

	PAGE
Aliens. An Act Relating to the Landing of, in the Hawaiians Islands; being Act 66 of the Laws of the Provisional Government. (See Act 3.) . . . . .	5
Chinese Immigration. An Act Relating to, Supplementary to Chapter 80 of the Session Laws of 1892. (See Act 27.) . . . . .	52
Immigration, Chinese. (See Chinese Immigration). . . . .	52
Labor Commission, Section 2 of Act 4 of the Executive and Advisory Councils of the Republic. (See Act 27). . . . .	52
Landing of Aliens in the Hawaiian Islands. An Act Relating to the; being Act 66 of the Laws of the Provisional Government. (See Act 3.) . . . . .	5
Military. (See National Guard).	
National Guard of Hawaii. An Act Relating to the; being Act 46 of the Laws of the Provisional Government. (See Act 16.) . . . . .	36
Seditious Offenses. An Act Relating to; being Act 8 of the Laws of the Provisional Government. (See Act 28.) . . . . .	54

ACTS AND PARTS OF ACTS REPEALED.

---

	PAGE
Bringing of Suits by or against the Hawaiian Government. An Act to Provide for the, Sections 2, 3, 4, 5, and 6. (See Act 22.) . . . . .	44
Suits by or against the Government. An Act to Provide for the Bringing of, Sections 2, 3, 4, 5, and 6. (See Act 22.) . . . . .	44

## GENERAL INDEX.

---

Additional Appropriations, Making, for the Use of the Government of the Republic of Hawaii. Act 21..	43
Additional Appropriations for the Use of the Government of the Republic of Hawaii, An Act Making. Act 30 .....	57
Administer Oaths, to Confer on Members of Boards of Registration of Voters and Examiners of Applicants for Certificates of Special Right of Citizenship, the Power to. Act 1.....	3
Aliens, To Amend Act 66 of the Laws of the Provisional Government, Relating to the Landing of, in the Hawaiian Islands. Act 3.....	5
Aliens and Foreigners under Contract of Service, Relating to the Immigration of. Act 17.....	37
Amending Section 2 of Act 4 of the Laws Passed by the Executive and Advisory Councils of the Republic, being an Act to Provide for a Labor Commission. Act 11 .....	28
Amending Act 8 of the Laws of the Provisional Government, Relating to Seditious Offenses. Act 28..	54
Amending Act 46 of the Laws of the Provisional Government of the Hawaiian Islands, Relating to the National Guard of Hawaii. Act 16....	36
Amending Act No. 66 of the Laws of the Provisional Government, Entitled "An Act Relating to the Landing of Aliens in the Hawaiian Islands," Approved March 1st, 1894. Act 3.....	5

	PAGE
Amending Sections 1 and 5 of Act 74 of the Provisional Government, Entitled "An Act Relating to Chinese Immigration, &c." Act 27.....	52
Amendments to Charters of Incorporation and Articles of Association, Authorizing the Granting of, and Confirming all Amendments heretofore Allowed and Granted. Act 13 .....	30
Appropriating a Sum of Money to Defray the General Expenses of the Suppression of the Rebellion of the Month of January, 1895. Act 15.....	35
Appropriating the Further Sum of Twenty Five Thousand Dollars to Defray the General Expenses of the Suppression of the Rebellion of the Month of January, 1895. Act 19.....	40
Appropriations for the Use of the Government of the Republic of Hawaii, An Act Making Additional. Act 30 .....	57
Appropriations, Making Special, for the Use of the Government during the Two Years which will end with the 31st of March, A. D. 1896. Act 7.....	12
Appropriations, Making Additional, for the Use of the Government of the Republic of Hawaii. Act 21.	43
Articles of Association, authorizing the Granting of Amendments to Charters of Incorporation and, Confirming all Amendments heretofore Allowed and Granted. Act 13 .....	30
Authorizing the Executive Council to Make Contracts for Mail Service between Ports in the Republic of Hawaii and Ports in North America and Grant Aid, etc. Act 6 .....	11
Authorizing the Granting of amendments to Charters of Incorporation and Articles of Association, and Confirming all amendments heretofore Allowed and Granted. Act 13 .....	30



	PAGE
Authorizing the Minister of the Interior to Grant Licenses to Foreign Vessels to Engage in Certain Coasting Trade. Act 5 . . . . .	10
Authorizing the Payment of Fifty Two Dollars and Twenty Cents (\$52.20) to John F. Colburn. Act 12. . . . .	29
Badges and Uniforms, Police, to Prevent the Unauthorized Wearing of. Act 25 . . . . .	48
Bishop, the Bernice Pauahi. Museum of Ethnology and Natural History, to Promote the Objects of. Act 10 . . . . .	27
Bonds of Government Officials and Employees, Relating to. Act 9 . . . . .	26
Boundaries of Lands, Relating to the Settlement of, Providing for the appointment of Commissioners of Boundaries and to Define their Duties. Act 14. . . . .	31
Bringing of Suits against Officers of the Government or Others for Acts Done in Suppressing Rebellion, An Act to Prevent. Act 24. . . . .	46
Certain Classes, An Act to Prevent Persons of, from Entering the Hawaiian Islands. Act 23. . . . .	45
Charters of Incorporation and Articles of Association, authorizing the Granting of amendments to, and Confirming all amendments heretofore allowed and Granted, Act 13 . . . . .	30
Chinese Immigration, amending Sections 1 and 5 of Act 74 of the Provisional Government, Entitled "An Act Relating to, &c." Act 27 . . . . .	52
Claims against the Hawaiian Government, to Provide for the Judicial Investigation of. Act 26. . . . .	49
Coasting Trade, authorizing the Minister of the Interior to Grant Licenses to Foreign Vessels to Engage in Certain. Act 5 . . . . .	10

	PAGE
Colburn, John F., authorizing the Payment of Fifty Two Dollars and Twenty Cents (\$52.20) to. Act 12...	29
Commission, Military; see Military Commission.....	39
Commissioners of Boundaries, Providing for the Appointment of, and to Define their Duties. Act 14....	31
Contested Seats in the Legislature, Relating to Elections and. Act 8.....	17
Contract of Service, Relating to the Immigration of Aliens and Foreigners under. Act 17.....	37
Courts Martial, Providing for the Carrying out by the Marshal or his Deputy of Sentences of Military Commissions and. Act 18.....	39
Drawing of Jurors, Relating to. Act 2.....	4
Elections and Contested Seats in the Legislature, Relating to. Act 8.....	17
Entering the Hawaiian Islands, An Act to Prevent Persons of Certain Classes from. Act 23.....	45
Examiners of Applicants for Certificates of Special Rights of Citizenship, to Confer on Members of Boards of Registration of Voters and, the Power to Administer Oaths. Act 1.....	3
Executive Council, authorizing the, to Make Contracts for Mail Service between Ports in the Republic of Hawaii and Ports in North America and Grant Aid, &c. Act 6.....	11
Foreign Vessels, authorizing the Minister of the Interior to Grant Licenses to, to Engage in Certain Coast- ing Trade. Act 5.....	10
Immigration of Aliens and Foreigners under Contract of Service, Relating to the. Act 17.....	37
Immigration, Chinese; see Chinese Immigration.....	52

	PAGE
Intentions, An Act Relating to Persons Having Certain Lawless. Act 29 . . . . .	55
Investigation, Judicial, of Claims against the Hawaiian Government, to Provide for the. Act 26 . . . . .	49
Judicial Investigation of Claims against the Hawaiian Government, to Provide for the. Act 26 . . . . .	49
Jurors, Relating to the Drawing of. Act 2 . . . . .	4
Labor Commission, to Provide for a. Act 4 . . . . .	6
Labor Commission, amending Section 2 of Act 4 of the Republic, Providing for a. Act 11 . . . . .	28
Landing of Aliens in the Hawaiian Islands, To Amend Act No. 66 of the Laws of the Provisional Gov- ernment, Relating to the. Act 3 . . . . .	5
Lands, Relating to the Settlement of Boundaries of, Pro- viding for the appointment of Commissioners of Boundaries and to Define their Duties. Act 14. . . . .	31
Lawless Intentions, An Act Relating to Persons Having Certain. Act 29 . . . . .	55
Liability of Officers of the Government and Others for Acts done in Suppressing Rebellion, Relating to Martial Law, Trials by Military Commission, &c. Act 20 . . . . .	41
Licenses to Foreign Vessels to Engage in Certain Coast- ing Trade, authorizing the Minister of the Interior to Grant. Act 5 . . . . .	10
Mail Service between Ports in the Republic of Hawaii and Ports in North America, authorizing the Executive Council to Make Contracts for, and Grant Aid, &c. Act 6 . . . . .	11
Marshal or his Deputy, Providing for the Carrying out of Sentences of Military Commissions and Courts Martial by the. Act 18 . . . . .	39

	PAGE
Martial Law, Trials by Military Commission and the Liability of Officers of the Government and Others for Acts done in Suppressing Rebellion, Relating to. Act 20 .....	41
Military ; see National Guard.....	36
Military Commission, Trials by, Martial Law, and the Liability of Officers of the Government and Others for Acts done in Suppressing Rebellion. Act 20 .....	41
Military Commissions and Courts Martial Providing for Carrying out of the Sentences of, by the Marshal or his Deputy. Act 18.....	39
Minister of the Interior, authorizing the, to Grant Licenses to Foreign Vessels to Engage in Certain Coasting Trade. Act 5.....	10
Museum, the Bernice Pauahi Bishop, of Ethnology and Natural History, to Promote the Objects of. Act 10 .....	27
National Guard of Hawaii, amending Act 46 of the Laws of the Provisional Government of the Hawaiian Islands, Relating to the. Act 16.....	36
Oaths, to Confer on Members of Boards of Registration of Voters and Examiners of Applicants for Certificates of Special Rights of Citizenship, the Power to administer. Act 1.....	3
Offenses, Seditious ; see Seditious Offenses. Act 28...	54
Persons of Certain Classes, An Act to Prevent, from Entering the Hawaiian Islands. Act 23.....	45
Persons Having Certain Lawless Intentions, An Act Relating to. Act 29.....	55
Prevent the Bringing of Suits against Officers of the Government or Others for Acts done in Suppressing Rebellion, An Act to. Act 24 .....	46

	PAGE
Prevent Persons of Certain Classes from Entering the Hawaiian Islands, An Act to. Act 23 . . . . .	45
Prevent the Unauthorized Wearing of Police Badges and Uniforms and of Badges and Uniforms Resembling the same, An Act to. Act 25 . . . . .	48
Promote the Objects of the Bernice Pauahi Bishop Museum of Ethnology and Natural History, to. Act 10 . . . . .	27
Provide for the Judicial Investigation of Claims against the Hawaiian Government, An Act to. Act 26 . . . . .	49
Rebellion of the Month of January, 1895, appropriating a sum of Money to Defray the General Expenses of the Suppression of the. Act 15 . . . . .	35
Rebellion of the Mouth of January, 1895, appropriating the Further Sum of Twenty Five Thousand Dollars to Defray the General Expenses of the Suppression of the. Act 19 . . . . .	40
Rebellion, Liability of Officers of the Government and Others for Acts done in Suppressing, &c. Act 20. . . . .	41
Registration of Voters, Boards of, and Examiners of applicants for Certificates of Special Rights of Citizenship, to confer the Power to Administer Oaths on. Act 1 . . . . .	3
Repealing Sections 2, 3, 4, 5 and 6 of An Act Entitled "An Act to Provide for the Bringing of Suits by or against the Hawaiian Government," approved September 6th, 1888. Act 22 . . . . .	44
Seditious Offenses, to amend Act 8 of the Laws of the Provisional Government, Relating to. Act 28 . . . . .	54
Settlement of Boundaries of Lands, Relating to the; Providing for the appointment of Commissioners of Boundaries and to Define their Duties. Act 14. . . . .	31

Sentences of Military Commissions and Courts Martial, Providing for the Carrying out of, by the Marshal or his Deputy. Act 18 . . . . .	39
Special appropriations, Making for the Use of the Gov- ernment during the two years which will end with the 31st day of March, A. D. 1896. Act 7. . . . .	12
Suits by or against the Hawaiian Government, Repeal- ing Sections 2, 3, 4, 5 and 6 of An Act Providing for the Bringing of, approved September 6th, 1888. Act 22. . . . .	44
Suits against Officers of the Government or Others for Acts done in Suppressing Rebellion, An Act to Prevent the Bringing of. Act 24 . . . . .	46
Suppression Rebellion, to Prevent the Bringing of Suits against Officers of the Government or Others for Acts done in. Act 24 . . . . .	46
Suppression Rebellion, Liability of Officers of the Gov- ernment and Others for Acts done in, etc. Act 20	41
Suppression of the Rebellion of the Month of January, 1895, to Appropriate a Sum of Money to Defray the General Expenses of the. Act 15. . . . .	35
Suppression of the Rebellion of the Month of January, 1895, Appropriating the Further Sum of Twenty- Five Thousand Dollars to Defray the General Ex- penses of the. Act 19 . . . . .	40
Unauthorized Wearing of Police Badges and Uniforms and of Badges and Uniforms Resembling the same, to Prevent the. Act 25 . . . . .	48
Uniforms, Police, to Prevent the Unauthorized Wearing of. (See Badges and Uniforms.) Act 25. . . . .	48
Wearing, Unauthorized, of Police Badges and Uniforms and of Badges and Uniforms Resembling the same, Prevent the. Act 25 . . . . .	48



# CONSTITUTION

OF THE

# REPUBLIC OF HAWAII.

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## RIGHTS OF PERSON AND PROPERTY.

### ARTICLE 1.—RIGHTS OF THE PERSON.

SECTION 1. God hath endowed all men with certain inalienable Rights, among which are Life, Liberty and the Right of acquiring, possessing and protecting Property, and of pursuing and obtaining Happiness.

SECTION 2. The Government is conducted for the common good, and not for the profit, honor or private interest of any one man, family or class of men.

SECTION 3. The Legislature may provide by law, however, for the supervision, registration, control and identification of all persons, or any class or nationality of persons; and may also by law restrict and limit the term of residence, and the business or employment of all persons or of any class or nationality of persons coming into the Republic.

### ARTICLE 2.—RELIGIOUS FREEDOM.

All men are free to worship God according to the dictates of their own consciences; but this privilege shall not be so construed as to justify acts of licentiousness or practices inconsistent with the peace or safety of the Republic.



ARTICLE 3.—FREEDOM OF SPEECH AND OF THE PRESS.

All men may freely speak, write and publish their sentiments on all subjects; and no law shall be enacted to restrain the liberty of speech or of the press; but all persons shall be responsible for the abuse of such right. Provided however, that the Legislature may enact such laws as may be necessary, to restrain and prevent the publication or public utterance of indecent or seditious language.

ARTICLE 4.—MEETING AND PETITION.

All men shall have the right to assemble in an orderly and peaceable manner, without arms, to consult upon the common good and to petition the President or Legislature for redress of grievances.

ARTICLE 5.—WRIT OF HABEAS CORPUS.

The privilege of the Writ of Habeas Corpus belongs to all men, and shall not be suspended, except by the President or by one of the Cabinet Ministers as herein provided, when in case of rebellion or invasion, or imminent danger of rebellion or invasion, the public safety shall require its suspension.

Provided, however, that no alien unlawfully entering the Republic shall be entitled to this Writ as of right.

ARTICLE 6.—RIGHT OF TRIAL.

SECTION 1. No person shall be subject to punishment for any offense except on due and legal conviction thereof by a tribunal having jurisdiction of the case.

SECTION 2. Except in case of impeachment or offenses within the jurisdiction of a district magistrate, or in summary proceedings for contempt, no person shall be held to answer for any offense except upon indictment, information or complaint, describing such offense; and he shall in all cases have the right to meet the witnesses who are produced against

him, face to face; to produce witnesses and proofs in his own favor; and by himself or his counsel, at his election, to examine the witnesses produced by himself and cross-examine those produced against him, and to be heard in his own defense.

SECTION 3. Subject to such changes as the Legislature may from time to time make in the number of jurors for the trial of any case, and concerning the number required to agree to a verdict and the manner in which the jury may be selected and drawn, and the composition and qualifications thereof, the right of trial by jury in all cases in which it has been heretofore used, shall remain inviolable except in actions for debt or assumpsit in which the amount claimed does not exceed one hundred dollars, and such offenses less than felonies as may be designated by law. And provided that no capital case shall be tried by a jury of less than twelve men.

The jury may be waived in all civil cases under such conditions as may be prescribed by law, and by defendants in all criminal cases except capital.

#### ARTICLE 7.—PREVIOUS CONVICTION OR ACQUITTAL.

No person shall be required to answer for any offense identical both in law and fact with an offense of which he has been duly convicted or of which he has been duly acquitted.

#### ARTICLE 8.—PRIVILEGE OF ACCUSED.

No person shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty or property, without due process of law.

## ARTICLE 9.—SLAVERY.

Involuntary servitude, except for crime, is forever prohibited in this Republic. Whenever a slave shall enter the territory of this Republic he shall be free.

## ARTICLE 10.—SECURITY FROM SEARCH AND ARREST.

Every person has the right to be secure from all unreasonable searches and seizures of his person, his house, his papers and effects; and no warrant shall issue, except on probable cause, supported by oath or affirmation and describing the place to be searched and the persons or things to be seized.

## ARTICLE 11.—TAXING AND APPROPRIATING POWER.

SECTION 1. No Subsidy, Duty or Tax, of any description, shall be established or levied without the consent of the Legislature; nor shall any money be drawn from the Public Treasury without such consent, except in the manner directed by this Constitution.

SECTION 2. Each member of society has the right to be protected in the enjoyment of his life, liberty and property, according to law; and therefore, he shall be obliged to contribute his proportion or share to the expense of this protection; and to give his personal services, or an equivalent when necessary, as may be provided by law.

## ARTICLE 12.—EMINENT DOMAIN.

Private property may be taken for public use, and private rights of way may be obtained across the lands of others for railways, drains, flumes, water-pipes and ditches for agricultural, milling, manufacturing, mining, domestic or sanitary purposes; but only upon due process of law and just compensation.

Public use shall include such purposes as shall be required

or designated by treaty stipulations between the Republic of Hawaii and any other nation.

ARTICLE 13.—MILITARY SUBJECT TO LAW.

SECTION 1. The Military shall always be subject to the laws of the land.

SECTION 2. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by the Legislature.

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THE REPUBLIC.

ARTICLE 14.—FORM AND NAME OF GOVERNMENT.

The Government hereby instituted is a Republic under the terms and conditions of this Constitution.

The name of this Government is, and shall be, the Republic of Hawaii.

ARTICLE 15.—TERRITORY.

The Territory of the Republic of Hawaii shall be that heretofore constituting the Kingdom of the Hawaiian Islands, and the territory ruled over by the Provisional Government of Hawaii, or which may hereafter be added to the Republic.

ARTICLE 16.—ENSIGN.

The Ensign heretofore in use as the Hawaiian National Ensign, shall continue to be the National Ensign of the Republic of Hawaii.

ARTICLE 17.—CITIZENSHIP.

SECTION 1. All persons born or naturalized in the Hawaiian Islands, and subject to the jurisdiction of the Republic, are citizens thereof.

**SPECIAL RIGHTS OF CITIZENSHIP.**

**SECTION 2.** Any person not a Hawaiian citizen, who took active part, or otherwise rendered substantial service in the formation of, and has since supported the Provisional Government of Hawaii, who shall within six months from the promulgation of this Constitution procure from the Minister of the Interior a certificate of such service, as herein set forth; and who shall take an oath to support this Constitution and the laws of the Republic so long as he shall remain domiciled in the Republic, shall be entitled to all the privileges of citizenship without thereby prejudicing his native citizenship or allegiance.

**SECTION 3.** For the purpose of identifying the person entitled to such certificate, the Minister of the Interior shall appoint such number of examiners as he may deem best, to receive applications and take evidence upon such subject.

Such examiners shall certify to the said Minister a description of each person found to be entitled to such certificate, which description shall include the name, age, country of birth, occupation, length of residence in Hawaii and present residence.

**SECTION 4.** It shall be in the discretion of the Minister of the Interior to reverse the decision of any such examiner and issue a certificate to any person in his opinion entitled thereto; and to refuse to issue a certificate to any person, who, in his opinion, is not entitled thereto.

The decision of the Minister shall be final and not subject to appeal or review.

**SECTION 5.** Any person to whom such certificate shall be granted shall be admitted, upon application, to naturalization, without showing any further qualifications.

## ARTICLE 18.—NATURALIZATION.

SECTION 1. The naturalization of aliens shall be exclusively within the jurisdiction of the Justices of the Supreme Court.

The procedure shall be such as may be provided by law.

SECTION 2. An alien may be admitted to citizenship upon the following conditions, viz :

1. He shall have resided in the Hawaiian Islands for not less than two years.

2. He must intend to become a permanent citizen of the Republic.

3. He shall be able understandingly to read, write and speak the English language.

4. He shall be able intelligently to explain, in his own words, in the English language, the general meaning and intent of any article or articles of this Constitution.

5. He shall be a citizen or subject of a country having express treaty stipulations with the Republic of Hawaii concerning naturalization.

6. He shall be of good moral character and not a refugee from justice.

7. He shall be engaged in some lawful business or employment or have some other lawful means of support.

8. He shall be the owner in his own right of property in the Republic of the value of not less than Two Hundred Dollars over and above all encumbrances.

9. He shall have taken the oath prescribed in Article 101 of this Constitution and an oath abjuring allegiance to the Government of his native land or that under which he has heretofore been naturalized, and of allegiance to the Republic of Hawaii.

10. He shall make written application, verified by oath, to a Justice of the Supreme Court, setting forth his posses-

sion of and compliance with all of the foregoing qualifications and requirements, and shall prove the same to the satisfaction of such Justice.

**ARTICLE 19.—DENIZATION.**

**SECTION 1.** Letters of Denization of the following classes may be granted by the Executive Council :

1. Letters conferring all of the privileges of citizenship, except the right to vote, which may be granted to any person.

2. Special Letters conferring all of the rights of citizenship including the right to vote, which shall be granted only to persons eligible to become naturalized ; provided however that the conditions of intention to become a permanent citizen, of an oath abjuring allegiance to the Government of his native land, of an oath of allegiance to the Republic and of application to the Supreme Court shall not be required ; and provided further that the condition of being a citizen or subject of a country having treaty relations with this Republic concerning naturalization shall not apply to persons who have resided in the Hawaiian Islands for a period of seven years or more prior to the date of the promulgation of this Constitution, and who may apply for Letters of Denization within five years from such promulgation.

**SECTION 2.** Every person receiving letters of denization shall take the oath prescribed in Article 101 of this Constitution and shall thereupon be subject to all of the duties and obligations of a citizen.

**SECTION 3.** All Letters of Denization heretofore granted are hereby revoked.

**ARTICLE 20.—DIVISION OF POWERS OF GOVERNMENT.**

The Supreme Power of the Republic is divided into the Executive, Legislative and Judicial. Except as herein provided, these shall be preserved distinct.

## THE EXECUTIVE POWER.

### ARTICLE 21.—EXECUTIVE COUNCIL.

SECTION 1. The Executive Power of the Republic shall be vested in a President and Cabinet.

SECTION 2. The Cabinet shall consist of a Minister of Foreign Affairs; a Minister of the Interior; a Minister of Finance and an Attorney-General.

SECTION 3. The President and Cabinet sitting together shall constitute the Executive Council.

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## THE PRESIDENT.

### ARTICLE 22. QUALIFICATIONS OF PRESIDENT.

In order to be eligible to the office of President, a person shall :

Be not less than thirty-five years of age ;

Have been born in the Hawaiian Islands or resided therein for not less than fifteen years ;

And be a citizen of the Republic.

### ARTICLE 23.—FIRST PRESIDENT.

Sanford Ballard Dole is hereby declared to be the President of the Republic of Hawaii, to hold office until and including the 31st day of December, 1900, and thereafter until a successor shall have been duly elected and qualified.

### ARTICLE 24.—ELECTION OF PRESIDENT.

SECTION 1. On the third Wednesday of September, 1900, and on the third Wednesday of September in every sixth year thereafter, the Legislature shall meet to elect a President for a term of six years to begin with the first day of January of the year following.

SECTION 2. For the purposes of such election the Senate and the House of Representatives shall sit together.



The election shall be by ballot, and the person receiving a majority vote of all the elective members to which the Legislature is entitled, which majority shall include a majority of all the Senators, shall be President for the succeeding term; or for the unexpired portion of such term in case no person shall have been elected prior to the first day of such term.

SECTION 3. If the Legislature shall fail to elect a President before the first day of January following the date when the Legislature is required to meet for such election, the President whose term has then expired or the Minister who is acting as President shall continue to be or act as President until his successor is elected and qualified; but such failure to elect shall in no case discharge the Legislature from their duty to immediately proceed with such election.

SECTION 4. No President shall be eligible for re-election for the term immediately following that for which he was elected.

#### ARTICLE 25.—SALARY OF PRESIDENT.

The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the Republic.

#### ARTICLE 26.—POWER OF APPOINTMENT.

SECTION 1. The President, with the approval of the Senate, shall appoint the members of the Cabinet; the Judges of the Supreme and Circuit Courts; the Auditor General and all Diplomatic and Consular Representatives to foreign countries; and until the end of the first session of the Senate, the appointees of the President shall act.

SECTION 2. In case a vacancy in any such office shall occur while the Senate is not in session, the President may fill

such vacancy by granting a commission which shall, unless confirmed, expire at the end of the next session of the Senate.

SECTION 3. In case of the absence from the seat of Government or temporary disability of any member of the Cabinet, the President may appoint one of the remaining members of the Cabinet to temporarily perform the duties of the member so absent or disabled.

No such ad interim appointment shall, however, be valid for more than sixty days from the date of the appointment.

SECTION 4. The President shall also, with the approval of the Cabinet, appoint the members of the Board of Health; Board of Education; Board of Immigration; Board of Prison Inspectors, and any other Boards of a public character which may be created by law; and the District Magistrates.

SECTION 5. The President shall have the appointment and removal of all officers of the Government whose appointment or removal is not otherwise provided for.

#### ARTICLE 27.—POWER OF REMOVAL.

The President shall have the power, with the approval of the Cabinet, to remove any of the officers enumerated in the last Article, except the Auditor General, and the District Magistrates, who shall be removable as provided by law; and except the Judges of the Supreme and Circuit Courts, who shall be removable only as herein prescribed; and except the members of the Cabinet, who shall be removable only by the President with the consent of the Senate. The President with the approval of three members of the Cabinet may remove any member of the Cabinet.

#### ARTICLE 28.—CONVENING THE LEGISLATURE.

The President may convene the Legislature or the Senate alone, in special session; and in case the seat of government

shall be insecure from an enemy, riot, or insurrection or any dangerous disorder, direct that any regular or special session shall be held at some other than the regular meeting place.

ARTICLE 29.—RECEIVING FOREIGN REPRESENTATIVES.

The President shall receive and acknowledge all Diplomatic Representatives accredited to the Republic by other Governments.

ARTICLE 30.—MESSAGES TO THE LEGISLATURE.

The President shall, upon the meeting of the Legislature, and at such other times as he may deem proper, inform such body, by message in writing, as to the condition of the Republic; or concerning other matters of public interest; and recommend the consideration of such measures as to him shall seem best.

ARTICLE 31.—MARTIAL LAW—SUSPENSION OF HABEAS CORPUS.

The President, or one of the Cabinet Ministers as herein provided, may, in case of rebellion or invasion, or imminent danger of rebellion or invasion, when the public safety requires it, suspend the privilege of the writ of habeas corpus or place the whole or any part of the Republic under martial law.

ARTICLE 32.—TREATIES.

The President, with the approval of the Cabinet, shall have the power to make Treaties with Foreign Governments, subject to the ratification of the Senate.

The President, with the approval of the Cabinet, is hereby expressly authorized and empowered to make a Treaty of Political or Commercial Union between the Republic of Hawaii and the United States of America, subject to the ratification of the Senate.

ARTICLE 33.—COMMANDER-IN-CHIEF.

The President is the Commander-in-Chief of all the Military Forces of the Republic.

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THE CABINET.

ARTICLE 34.—COUNSELLORS OF THE PRESIDENT.

The Cabinet shall be the special counsellors of the President and shall be consulted by him concerning all matters of public policy, appointments to office, and other matters of importance concerning which action is contemplated.

The President shall not be bound to follow the advice of the Cabinet, except in the instances where, by this Constitution, the approval of the Cabinet is required as a prerequisite for his action.

ARTICLE 35.—REPORTS—RESPONSIBILITY—POWERS OF APPOINTMENT AND REMOVAL.

SECTION 1. Each member of the Cabinet shall keep an office at the seat of Government, and shall, not later than the last Wednesday in February in each year, present to the President a full report of the principal transactions within this department during the year ending December thirty-first last preceding, together with such recommendations as he may think proper.

He shall also at any time, when requested in writing by the President, report to him on any subject within the scope of his authority.

SECTION 2. The members of the Cabinet shall be responsible for the conduct of their respective Departments; and, with the approval of the President, shall have the appointment and removal of the following heads of Bureaus, under their respective Departments, viz:

The Superintendent of Public Works ; the Surveyor General ; the Registrar of Conveyances ; the Superintendent of the Honolulu Water Works ; the Marshal ; the Collector General of Customs ; the Tax Assessors in Chief and the Post Master General, and also the heads of any other Bureaus created by law.

SECTION 3. Each head of a Bureau shall be responsible for the conduct of his Bureau, and shall have the appointment and removal of the officers under him, subject to the approval of the Minister in whose Department he is employed.

SECTION 4. The financial responsibility of any officer of the Government, for his own conduct, or that of his subordinates, shall be determined by law.

ARTICLE 36.—ACTING PRESIDENT IN CASE OF DEATH, DISABILITY OR ABSENCE OF PRESIDENT.

SECTION 1. In case of the temporary disability or absence from the country of the President, the Minister of Foreign Affairs, while such disability or absence continues, shall act as President ; or,

In case of the disability or absence from the country of such Minister, the Minister of the Interior, while such disability or absence of the President continues, shall act as President ; or,

In case of the disability or absence of both such Ministers, the Minister of Finance, while such disability or absence of the President continues, shall act as President ; or,

In case of the disability or absence from the country of the three Minister aforesaid, then the Attorney-General, while such disability or absence of the President continues, shall act as President.

SECTION 2. In case of the death, resignation, removal or permanent disability of the President, the Minister of

Foreign Affairs shall thereupon act as President until a successor to the President is elected in the manner herein designated; or,

In case of the disability or absence from the country of such Minister, the Minister of the Interior shall act as President for the time aforesaid; or

In case of the disability or absence from the country of both such Ministers, the Minister of Finance shall act as President for the time aforesaid; or,

In case of the disability or absence from the country of the three Ministers aforesaid, the Attorney-General shall act as President for the time aforesaid.

SECTION 3. If at any time during the absence of the President or acting President from the seat of Government, an occasion shall arise requiring a declaration of martial law, or suspension of the writ of habeas corpus, the powers in and concerning such matters herein granted to the President, may be exercised by one of the Cabinet Ministers, who shall act in order of priority and in the manner named in Section 2 of this Article.

SECTION 4. In case of the death, resignation, removal or permanent disability of the President, before six months prior to the expiration of his term, the Minister who shall thereupon act as President, shall, unless the Legislature is in session, immediately summon a special session of the Legislature to meet within thirty days, to elect a President to fill the unexpired term of the President who has died, resigned, been removed or become permanently disabled.

SECTION 5. In case any Minister shall act as President as herein provided, he shall, while so acting, have all the rights and powers and be subject to all the duties and obligations by this Constitution granted to or prescribed for the President.

**ARTICLE 37.—EX-OFFICIO MEMBERS OF THE LEGISLATURE.**

The members of the Cabinet shall be ex-officio members of both Houses of the Legislature, with all the rights, powers and privileges of elected members, except the right to vote.

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**THE LEGISLATIVE POWER.**
**ARTICLE 38.—THE LEGISLATURE.**

**SECTION 1.** The Legislative Power of the Republic is vested in a Legislature, and, subject to the limitations herein provided, a Council of State.

The Legislature shall consist of two Houses, styled the Senate and the House of Representatives, which shall organize and sit separately, except as otherwise herein provided.

The two Houses shall be styled "The Legislature of the Republic of Hawaii."

**SECTION 2.** No person shall sit as a Senator or Representative in the Legislature, unless elected under and in conformity with this Constitution.

**ARTICLE 39.—GENERAL ELECTIONS.**

**SECTION 1.** A General Election shall be held on the last Wednesday of September, 1897, and General Elections shall be held on the last Wednesday in September every two years thereafter.

**SECTION 2.** If from any cause a general election shall not be held at the appointed time, the Minister of the Interior shall without unnecessary delay, appoint another time for the holding of such election.

And the election so held upon such appointment shall be deemed to be a general election.

ARTICLE 40.—SUPREME COURT JUDGE OF QUALIFICATIONS  
OF MEMBERS.

In case any election to a seat in either House is disputed, and legally contested, the Supreme Court shall be the sole judge of whether or not a legal election for such seat has been held; and, if it shall find that a legal election has been held, it shall be the sole judge of who has been elected.

ARTICLE 41.—BURDEN OF PROOF OF ELIGIBILITY.

In case the eligibility of any person to be a Senator or Representative, or an elector of Senators or Representatives, is questioned by any legal voter, before any Court or tribunal having authority to consider such matter, the burden of proof shall rest upon the person whose eligibility is so questioned to establish his eligibility.

The unsupported statement or oath of the person whose eligibility is so questioned shall not be deemed sufficient to shift the burden of proof; but he shall show by other evidence, to the satisfaction of the Court or tribunal, that he is eligible.

ARTICLE 42.—DISQUALIFICATIONS OF LEGISLATORS.

No member of the Legislature shall, during the term for which he is elected, be appointed or elected to any office of the Government except that of President, Cabinet Minister, Justice of the Supreme Court, or member of the Council of State.

ARTICLE 43.—DISQUALIFICATIONS OF GOVERNMENT OFFICERS  
AND EMPLOYEES.

Except members of the Council of State, no person holding office in, or under, or by authority of the Government, including Notaries Public and Agents to take Acknowledgments,



nor any employee of the Government, shall be eligible to election to the Legislature or to hold the position of an elected member of the same.

**ARTICLE 44.—DISQUALIFICATION OF CERTAIN CLASSES.**

No idiot or insane person, and no person who shall be expelled from the Legislature for giving or receiving bribes, or being accessory thereto; and no person who in due course of law shall have been convicted of larceny, bribery, gross cheat, or of any criminal offense punishable by imprisonment, whether with or without hard labor, for a term exceeding two years, whether with or without fine, shall register to vote or shall vote or hold any office in or under or by authority of the Government, unless the person so convicted shall have been pardoned and restored to his civil rights.

**ARTICLE 45.—OATH OF OFFICE.**

Every elective member of the Legislature shall take the following oath or affirmation:

I solemnly swear (or affirm) in the presence of Almighty God, that I will faithfully support the Constitution and laws of the Republic of Hawaii; and conscientiously and impartially discharge my duties as a member of the Legislature.

**ARTICLE 46.—OFFICERS AND RULES.**

The Senate and the House of Representatives shall each choose its own officers, determine the rules of its own proceedings, not inconsistent with this Constitution, and keep a journal.

**ARTICLE 47.—AYES AND NOES.**

The ayes and noes of the members on any question, shall, at the desire of one-third of the members present, be entered on the journal.

## ARTICLE 48.—QUORUM.

SECTION 1. A majority of the number of elective members to which each House is entitled, shall constitute a quorum of such House for the conduct of ordinary business, of which quorum a majority vote shall suffice. But the final passage of a law in each House shall require the vote of a majority of all the members to which such House is entitled.

SECTION 2. A smaller number than a quorum may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each House may provide.

SECTION 3. For the purpose of ascertaining whether there is a quorum present, the chairman shall count the number of members present.

## ARTICLE 49.—PUNISHMENT OF PERSONS NOT MEMBERS.

Each House may punish by fine, or by imprisonment not exceeding thirty days, any person not a member of either House, who shall be guilty of disrespect of such House by any disorderly or contemptuous behavior in its presence; or,

Who shall publish any false report of its proceedings; or,

Who shall, on account of the exercise of any legislative function, threaten harm to the body or estate of any of the members of such House; or,

Who shall assault, arrest or detain any witness or other person ordered to attend such House, on his way going to or returning therefrom; or,

Who shall rescue any person arrested by order of such House.

But the person charged with the offense shall be informed, in writing, of the charge made against him, and have an opportunity to present evidence and be heard in his own defense.

ARTICLE 50.—COMPENSATION OF MEMBERS.

The members of the Legislature shall receive for their services, in addition to mileage at the rate of ten cents a mile each way, the sum of Four Hundred Dollars for each regular Session of the Legislature, payable in three equal installments on and after the first, thirtieth and sixtieth days of the Session; and the sum of Two Hundred Dollars for each extra Session of the Legislature, except a Session for the sole purpose of electing a President, for which members shall receive mileage only.

ARTICLE 51.—PUNISHMENT OF MEMBERS.

Each House may punish its own members for disorderly behavior or neglect of duty, by censure, suspension or expulsion.

ARTICLE 52.—EXEMPTION FROM LIABILITY.

No member of the Legislature shall be held to answer for any words uttered in the exercise of his legislative functions in either House, before any other tribunal.

ARTICLE 53.—EXEMPTION FROM ARREST.

The members of the Legislature shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at the sessions of the respective Houses; and in going to and returning from the same. Provided that such privilege as to going and returning shall not cover a period of over ten days each way.

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THE SENATE.

ARTICLE 54.—NUMBER OF MEMBERS.

SECTION 1. The Senate shall be composed of fifteen members. The Senators to be elected at the first election held

under this Constitution, shall hold office until the general election held in the year 1899.

#### ELECTIONS.

SECTION 2. Senators shall be elected at the general election to be held on the last Wednesday of September, 1899, in three classes to hold office for two, four and six years respectively, and thereafter in terms of six years. The details of such election and apportionment of terms shall be provided for by the Legislature.

#### VACANCIES.

SECTION 3. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term at special elections.

#### ARTICLE 55.—SENATORIAL DISTRICTS.

SECTION 1. For the purpose of representation in the Senate, until otherwise provided by law, the Republic is divided into the following Senatorial Districts, viz :

First District; the Island of Hawaii.

Second District; the Islands of Maui, Molokai, Lanai and Kahoolawe.

Third District; the Island of Oahu.

Fourth District; the Islands of Kauai and Niihau.

SECTION 2. The electors in the said districts shall be entitled to elect Senators as follows :

In the First District, four ;

In the Second District, three ;

In the Third District, six ;

In the Fourth District, two.

#### ARTICLE 56.—QUALIFICATIONS OF SENATORS.

In order to be eligible to election as a Senator, a person shall :

Be a male citizen of the Republic ;

Have attained the age of thirty years ;

Be able understandingly to speak, read and write the English or the Hawaiian language ;

Have resided in the Hawaiian Islands not less than three years ;

Be the owner, in his own right, of property in the Republic of the value of not less than Three Thousand Dollars over and above all encumbrances ; or have been in the receipt of a money income of not less than Twelve Hundred Dollars during the year immediately preceding the date of the election, for the proof of which he may be required to produce original accounts of the receipt of such income.

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## THE HOUSE OF REPRESENTATIVES.

### ARTICLE 57.—NUMBER OF REPRESENTATIVES.

SECTION 1. The House of Representatives shall be composed of fifteen members, elected, except as herein provided, every second year.

### TERM OF OFFICE.

SECTION 2. The term of office of the Representatives elected at the first election held under this Constitution, shall extend to the last Wednesday in September, 1897, and the term of those thereafter elected at general or special elections, shall be until the next general election held thereafter.

### VACANCIES.

SECTION 3. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term at special elections.

### REPRESENTATIVE DISTRICTS.

SECTION 4. For the purpose of representation in the House of Representatives, until otherwise provided by law the Republic is divided into the following Representative Districts, viz :

First District ; that portion of the Island of Hawaii known as Puna, Hilo and Hamakua.

Second District ; that portion of the Island of Hawaii known as Kau, Kona and Kohala.

Third District ; the Islands of Maui, Molokai, Lanai and Kahoolawe.

Fourth District ; that portion of the Island of Oahu lying east and south of Nuuanu street, and a line drawn in extension thereof from the Nuuanu Pali to Mokapu point.

Fifth District ; that portion of the Island of Oahu lying west and north of the fourth district.

Sixth District ; the Islands of Kauai and Niihau.

### APPORTIONMENT.

SECTION 5. The electors in the said districts shall be entitled to elect Representatives as follows :

- In the First District, two ;
- In the Second District, two ;
- In the Third District, three ;
- In the Fourth District, three ;
- In the Fifth District, three ;
- In the Sixth District, two.

### ARTICLE 58.—QUALIFICATIONS OF REPRESENTATIVES.

In order to be eligible to be a member of the House of Representatives, a person shall, at the time of election ;

- Have attained the age of twenty five years ;
- Be a male citizen of the Republic ;

Be able understandingly to read, write and speak the English or Hawaiian language ;

Have resided in this country not less than three years ;

And shall either own property in the Republic worth not less than One Thousand Dollars over and above all encumbrances, or have received a money income of not less than Six Hundred Dollars during the twelve months immediately preceding the date of election.

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## LEGISLATION.

### ARTICLE 59.

The Legislature has the power to enact wholesome Laws not inconsistent with this Constitution.

### ARTICLE 60.—SESSIONS OF THE LEGISLATURE.

SECTION 1. The first regular Session of the Legislature shall be held on the third Wednesday in February, 1896, and biennially thereafter, in Honolulu.

SECTION 2. Neither House shall adjourn, during any session, for more than three days, or sine die, without the consent of the other.

SECTION 3. If either House shall so adjourn without the consent of the other, the other House may proceed to legislate as though it were the sole legislative body, and may exercise the full powers of the Legislature.

SECTION 4. Each session of the Legislature shall continue not longer than ninety days, excluding Sundays and holidays.

Provided however, that the President, with the approval of the Cabinet, may extend such session for not more than thirty days.

SECTION 5. Special sessions of the Legislature shall be held at such times as may be indicated by the President in

manner herein provided; or upon the call of the Presiding Officer of the Senate, when requested in writing so to do by two-thirds of the members of the Senate; or at such other times as are herein specially provided.

ARTICLE 61.—ENACTING CLAUSE.

The Enacting Clause of all Laws shall be, "Be it enacted by the Legislature of the Republic of Hawaii."

ARTICLE 62.—INTRODUCTION OF BILLS.

No bill shall be introduced into either House by any member of such House, unless it shall have first received thereon the written endorsement of three members of such House.

ARTICLE 63.—TITLE OF LAWS.

Each Law shall embrace but one Subject, which shall be expressed in its Title.

The Title of a Law amending or repealing another law shall refer to the section or chapter of the law amended or repealed, and to the subject-matter involved.

ARTICLE 64.—READINGS OF BILLS.

A Bill, in order to become law, shall, except as herein provided, pass three readings in each House, the final passage of which in each House, shall be by a majority vote of all the elective members to which such House is entitled, taken by ayes and noes and entered upon its journal.

ARTICLE 65.—CERTIFICATION OF BILLS FROM ONE HOUSE TO THE OTHER.

Every Bill when passed by the House in which it originated, or in which amendments thereto shall have originated, shall immediately be certified by the Chairman and Clerk and sent to the other House for consideration.



## ARTICLE 66.—SIGNING BILLS.

Except as herein provided, all Bills passed by the Legislature shall, in order to be valid, be signed by the President.

## ARTICLE 67.—VETO OF PRESIDENT.

Every Bill which shall have passed the Legislature shall be certified by the Chairman and Clerk of the House last considering it, and shall thereupon be presented to the President. If he approves it, he shall sign it and it shall become a law. If the President does not approve such bill, he may return it with his objections, to the Legislature.

He may veto any specific item or items in any bill which appropriates money for specific purposes; but shall veto other bills, if at all, only as a whole.

## ARTICLE 68.—PROCEDURE UPON RECEIPT OF VETO.

Upon the receipt of a veto message from the President, each House of the Legislature shall enter the same at large upon its journal, and proceed to reconsider such bill, or part of a bill, and again vote upon it by ayes and noes, which shall be entered upon its journal.

If after such reconsideration such bill, or part of a bill, shall be approved by a two-thirds vote of all the elective members to which each House is entitled it shall thereby become law.

## ARTICLE 69.—FAILURE TO SIGN OR VETO.

If the President neither signs nor vetoes a bill within ten days after it is delivered to him, it shall become law without his signature, unless the Legislature adjourns sine die prior to the expiration of such ten days.

In computing such period of ten days, Sundays, holidays recognized by the laws of the Republic, and the day upon which the bill is delivered to the President shall be excluded.

## ARTICLE 70.—APPROPRIATIONS.

SECTION 1. Appropriations, except as otherwise hereni provided, shall be made biennially by the Legislature.

SECTION 2. The Minister of Finance shall submit to the Senate, at each regular session of the Legislature, Appropriation Bills for the succeeding biennial period.

SECTION 3. No Appropriation Bill or bill providing for a national loan shall be introduced by any one except a member of the Cabinet.

Provided however, that any member may introduce a bill amending the permanent appropriation bill for salaries and pay rolls herein provided for.

SECTION 4. In case of a failure of the Legislature to pass Appropriation Bills providing for payments of the necessary current expenses of carrying on the Government, and meeting its legal obligations, the Minister of Finance may, with the advice of the Executive Council, make such payments for and during the new biennial period, for which purpose the sums appropriated in the last appropriation bill shall be deemed to have been re-appropriated.

SECTION 5. The appropriation bill for salaries and pay rolls shall be a permanent one, and the items and amounts therein enumerated, and such salaries and pay rolls as may hereafter be incorporated therein, shall continue, until stricken out or amended, to be the basis for payment in future, and shall not be required to be re-appropriated from time to time.

SECTION 6. The appropriation bill for salaries and pay rolls passed on the 26th day of April, 1894, shall continue in force, and be the permanent appropriation bill for the purposes therein set forth, subject to such amendments and additions thereto, as may from time to time be made by the Legislature.

## ARTICLE 71.—RETROSPECTIVE LAWS.

Except as herein provided, no Retrospective Law shall ever be enacted.

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 ELECTIONS.

## ARTICLE 72.—EXEMPTION OF ELECTORS ON ELECTION DAY.

SECTION 1. Every Elector shall be privileged from arrest on election day, during his attendance at election, and in going to and returning therefrom, except in case of breach of the peace then committed, or in case of treason or felony.

SECTION 2. No elector shall be so obliged to perform military duty on the day of election, as to prevent his voting, except in time of war or public danger, or in case of absence from his place of residence in actual military service, in which case provision may be made by law for taking his vote.

## ARTICLE 73.—METHOD OF VOTING FOR REPRESENTATIVES.

Each voter for Representatives may cast as many votes as there are Representatives to be elected from the Representative District in which he is entitled to vote. He may cast them all for one Representative, or may apportion them among the several Representatives in such manner as he sees fit; provided however, that any fractional division of a vote other than one-half shall be void.

The required number of candidates receiving the highest number of votes in the respective Representative Districts shall be the Representatives for such Districts.

## ARTICLE 74.—QUALIFICATIONS OF VOTERS FOR REPRESENTATIVES.

In order to be eligible to vote for Representatives, a person shall:

1. Be a male citizen of the Republic; and if naturalized

prior to January 17th, 1893, be a native of a country having, or having had treaty relations with Hawaii; or,

Have received special letters of denization entitling him to all the privileges of Hawaiian citizenship; or,

Have received from the Minister of the Interior the Certificate of Service herein provided for;

2. Have resided in the Representative District in which he offers to register, not less than one month immediately preceding the time at which he offers to register;

3. Have attained the age of twenty years;

4. Have taken and subscribed the oath set forth in Article 101 of this Constitution;

5. Prior to each regular election, during the time prescribed by law for registration, have caused his name to be entered on the Register of Voters for Representatives for his district;

6. Prior to such registration have paid, on or before the first day of January next preceding the date of registration, all taxes due by him to the Government. Provided however, that for the registration for the first election held under the provisions herein, taxes may be paid at any time prior to the application for registration;

7. Be able understandingly to speak, read and write the English or Hawaiian language.

In order to comply with this requirement he shall be able to read and write, with ordinary fluency any section or sections of this Constitution.

Provided however, that the requirement that he shall be able understandingly to speak, read and write the English or Hawaiian language, shall not apply to those persons who shall obtain the certificate of service as provided for in Article 17.

**ARTICLE 75.—METHOD OF VOTING FOR SENATORS.**

Each voter for Senators may cast one vote only for each Senator to be elected from the Senatorial District in which he is entitled to vote.

The required number of candidates receiving the highest number of votes in the respective Senatorial Districts shall be the Senators for such District.

**ARTICLE 76.—QUALIFICATIONS OF VOTERS FOR SENATORS.**

In order to be eligible to vote for Senators, a persons must possess all the qualifications and be subject to all the conditions required by this Constitution of voters for Representatives, and, in addition thereto, he shall own and be possessed in his own right, of real property in the Republic of the value of not less than Fifteen Hundred Dollars over and above all encumbrances, and upon which legal taxes shall have been paid on that valuation for the year next preceding the one in which such person offers to register; or personal property of the value of not less than Three Thousand Dollars over and above all encumbrances; or shall have actually received a money income of not less than Six Hundred Dollars during the year next preceding the first day of April next preceding the date of each registration; for the proof of which he may be required to produce original accounts of the receipt of such income.

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**REGISTRATION OF VOTERS.****ARTICLE 77.**

**SECTION 1.** No person shall vote for the election of Representatives or Senators unless he is qualified as herein required, and unless his name is entered by a Board of Registration upon the Register of Voters as herein provided.

## REGISTRATION BOARDS.

SECTION 2. For the purpose of examining applicants for registration as voters and determining their eligibility, there shall be five Boards of Registration, one for that portion of the Island of Hawaii known as Puna, Hilo and Hamakua; one for that portion of the Island of Hawaii known as Kau, Kona and Kohala; one for the Islands of Maui, Molokai, Lanai and Kahoolawe; one for the Island of Oahu; and one for the Islands of Kauai and Niihau. Such Boards shall consist of three members each, who shall be appointed by the President with the approval of the Senate. The President, subject to such approval, may fill all vacancies in any of such Boards. Provided however, that for the first election held under this Constitution, the President with the approval of the Cabinet shall have the power to appoint and remove the members of such Boards, and with like approval may fill any vacancies in such Boards which shall occur before the first meeting of the Senate. Appointments made by the President during a vacation of the Senate shall be valid until the succeeding meeting of that body.

Members of any such Boards may be removed by the President with the approval of the Senate.

## TIME OF MEETING.

SECTION 3. The Boards of Registration shall meet within thirty days after this Constitution takes effect, for the purpose of registering persons entitled to be registered to vote for Senators and Representatives, and shall continue to meet at such points within their respective districts, for such time as will give all persons entitled to register a reasonable opportunity so to do. Provided however, that the final sitting of such Boards shall not be less than twenty-one days.

SECTION 4. The Boards shall meet within their respective districts at such times between the first day of April and the thirtieth day of June in the year 1897, and between such days in each second year thereafter, as many times as may be necessary to enable them to register all persons entitled to register.

#### REGISTER AT SPECIAL ELECTIONS.

SECTION 5. At any intermediate special election the Register of Voters used at the last preceding general election shall be used without change.

#### PERSONAL APPEARANCE OF APPLICANT.

SECTION 6. No name shall be placed upon the Register of Voters for either Senators or Representatives, except upon the personal appearance of the applicant before the Board of Registration at an advertised public meeting of the Board.

#### EXAMINATION OF APPLICANTS.

SECTION 7. Each Applicant to be placed upon the Register of Voters for either Senators or Representatives shall, upon each application for registration be examined under oath by the Board of Registration as to each one of the required qualifications.

Provided however, that after an Applicant shall once have passed an examination concerning his ability understandingly to speak, read and write the English or Hawaiian language, it shall be at the discretion of the Board to examine him further or not, concerning such qualification.

The examination of the applicant, and of all witnesses examined before any Board of Registration, shall be under oath, administered by any of the members of such Board, who are hereby authorized to administer oaths for such purpose.

The examination, number of witnesses, and time or times of examination, shall be under the reasonable control and discretion of the Board.

#### POWERS OF BOARD.

SECTION 8. Each Board of Registration is hereby given all of the powers and authority, for the summoning and examination of witnesses and the maintenance of order, including the power to punish for contempt, given by law to Circuit Courts.

#### PERJURY.

SECTION 9. Any person who shall, under oath, knowingly make any false statement before any such Board, or who, knowing that he is not entitled to register or to vote, shall so register or vote, shall be guilty of the offense of Perjury.

#### SUMMARY COMMITAL FOR PERJURY.

SECTION 10. The several Boards are hereby given power to summarily commit any person for trial for perjury committed before any such Board, if, in their opinion, there is probable cause to believe that, upon the trial, such person would be convicted of such offense.

#### CHALLENGING.

SECTION 11. Any lawful voter may challenge the right to register of any person claiming to be eligible to register as a voter; cross-examine the applicant and any witnesses produced by him, and produce and examine witnesses against such eligibility.

SECTION 12. No Board of Registration shall enter the name of any person upon the Register of voters until satisfied that such person possesses the requisite qualifications.



## APPEAL FROM BOARD.

SECTION 13. If any Board shall refuse to register the name of any person applying to be registered, the person refused, and, in case any name has been registered, any legal voter, may, at any time within ten days after the decision of such Board, appeal to the Supreme Court in the manner provided by law for civil appeals to the Supreme Court from the Circuit Court, or in such manner as may hereafter be provided by law.

SECTION 14. Upon such appeal being perfected, the Supreme Court shall proceed to hear such cause either in term time or in vacation, as soon thereafter as reasonably may be; and the determination by such Court of such question shall be final.

## NOTICE OF DECISION TO BOARD.

SECTION 15. Immediately upon rendering a decision upon any such appeal, the Supreme Court shall notify the Board of Registration from which such appeal was taken; and if such decision shall reverse the decision of the Board, such Board shall immediately cause the Register to be corrected to conform with such decision.

## STATUS OF PERSON REGISTERED PENDING APPEAL.

SECTION 16. In case of an appeal from a decision of any Board admitting the name of any person to registration, the name of such person shall remain upon the Register pending the decision of the Supreme Court concerning the same.

If the person so registered shall vote at any election before a decision of the Court shall have been made and acted upon, such vote shall not invalidate such election, even though the decision of the Court shall be adverse to the registration of such name.

### NOTICE OF MEETINGS.

SECTION 17. The time and place of all meetings of the several Boards shall be advertised in the English and Hawaiian languages, in newspapers, or by notices posted in at least three frequented places in the locality where such meetings are to be held.

This section shall not be construed to prohibit the adjournment of any such advertised meeting from day to day to a time certain, announced at the time of adjournment.

### TIME OF REGISTERING.

SECTION 18. No name shall be registered or stricken from the Register except in an open meeting of the Board and upon public announcement, except for the following causes, viz:

1. In case the Supreme Court shall render a decision upon appeal, reversing the decision of the Board.
2. In case the Board has decided that a person is entitled to registration and his name has been accidentally omitted from the Register, mis-spelled, or he has therein been mis-named.

### COPIES OF REGISTER TO BE SENT TO INSPECTORS OF ELECTION.

SECTION 19. The respective Boards shall, as soon as reasonably may be after the Register of Voters for any voting precinct is completed, prepare four copies thereof and forward them to the Chairman of Inspectors of Election for such precinct; or, in case such officer shall not then have been appointed, to the Deputy Sheriff of the District in which such precinct is located.

The officer receiving such copies shall retain one for use at the election, and immediately post the other copies in three frequented places within the precinct, for the inspection of the public.

## INSPECTORS NOT TO CHANGE REGISTERS.

SECTION 20. No name shall be added to or stricken from the Register of Voters, or in any manner changed by the Inspectors of Election, except upon the written order of the Board of Registration for such District.

## CORRECTION OF REGISTER.

SECTION 21. If it shall be manifest to any Board, at any time, that the name of a person admitted to registration has been accidentally omitted from the Register or mis-spelled, or that he has been misnamed therein, such Board shall immediately remedy such omission or mistake; and, if a copy of the Register has been sent to the election precinct in which such person is entitled to vote, shall immediately in writing, order the Inspectors of Election for such precinct to correct such copy of the Register.

Such order shall set forth the reasons for the action directed to be taken, and shall be retained and filed by the Inspectors of Election as a part of the records of the election.

The power of revision and correction hereby conferred, shall not be construed to allow the reopening of the question of the qualifications of any person registered by the Board.

## RECORD OF PROCEEDINGS.

SECTION 22. The several Boards shall each keep books of record in which minutes shall be preserved of all their proceedings.

## ARTICLE 78.—REPEAL OF ELECTION LAWS.

All election laws in force when this Constitution is promulgated are hereby repealed.

ARTICLE 79.—RULES AND REGULATIONS FOR OATHS AND ELECTIONS.

Until otherwise provided by law the President, with the approval of the Cabinet, shall have power to make rules and regulations not inconsistent herewith, for administering oaths and holding elections provided for by this Constitution.

ARTICLE 80.—FIRST ELECTION.

The first election of the Legislature shall be held at such time and places, within four months after the promulgation of this Constitution, as shall be directed by the President, with the approval of the Cabinet.

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COUNCIL OF STATE.

ARTICLE 81.—HOW CONSTITUTED.

SECTION 1. There shall be a Council of State of fifteen members, five of whom shall be elected by the Senate, five by the House of Representatives, and five appointed by the President with the approval of the Cabinet. The members of the Executive Council may sit and take part in the meetings of the Council of State, but shall not vote.

SECTION 2. The Council of State shall be elected and appointed during the first session of the Legislature; and at each regular session held thereafter.

TERM OF OFFICE.

SECTION 3. The term of office of the members thereof shall expire at the end of each regular session of the Legislature held after their election.

VACANCIES.—HOW FILLED.

SECTION 4. Vacancies among the elective members of the Council occurring between sessions of the Legislature may be filled by the Council.

Vacancies among the appointed members of the Council occurring at any time, may be filled by the President with the approval of the Cabinet.

#### QUALIFICATIONS OF MEMBERS.

SECTION 5. Persons who are eligible to become elective members of the Legislature, or who are such members, and no others, shall be eligible to be elected or appointed as members of the Council.

#### POWERS OF COUNCIL OF STATE.

SECTION 6. The Council of State may, upon the request of the Executive Council, appropriate public moneys, when, during the time intervening between the sessions of the Legislature, the emergencies of war, invasion, rebellion, pestilence or other great public necessity shall arise.

In case of such appropriation, the Minister of Finance shall render a detailed account of the expenditures made under such authority to the next regular session of the Legislature.

#### PARDONS.

SECTION 7. The President, by and with the advice of the Cabinet and the Council of State, shall have the power to grant reprieves and pardons and to commute sentences, after conviction, for all offenses except in cases of impeachment.

#### ADVISORY POWERS.

SECTION 8. The Council of State shall also, when called upon by the President, advise him in all matters for the good of the State, wherein he shall require its advice.

#### MEETINGS.

SECTION 9. The Council of State may be convened at any time by the President. Its members shall serve without pay.

## THE JUDICIAL POWER.

### ARTICLE 82.

The Judicial Power of the Republic shall be vested in one Supreme Court, and in such Inferior Courts as the Legislature may, from time to time, establish.

### ARTICLE 83.—SUPREME COURT—IMPEACHMENT—REMOVAL.

SECTION 1. The Supreme Court shall consist of a Chief Justice and not less than two Associate Justices. Provided however, that in case of the disqualification or absence of any Justice thereof, in any cause pending before the Court, his place for the trial and determination of said cause shall be filled as provided by law.

SECTION 2. The Justices of the Supreme Court shall hold their offices during good behavior, subject to removal upon impeachment, and shall receive for their services a compensation which shall not be diminished during their continuance in office. Provided however, that any Justice of the Supreme Court, or a Judge of any other Court of Record, upon recommendation of the Executive Council, may be removed from said office on a resolution passed by two-thirds of all the elective members of the Legislature sitting together.

SECTION 3. The Justice or Judge against whom the Legislature may be about to proceed, shall have notice thereof, accompanied by a copy of the causes alleged for his removal, at least ten days before the day on which the Legislature shall act thereon. He shall be heard before the Legislature.

### ARTICLE 84.—SUPREME AND INFERIOR COURTS.

The Judicial Power shall be divided among the Supreme Court, the Justices thereof, and the several Inferior Courts of the Republic in such manner as the Legislature may, from time to time, prescribe; and the tenure of office of the Judges

of the Inferior Courts shall be such as may be fixed by the law creating them.

ARTICLE 85.—JURISDICTION.

The judicial power shall extend to all cases in law and equity, arising under the Constitution and Laws of the Republic, and Treaties; to all cases affecting Public Ministers and Consuls, and to all cases of Admiralty and Maritime Jurisdiction.

ARTICLE 86.—DECISIONS.

The Decisions of the Supreme Court shall be final and conclusive upon all parties, when made by a majority of the Justices thereof or by a majority of those who constitute the Court as provided by law in case a Justice thereof is disqualified or absent.

ARTICLE 87.—OPINIONS TO THE EXECUTIVE.

The Justices of the Supreme Court, when requested by the President or the Cabinet, shall render opinions upon questions of law upon solemn occasions.

ARTICLE 88.—DISQUALIFICATION BY PREVIOUS JUDGMENT.

No Judge or Magistrate shall sit on an appeal or new trial, in any case in which he may have given a previous judgment.

ARTICLE 89.—DISQUALIFICATION BY RELATIONSHIP OR PECUNIARY INTEREST.

No person shall sit as a judge or juror in any case in which his relative by affinity, or by consanguinity within the third degree, is interested, either as plaintiff or defendant, or in the issue of which the said judge or juror may have, either directly or through such relative any pecuniary interest.

## ARTICLE 90.—IMPEACHMENT.

SECTION 1. The President and all civil officers of the Republic shall be liable to removal from office on impeachment by the House of Representatives upon any of the following grounds, namely :

Any act or negligence involving moral turpitude punishable by law as an offense and committed while in office, incapacity for the due performance of official duty, maladministration in office, and assessment of office-holders for partisan or political expenses.

SECTION 2. The Senate shall be a Court, with full and sole authority to hear and determine all impeachments made by the House of Representatives.

SECTION 3. The Chief Justice of the Supreme Court shall be ex-officio President of the Senate in all cases of impeachment, unless when impeached himself. Should the Chief Justice be impeached, some person specially commissioned by the President shall preside over the Senate during such trial.

SECTION 4. Previous to the trial of any impeachment the Senators shall respectively be sworn truly and impartially to try and determine the charge in question according to law and the evidence.

SECTION 5. The judgment of the Senate, in case of the conviction of the person impeached, shall not extend further than to removal from office and disqualification to hold any place of honor, trust or profit under the Republic; but the person so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment according to law.



## MISCELLANEOUS PROVISIONS.

### ARTICLE 91.—CONSTITUTION SUPREME LAW.

This Constitution when promulgated, shall thereupon become the Supreme Law of the Republic, and the Constitution promulgated on the 7th day of July, 1887, and all other Constitutions at any time the Supreme Law in the Hawaiian Islands, and also all Laws and parts of laws inconsistent herewith, are hereby expressly abrogated and are declared to be null and void.

### ARTICLE 92.—EXISTING STATUTES AND OFFENSES.

SECTION 1. All statutes and enactments in force in the Hawaiian Islands at the time this Constitution takes effect, not inconsistent therewith, and all rights, actions, prosecutions, judgments and contracts then existing and valid, shall continue as if this Constitution had not been adopted, unless the same are inconsistent with this Constitution, or are herein specifically abrogated, or are otherwise herein provided for.

SECTION 2. Statutes heretofore enacted, which are not inconsistent herewith, which refer to the King, or the Government, or the Kingdom, or to the Provisional Government, shall be construed to refer to the President, or to the Republic or Government of the Republic of Hawaii, as the case may be.

All acts which, by statute in force at the time when this Constitution takes effect, have heretofore been defined to be offenses against the King, or the Provisional Government, or otherwise, shall be deemed to be offenses against the Republic or Government of Hawaii, unless such statute shall be inconsistent herewith, or shall be repealed or changed by law.

Acts heretofore committed, which were prohibited by

statutes existing at the time such acts were committed, shall be punishable under said statutes the same being construed as above provided.

SECTION 3. All criminal and penal proceedings arising or now depending within the limits of the Hawaiian Islands, shall be prosecuted to final judgment and execution in the name of the Republic of Hawaii; and all causes of action arising to individuals or corporations, and all actions at law and suits in equity now depending in the several courts within the limits of the Hawaiian Islands, not already barred by law, may be commenced or carried on to final judgment and execution in the corresponding courts of the Republic.

The style of all processes shall be "The Republic of Hawaii," and all prosecutions shall be carried on in the name and by the authority of the Republic of Hawaii.

Nothing in this Constitution contained shall be the basis or ground for a writ of error or habeas corpus or certiorari or prohibition or quo warranto, nor for an appeal in any pending judicial proceeding, and all process heretofore issued, or which may be issued prior to the day when this Constitution shall go into effect, shall be as valid as if issued in the name of the Republic of Hawaii; but such writs or appeals shall lie in respect of all judgments, decrees, orders or other proceedings heretofore made or had or pending in the several courts of the Hawaiian Islands, in conformity with the laws in force when such writs, decrees, orders or other proceedings were made or were pending.

#### ARTICLE 93.—OFFICE HOLDERS.

SECTION 1. All persons holding office under the Provisional Government of the Hawaiian Islands, at the date of the promulgation of this Constitution, shall continue to hold and exercise all the power to them granted until their respective offices shall become vacant.

SECTION 2. All commissions issued by or under authority of the late Monarchy, or of the Provisional Government of the Hawaiian Islands, are hereby declared to be vacated, null and void, from and after the first day of September, 1894, unless cancelled prior to that date.

ARTICLE 94.—TREATIES, BONDS, ETC., CONFIRMED.

All existing treaties and all bonds and notes heretofore made or authorized under the authority of the late Monarchy or of the Provisional Government of Hawaii, and all obligations of the Postal Savings Bank are hereby recognized, ratified and confirmed.

ARTICLE 95.—CROWN LAND.

That portion of the public domain heretofore known as Crown Land is hereby declared to have been heretofore, and now to be, the property of the Hawaiian Government, and to be now free and clear from any trust of or concerning the same, and from all claim of any nature whatsoever, upon the rents, issues and profits thereof. It shall be subject to alienation and other uses as may be provided by law. All valid leases thereof now in existence are hereby confirmed.

ARTICLE 96.—MAJORITY RULE.

The approval, concurrence, consent, advice, agreement or action of the Legislature or either House thereof, or of the Executive Council or of the Council of State, or of any Board of Registration or other public Board, shall not for its validity require the assent of more than a majority, unless otherwise herein required; but in respect of the Executive Council such majority shall be required to include the President.

ARTICLE 97.—NO PUBLIC AID TO SECTARIAN OR PRIVATE SCHOOLS.

From and after December thirty-first, 1895, no public money shall be appropriated nor public land conveyed to or for the support or benefit of any sectarian, denominational or private school, or any school not under the exclusive control of the Government.

ARTICLE 98.—LOTTERIES.

No lottery shall be authorized in this Republic, nor shall the sale of lottery tickets be allowed.

ARTICLE 99.—GOVERNMENT OFFICERS NOT TO TAKE FOREIGN EMPLOYMENT.

No officer of the Republic nor member of the Legislature shall hold any office or receive any pay from any other Government or Power whatever.

ARTICLE 100.—ADVISORY COUNCIL.

Until the convening of the first Legislature, in either special or regular session, the members of the Advisory Council of the Provisional Government of the Hawaiian Islands shall constitute a council to be styled the "Advisory Council of the Republic of Hawaii."

The Advisory Council of the Republic of Hawaii and the Executive Council, sitting together, shall be vested with all the powers, and authority heretofore vested in the Executive and Advisory Council of the said Provisional Government, and also all the powers and authority by this Constitution granted to the Senate or to the Legislature.

Such convening of the Legislature shall thereby terminate the existence, power and authority of the Advisory Council.

**ARTICLE 101.—OATH OF OFFICERS, ELECTORS, LEGISLATORS AND JURORS.**

No person shall be eligible to be an Officer, Senator or Representative under the Republic, or an Elector of Senators or Representatives, or a Juror, until he shall have taken and subscribed the following oath or affirmation, viz: I do solemnly swear, (or affirm,) in the presence of Almighty God, that I will support the Constitution, Laws and Government of the Republic of Hawaii; and will not, either directly or indirectly, encourage or assist in the restoration or establishment of a Monarchical form of Government in the Hawaiian Islands.

**ARTICLE 102.—INTERPRETATION.**

Wherever the word "herein" is used in this Constitution it shall be deemed to mean and include anything contained in this Constitution or any article or clause thereof, unless the context indicates another construction thereof.

The Titles to Articles and Sections of this Constitution shall not be construed to be a part thereof.

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**AMENDMENT OR REVISION OF THE CONSTITUTION.**

**ARTICLE 103.**

**SECTION 1.** This Constitution may be amended or revised in the following manner and no other.

**SECTION 2.** Amendments to this Constitution or a revision thereof, may be proposed by not less than five members of either House at any regular session of the Legislature.

**SECTION 3.** In order to pass any amendment or revision it shall receive three readings in each House, at each of which readings it shall receive an affirmative vote in each House of not less than a majority of the elective members to which such House is entitled.

The vote shall be taken by a call of the ayes and noes, which, with the proposed amendment or revision, shall be entered on the journal.

SECTION 4. Upon the passage by the Legislature of any amendment or revision of the Constitution as aforesaid, it shall be the duty of the Minister of the Interior to publish such amendment or revision weekly, for the twelve weeks next preceding the succeeding general election to the Legislature, in not less than two newspapers published in Honolulu in the English and Hawaiian languages respectively.

SECTION 5. Such amendment or revision shall be considered by the Legislature at its first regular session following the succeeding general election; and, in order to be finally adopted, shall receive three readings, on different days, in each House, at the first and second of which readings it shall receive an affirmative vote in each House of a majority of the elective members to which such House is entitled; and at the last of which readings it shall receive an affirmative vote in each House, of not less than two-thirds of the elective members to which such House is entitled.

The voting shall be taken by a call of ayes and noes, which, together with the proposed amendment or revision, shall be entered in the journal.

SECTION 6. Each amendment shall be considered and voted upon separately, in each session of the Legislature in which it shall come up for consideration, as herein provided.

SECTION 7. In case of a proposed revision of the Constitution, each component part of such revision forming a separate proposition, shall, in like manner, be considered and voted on separately, except upon the final reading at the second session of the Legislature at which such revision shall be considered, when it shall be voted on as a whole.

SECTION 8. Any amendment or revision which shall have

been adopted in manner aforesaid by two successive Legislatures, shall thereupon and without further act, become a part of the Constitution of the Republic.

The Constitutional Convention, convened in Honolulu, Island of Oahu, Hawaiian Islands, on 30th day of May, A. D. 1894, pursuant to the provisions of Act 69 of the Acts of the Provisional Government of the Hawaiian Islands, entitled "An Act to Provide for a Constitutional Convention," approved the 15th day of March, A. D. 1894, and pursuant to the Proclamation of the President summoning said Convention to assemble, having framed and adopted the Constitution hereinbefore set forth; now it is hereby declared, enacted and proclaimed by the Executive and Advisory Councils of the Provisional Government and by the elected Delegates, constituting said Constitutional Convention, that on and after the Fourth day of July, A. D. 1894, the said Constitution shall be the Constitution of the Republic of Hawaii and the Supreme Law of the Hawaiian Islands.

Done in Convention by unanimous consent this third day of July, A. D. One Thousand Eight Hundred and Ninety Four, in witness whereof we have hereunto subscribed our names.

SANFORD B. DOLE,

*President of the Provisional Government.*

WILLIAM CHAUNCEY WILDER,

*Vice-President.*

FRANCIS MARCH HATCH,

*Minister of Foreign Affairs.*

JAMES ANDERSON KING,

*Minister of the Interior.*

SAMUEL MILLS DAMON,

*Minister of Finance.*

WILLIAM OWEN SMITH,

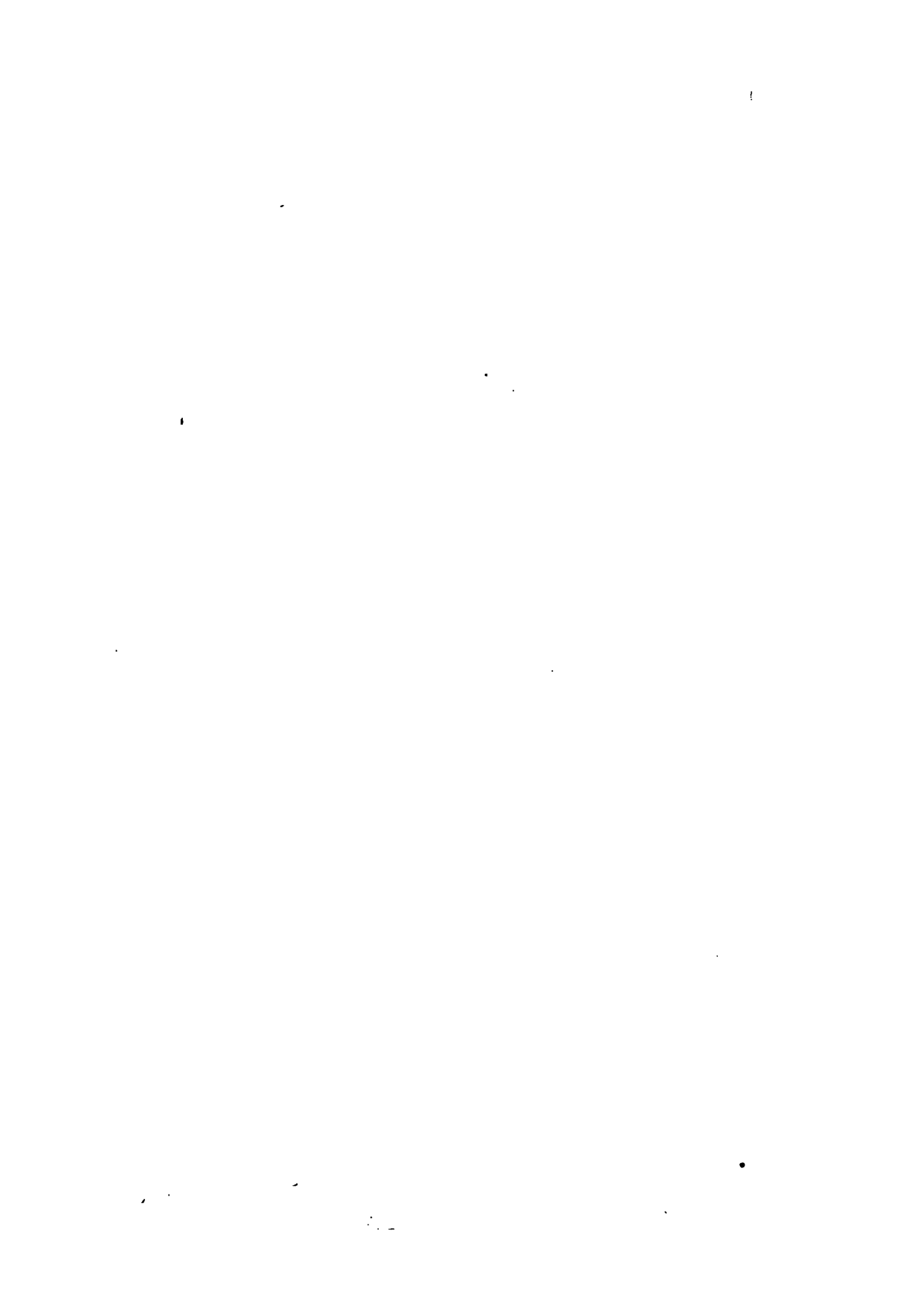
*Attorney-General.*

WILLIAM FESSENDEN ALLEN,  
 CRISTAL BOLTE,  
 CECIL BROWN,  
 JOHN EMMELUTH,  
 JOHN ENA,  
 JOHN A. McCANDLESS,  
 JOSEPH P. MENDONCA,  
 JAMES FRANCIS MORGAN,  
 JOHN NOTT,  
 DAVID BOWERS SMITH,  
 EDWARD DAVIES TENNEY,  
 HENRY WATERHOUSE,  
 ALEXANDER YOUNG,  
 LEMUEL CLARK ABLES,  
 HENRY PERRINE BALDWIN,  
 CHARLES LUNT CARTER,  
 ANTONIO FERNANDES,  
 WILLIAM HORNER,  
 JOSE KEKAHUNA IOSEPA,  
 DAVID HAILI KAHAULELIO,  
 JOHN WILLIAM KALUA,  
 JOHN KAUHANE,  
 ALBERT KUKAILIMOKU KUNUIAKEA,  
 FREDERICK S. LYMAN,  
 WILLIAM FAWCETT POGUE,  
 WILLIAM HYDE RICE,  
 ALEXANDER GEORGE MORISON ROBERTSON,  
 JOHN MARK VIVAS,  
 ALBERT SPENCER WILCOX,  
 GEORGE NORTON WILCOX.

Attest:

CHARLES T. RODGERS,  
*Secretary of Convention.*





# INDEX.

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<b>A</b>		<b>PAGE</b>
Accused may not be a Witness against Himself . . . . .		77
Acting President . . . . .		88
Advisory Council . . . . .		119
Advisory Council of Provisional Government—Powers and Termination of . . . . .		119
Amendment of the Constitution . . . . .		120
Annexation to the United States . . . . .		86
Appeal from Board of Registration . . . . .		108
Appointment—President's Power of . . . . .		84
Appropriating Power of Council of State . . . . .		112
Appropriations . . . . .		101
Arrest—Warrant Required . . . . .		78
Ayes and Noes . . . . .		99, 100, 121
<b>B</b>		
Bills—Reading and Signing of . . . . .		99, 100
Boards of Registration . . . . .		105
Appeal from . . . . .		108
Bonds—Outstanding Confirmed . . . . .		118
Burden of Proof of Eligibility . . . . .		91
Business of Aliens coming to the Country may be Restricted .		75
<b>C</b>		
Cabinet—Executive Power lodged in . . . . .		83
Ex-Officio Members of the Legislature . . . . .		90
Of the . . . . .		87
Power of Appointment and Removal . . . . .		87

<b>C</b>		<b>PAGE</b>
Certificate of Support of the Provisional Government . . . . .		80
Challenging of Voters . . . . .		107
Citizens—Rights of . . . . .		80
Class Legislation . . . . .		75
Commander-in-Chief . . . . .		87
Commissions—All existing Vacated . . . . .		118
Constitution—Amendment of . . . . .		120
Enacting clause of . . . . .		121
The Supreme Law . . . . .		116
Council of State . . . . .		111
Crown Lands . . . . .		118
Cumulative Vote for Representatives . . . . .		102
<b>D</b>		
Denization . . . . .		82
Disqualifications of Certain classes, idiots, insane, criminals, etc.		92
Government Officers . . . . .		91
Legislators . . . . .		91
Division of Powers of the Government . . . . .		82
<b>E</b>		
Election—First . . . . .		111
Inspectors of . . . . .		109
Election of President—Regular . . . . .		83
Special . . . . .		89
Elections—President may make Rules and Regulations for . . .		111
Supreme Court Sole Judge of . . . . .		91
Election Law—Existing Repealed . . . . .		110
Electors—Of . . . . .		102
Eligibility of Senators and Representatives . . . . .		95, 97
Eminent Domain . . . . .		78
Enacting Clause . . . . .		99
Ensign . . . . .		79
Executive Council defined . . . . .		83
Executive Division of the Government . . . . .		83

	PAGE
<b>F</b>	
Flag .....	79
Freedom of Speech and of the Press .....	76
<b>G</b>	
General Elections .....	90
Government Employees Disqualified.....	91
<b>H</b>	
Habeas Corpus .....	76
Suspension of Writ of.....	86
Suspension of by the Cabinet.....	89
House of Representatives—Of the.....	96
<b>I</b>	
Impeachment—Chief Justice to Preside at Trial of.....	115
Method of.....	115
Indictment.....	76
Individuals, Duties and Protection of.....	78
<b>J</b>	
Judiciary—Division of.....	113
Jury Trial.....	77
<b>L</b>	
Legislative Power.....	90
Legislators—Compensation of.....	94
Exemption from Liability.....	94
Exemption from Arrest.....	94
Punishment of.....	94
Rights and Liabilities of.....	94
Legislature—Convening of Special Session of.....	85
Of the.....	90
Officers and Rules of.....	92
Power to Punish Outsiders.....	93
Regular Sessions.....	98
Special Sessions.....	98
To sit for Ninety Days.....	98
Lotteries Prohibited.....	119

**M**

PAGE

Majority Rule .....	118
Martial Law.....	86
Martial Law—Declaration of by Cabinet .....	89
Meeting and Petition.....	76
Members of the Legislature, Ex-officio .....	90
Messages to Legislature.....	86
Military Subject to Law.....	79
Minister—Acting President—When .....	88

**N**

Name of Government.....	79
Names of Members of Convention .....	122
Naturalization .....	81

**O**

Oath of Officers, Voters, &c.....	120
Legislators.....	92
Office Holders .....	117
Officers and Rules of Houses.....	92

**P**

Pardon.....	112
Petition and Meeting.....	76
President—Bills to be signed by.....	100
Commander-in-Chief.....	87
Death, disability or absence of .....	88
Declaration Martial Law—Suspension of Habeas Corpus .....	86
Election of.....	83
Executive Power lodged in .....	83
First President .....	83
Making Treaties... ..	86
Messages to the Legislature and Advisory Council	86
Power of Appointment .....	84
“ “ Convening the Legislature.....	85

