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# L A W S

OF HIS MAJESTY

## K A M E H A M E H A I I I . ,

KING OF THE HAWAIIAN ISLANDS,

PASSED BY THE

### N O B L E S A N D R E P R E S E N T A T I V E S

A T T H E I R S E S S I O N ,

1853.



H O N O L U L U :

P R I N T E D B Y O R D E R O F T H E G O V E R N M E N T .

1853.



# SESSION LAWS.

1853.

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## AN ACT

### RELATING TO THE JUDICIARY DEPARTMENT.

*Approved May 26th, 1853.*

**BE IT ENACTED** by the King, the Premier and Nobles, resident near His Majesty:

**SECTION 1.** The Supreme Court, from and after the first Monday of December, in the year of our Lord one thousand eight hundred and fifty-two, shall consist of a Chief Justice and two Associate Justices, any of whom may hold the Court. The Justices of the Supreme Court shall hold their offices during good behavior, subject to removal on impeachment; and shall receive for their services a compensation, which shall not be diminished during their continuance in office.

**SECTION 2.** Said Supreme Court shall have jurisdiction in all cases in law or equity, in all cases affecting Ambassadors, other Public Ministers and Consuls, and in all admiralty and maritime cases; whether the same be brought before it by original writ, by appeal or otherwise. It shall also have all the powers, and exercise all the jurisdiction belonging to either the Supreme or Superior Court, as at present constituted, in all cases, legal or equitable, civil or criminal.

**SECTION 3.** All cases, matters or controversies, of whatever nature, which may be pending in the Superior Court, or the Supreme Court, as at present constituted, on the first Monday of December, in the year of our Lord one thousand eight hundred and fifty-two, shall be immediately transferred to the Supreme Court, provided for in this Act, and be therein determined.

**SECTION 4.** The Chief Justice of the Supreme Court shall be the Chancellor of the Kingdom, and shall have power at Chambers to decree the foreclosure of mortgages, to grant divorces, to issue process in, and to hear and determine all probate matters, and all cases in bankruptcy, admiralty or equity, subject however, to an appeal to the full Court. Moreover, the Chief Justice and two Associate Justices of the Supreme Court shall respectively have all the powers at Chambers conferred by present laws upon the Chief Justice and Associate Justice of the Superior Court.

**SECTION 5.** The Supreme Court shall have the general superintendence of all courts of inferior jurisdiction, to prevent and correct errors and abuses therein, where no other remedy is expressly provided by law.

**SECTION 6.** Said Court, or the Chief Justice thereof at Chambers, shall have the power to issue writs of error, certiorari, mandamus, prohibition and quo warranto, and all other writs and processes, to courts of inferior jurisdiction, to corporations and individuals, that shall be necessary to the furtherance of justice and the regular execution of the laws.

**SECTION 7.** Said Court shall have power to make and award all such judgments, decrees, orders and injunctions, to issue all such executions and other writs and processes, and to do all such other acts as may be necessary or proper to carry into full effect, all the powers, which are or may be given to it by the Constitution and laws of the Kingdom.

**SECTION 8.** It shall have power from time to time, to make rules for regulating the practice and conducting the business of the Court, in all cases not expressly provided by law; and thereafter to revise said rules so often as it may be found wise and necessary to simplify said practice and remedy any abuses or imperfections that may be found to exist therein.

**SECTION 9.** When any question of law shall arise in any trial or other proceeding, either of a civil or criminal nature, at law or in equity, before the said Court, when held by one Justice, he may reserve the same for the consideration of the full Court, and shall report

the case, or so much thereof as may be necessary for a full understanding of the question, to his associates.

**SECTION 10.** Any case may be reserved in like manner, upon the motion of either party, for a new trial, on account of any opinion, direction or order of the Justice in any matter of law.

**SECTION 11.** If any party shall think himself aggrieved by any such opinion, direction or order of the Court, and the Justice shall not think fit to reserve the case upon his motion, the party may allege exceptions to such opinion, direction or order, and the same being reduced to writing in a summary mode, and presented to the Justice before the final adjournment of the Court for the term, and being found conformable to truth, shall be allowed and signed by the Justice.

**SECTION 12.** Upon the allowance of such exceptions the questions arising thereon shall be considered by the full Court. If, however, the exceptions shall appear to the Justice, before whom the trial is held, to be frivolous, immaterial, or intended for delay, the judgment shall be entered, and execution awarded or stayed, on such terms as the Court shall deem reasonable, notwithstanding the allowance of the exceptions.

**SECTION 13.** When upon the hearing of a case, brought before the Court upon exceptions alleged as before provided, it shall appear that the exceptions are frivolous or immaterial, or were intended for delay, the Court may award against the party taking the exceptions, double costs from the time when the same were alleged, and also interest from the same time, at the rate of twenty per cent. per annum, on the sum, if any, found due for debt or damages; or may award any part of such additional costs and interest which they may deem proper.

**SECTION 14.** When judgment shall have been rendered in any case, in which exceptions have been allowed, the judgment may be vacated by full Court, without any writ of error, in like manner, as if it had been entered by mistake, and order such further proceedings in the case as to law and justice shall appertain.

**SECTION 15.** No trial by Jury shall be prevented or delayed by the



filing or allowance of such exceptions, but the verdict shall be received and such further proceedings shall be held in the case as the Court may order, in pursuance of the foregoing provisions.

**SECTION 16.** There shall be four several terms of the Supreme Court held in each year, commencing as follows, viz: on the first Mondays of January, April, July and October; which said terms shall respectively be called the January, April, July and October terms of the said Court. The Court may, however, hold special terms at other times, whenever it shall deem it essential to the promotion of justice.

**SECTION 17.** The four regular terms shall be held at the Court House in the city of Honolulu. Provided always, that the King may, in case he shall deem it requisite, by reason of war, pestilence or other public calamity, or the danger thereof, order the same to be held at a different place, and it shall be so held, until the order is revoked or a new place appointed. The several terms may be continued and held for the period of four weeks from the commencement thereof.

**SECTION 18.** When neither of the Justices of the Court is present at the time and place for holding a Court, it shall be the duty of the Clerk of said Court to adjourn the same from day to day, until one of the Justices shall attend, or until an order in writing shall be received from one of them respecting such adjournment.

**SECTION 19.** In case of the absence or sickness of the Chief Justice, or of a vacancy in that office, all the duties thereof, both at Chambers and in banco, shall be performed, during such absence, sickness or vacancy, by the Senior Justice, or such other Justice as the King may appoint for the time.

**SECTION 20.** The Chief Justice of the Supreme Court shall receive an annual salary of five thousand dollars, and each of the Associate Justices shall receive an annual salary of two thousand dollars, and the said salaries shall be paid in monthly payments, out of the Treasury of the Kingdom.

#### **OF THE CLERK OF THE SUPREME COURT.**

**SECTION 21.** The Clerk of the Supreme Court shall be appointed

by the Justices thereof, and hold his office during their pleasure. He shall have charge of the seals of the Court, which shall be impressed on all process of said Court. He shall have power to issue process in all suits and matters brought before the Supreme Court, or before the Chief Justice or any Associate Justice thereof at Chambers. He shall also have power to administer oaths, to take the deposition of witnesses, to assess damages upon notes, bonds, bills of exchange, orders and other liquidated obligations in all cases in which default shall have been made, and all other powers and duties in relation to the drawing of jurors, and in all other matters which pertain to the office of the Clerk of the Superior Court, and are necessary to the proper transaction of the business of the Supreme Court.

**SECTION 22.** He shall be sworn to the faithful discharge of all the duties of his office, by one of the Justices of the Supreme Court; and before entering on the performance of such duties, shall give a bond to the Minister of Finance, to be approved by the Chief Justice, in the sum of one thousand dollars, with one or more sufficient sureties, conditioned for the faithful discharge of all his official duties.

**SECTION 23.** He shall attend and record the proceedings of the Court, and have the care and custody of all the records, books and papers, appertaining to his office, and filed or deposited therein.

**SECTION 24.** In equity, admiralty or maritime cases, and in all matters heard before any Justice at Chambers, the Clerk shall record at length such part only of the proceedings as shall be directed by the Court, either by general rules or by a special order of one of the Justices in any particular case.

**SECTION 25.** He shall keep in every book of records an alphabetical list of all the names of all parties to any suit or judgment therein recorded, with a reference to the page where it is recorded; and when there are several persons, either plaintiffs or defendants, the name of every person, with a like reference, shall be inserted in its appropriate place in said list.

**SECTION 26.** The Justices of the Court shall inspect the doings of the Clerk, from time to time, and see that the records are made up

seasonably, and kept in good order; and if the records are left incomplete for more than twelve months at any one time, such neglect, unless caused by sickness or other good reason, shall be adjudged a forfeiture of the Clerk's bond.

SECTION 27. The Clerk shall exhibit the records of his office at every January term to the Justices, and at such other times as the same may be required by any Justice, so that the Court may have notice of any errors or defects in the keeping of the records, and may cause the same to be corrected.

SECTION 28. In case of the death of the Clerk or his absence from any Court which he is required to attend, the Court shall appoint a Clerk pro tempore, to act as Clerk of the Court, until the standing Clerk shall resume the discharge of his duties, or until another shall be appointed by the Court.

SECTION 29. Such temporary Clerk shall be sworn to the faithful discharge of his duties; and he shall receive for his services such compensation as the Court shall think proper, to be paid either from the appropriation for the standing Clerk or from the Public Treasury, as the Court may direct.

SECTION 30. All Clerks of Courts shall keep exact accounts of all costs and fees received by them in their respective offices; and they shall render quarterly accounts of the same to the Minister of Finance.

SECTION 31. The Clerk of the Supreme Court shall receive an annual salary of fifteen hundred dollars, which shall be paid in monthly payments out of the Treasury of the Kingdom.

#### OF THE CIRCUIT COURTS.

SECTION 32. The Kingdom shall continue to be divided into four Judicial Districts or Circuits, as at present constituted, that is to say:

The first district shall consist of the island of Oahu, whose seat of justice shall be at Honolulu:

The second district shall consist of the islands of Maui, Molokai, Lanai and Kahoolawe, whose seat of justice shall be at Lahaina, on the island of Maui:

The third district shall consist of the island of Hawaii, whose seat of justice shall be at Hilo:

The fourth district shall consist of the islands of Kauai and Niihau, whose seat of justice shall be at Nawiliwili, on the island Kauai.

**SECTION 33.** The terms of the Circuit Courts shall be held at the times and places at present appointed by law; and the proceedings therein shall continue to be those already prescribed.

**SECTION 34.** The several Circuit Courts shall continue to have all the powers and exercise the jurisdiction which belong to the Circuit Courts at the present time, together with all additions or limitations that may be created or imposed by the Constitution and laws of the Kingdom.

**SECTION 35.** The Circuit Judges shall have power in their respective districts to try all appeals made to them by any party from the decision of any District or Police Justice within their jurisdiction; and shall possess all the powers and exercise all the jurisdiction that now belong to the Local Circuit Judges at Chambers or in banco.

**SECTION 36.** It shall be the duty of one of the Justices of the Supreme Court to attend and preside over each term of the Circuit Courts; and the expenses of any Justice of the Supreme Court, in attending, holding and returning from any such Courts, shall be paid from the annual appropriation for the expenses of said Courts.

**SECTION 37.** If one of the Justices of the Supreme Court shall fail to attend any Circuit Court at the time at which it is appointed to be held, the Sheriff or some Circuit Judge shall open the Court and adjourn the same, from day to-day, and if the said Justice shall not attend before ten o'clock of the third day, such Circuit Judge or Sheriff shall adjourn the Court without day.

**SECTION 38.** All persons bound to appear at any Circuit Court, which shall have failed, as mentioned in the last section, shall be bound to appear at the next term of said Court.

**SECTION 39.** The Clerks of the several Circuit Courts shall be appointed by the Justices of the Supreme Court, and hold their offices during their pleasure. They shall severally have the charge of the

seals of their respective Courts, and shall have power to issue all writs and processes required by the practice of their respective Courts.

**SECTION 40.** The said Clerks shall attend all the said Courts held in their respective circuits, and record their proceedings, and shall have the care and custody of all records, books and papers, appertaining to their respective offices, and filed and deposited therein.

**SECTION 41.** The Clerks of the several Circuit Courts shall each be sworn to the faithful discharge of their duties, and give a bond to the Minister of Finance, to be approved by the Chief Justice of the Supreme Court, in the sum of five hundred dollars, with one or more sufficient sureties, conditioned for the faithful discharge of his official duties.

**SECTION 42.** Each Circuit Court Clerk shall keep an exact account of all fees and costs received by him, and shall quarterly render a faithful account of the same to the Minister of Finance.

**SECTION 43.** In keeping their records, they shall be governed by the rules prescribed in this Act for the Clerk of the Supreme Court.

**SECTION 44.** The present Clerks of the Circuit Courts shall continue in office until others are appointed in their stead.

**SECTION 45.** The seals of the several Circuit Courts shall be those already devised and now in use by said Courts.

**SECTION 46.** Each Circuit Judge, when there is only one in a Circuit, shall receive an annual salary of fifteen hundred dollars, and shall make a regular tour of his Circuit at least twice every year for the trial of appeals at Chambers; and each Circuit Judge, when there is more than one in the circuit for which he is appointed, shall receive an annual salary of eight hundred dollars; which salaries shall be paid by monthly payments out of the Treasury of the Kingdom.

#### OF THE POLICE AND DISTRICT JUSTICES' COURTS.

**SECTION 47.** The Police and District Justices Courts shall continue as at present constituted, and shall have all the powers they now possess, and be subject to all the duties and obligations now resting upon them, with all additions and limitations imposed by the Constitution.

## APPEALS.

**SECTION 48.** All appeals from any decision of the Board of Commissioners to Quiet Land Titles, and all appeals from any Circuit, Police or District Justices Court that may now be taken to either the Supreme or Superior Court under existing laws, shall hereafter lie and be taken to the Supreme Court provided for in this Act, subject to the rules prescribed therefor in the present Statutes. Provided always, that no appeal shall be taken from any Circuit Court to the Supreme Court, unless on questions of law.

**SECTION 49.** In all cases of appeal from any decision of the Board of Commissioners to Quiet Land Titles, on any question of fact, the parties shall be entitled to have the same tried by a jury, chosen as in other cases tried before the Court. Provided always, that whenever a jury shall fail to agree on a verdict on any such appeal on the first trial, the decision of the Board of Commissioners shall be confirmed unless the Court shall be unanimously of the opinion that a new trial should be granted. When a new trial shall be granted and a verdict is not agreed upon by the second jury, there shall be no further trial, and the decision of the Board of Commissioners shall stand confirmed.

**SECTION 50.** In the trial of any appeal from the Board of Commissioners to Quiet Land Titles, all the evidence taken before said Board shall be read to the Court and jury, and either party may submit such additional evidence to the Court and jury as may be legal and proper.

## OF THE TRIAL BY JURY.

**SECTION 51.** All the provisions of existing Statutes in reference to jurors and the trial by jury shall continue in force and be applicable to the Supreme and Circuit Courts provided for in this Act, not only as to the selection and drawing of jurors, but in every other respect.

## GENERAL PROVISIONS.

**SECTION 52.** The Minister of Finance is hereby authorized to pay all salaries and expenses provided for in this Act, out of the Treasury of the Kingdom, and the same are hereby appropriated. The appropriations now made for the salaries of the Justices and Clerk of the Superior Court shall cease from the day of the appointment of the



Justices and Clerk of the Supreme Court provided for in this Act, but the appropriations for the present Judges of the Supreme Court, viz: one hundred dollars each, shall continue and be paid until the expiration of their year.

SECTION 53. All the balance of appropriation for expenses of the Superior Court shall be drawn for by the Clerk of the Supreme Court and appropriated to the expenses of the Supreme Court provided for in this Act; and all appropriations for the expenses of the Circuit Court for the first judicial district, and stationery, shall be drawn by the Clerk of the Supreme Court and be by him disbursed.

SECTION 54. This Act shall take effect from and after the first Monday of December, eighteen hundred and fifty-two, and continue in force until approved or annulled by the Legislature.

Done at the Palace, this third day of December, A. D. 1852.

## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE LAW  
RELATIVE TO PASSPORTS," PASSED ON THE 24th JUNE, 1852. .

*Approved May 26th, 1853.*

BE IT ENACTED, *by the King, the Premier and Chiefs, resident near  
His Majesty:*

That the following be added to the 3d section of the said act, viz:

Provided always, that in all cases in which any Collector of Customs shall have refused and withheld a passport from any person on the ground of an alleged indebtedness to, or implication in any pending suit with any private person or persons, it shall be lawful for such Collector of Customs, upon the filing with him or his deputy of a sufficient bond with sureties in a sufficient amount at his discretion, by the party, from whom such passport shall be withheld, conditioned to abide the result of any suit or trial, and to pay the amount of any judgments rendered against him at suit of the party or parties at whose instance such passport shall have been withheld, to issue such passport to such party requiring the same.

This Act shall take effect on the day of its passage.

Done and passed at the Palace, in Honolulu, this third day of December, A. D. 1852.

## AMENDMENT TO THE APPROPRIATION BILL.

*Approved May 26th, 1853.*

WHEREAS, by the Appropriation Bill approved on the fifteenth day of July, A. D. 1852, it is provided that the Minister of Finance shall not allow or cause to be paid out of the Treasury any monies for any other objects or in any greater amounts than are provided in said Act, until after the passage of a new bill of appropriations, and whereas a contingency has happened in the destruction of a Government office, and may again happen before the next regular meeting of the Legislature, rendering it necessary that the several Departments of the Government should expend money not now appropriated to carry on the Government and fulfil its obligations:

**BE IT ENACTED, by the King, the Premier and Nobles resident near His Majesty:**

**SECTION 1.** That twenty thousand dollars are hereby appropriated out of any monies in the Treasury, and hereby set apart as a contingent fund, to meet and pay, as far as may be required, the necessary expenses of the Government, not provided for in the appropriation bill approved on the 15th July, 1852.

**SECTION 2.** That it shall be lawful for the several Ministers of the Hawaiian Government, for the purpose of faithfully discharging the duties of their Departments and fulfilling the obligations of the Government, to make drafts on the Minister of Finance for such monies as they may think just and right, to be paid out of the contingent fund appropriated by the first section of this Act, in which they shall state the object to which the same is to be applied; and the Minister of Finance is hereby authorized and empowered to pay said drafts, provided the same are hereby approved by the Auditor of Accounts as just and right.

**SECTION 3.** This Act shall take effect from the day of its passage, and continue in force until approved or annulled by the Legislature.

Done and passed at the Palace, this third day of Dec., A. D. 1852.

## AN ACT

TO AMEND AN ACT TO REGULATE THE TONNAGE DUES AND  
OTHER CHARGES ON MERCHANT AND WHALING VESSELS.

*Approved May 26th, 1853.*

BE IT ENACTED, *by the King, the Premier and Nobles resident near  
His Majesty:*

SECTION 1. That section third and section seventh of "An Act to regulate the tonnage dues and other charges on merchant and whaling vessels, passed July 6th, 1852, be and is hereby amended by striking out, whenever it occurs in said sections, "or passengers."

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

Done at the Palace, this 20th day of September, A. D. 1852.

## AN ACT

TO AMEND "JOINT RESOLUTION TO ENCOURAGE THE VISITS OF WHALERS," PASSED JUNE 15th, 1847.

*Approved May 26th, 1853.*

**BE IT ENACTED**, by the King, the Premier and Nobles resident near His Majesty:

**SECTION 1.** That section eighth of "Joint Resolution to Encourage the Visits of Whalers," passed the fifteenth day of June, eighteen hundred and forty-seven, be and the same is hereby repealed.

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

Done at the Palace, this 20th day of September, A. D. 1852.

## AN ACT

TO AUTHORIZE THE MINISTER OF FINANCE TO PAY CERTAIN SUMS IN ANTICIPATION OF THE GENERAL APPROPRIATION BILL FOR 1853.

*Approved May 23d, 1853.*

WHEREAS, no provision was made by the Legislature of 1852, for the support of His Majesty's Privy Purse or Royal State, after the 31st of March, 1853, and whereas His Majesty's dignity and comfort may be endangered by any delay to make such provision:

Therefore—

BE IT ENACTED, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That the Minister of Finance be instructed to pay out of the Treasury, in anticipation of the General Appropriation Bill for 1853, and until June 30th, 1853, the sum of eight hundred and thirty-three and one-third dollars, monthly, on account of His Majesty's Privy Purse, and the further sum of three hundred and thirty-three and one-third dollars, monthly, on account of His Majesty's Royal State.



## AN ACT

## TO INCREASE THE IMPORT DUTIES OF CERTAIN KINDS OF MERCHANDISE.

*Approved May 24th, 1853.*

**BE IT ENACTED**, by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** That there shall be levied on all goods, wares and merchandise imported into this Kingdom, from any port in China or the Phillipine Islands, a duty of fifteen per cent. *ad valorem* upon the invoice cost thereof; provided, however that no more than five per cent. duty shall be levied on the article of Rice, and further provided that this shall not be construed into a repeal of any part of "An Act levying specific duties on sugars, syrups of sugar and coffee, passed June 6th, 1852.

**SECTION 2.** The increase of duties provided for in the first section of this Act, shall not affect goods, wares or merchandize, which are the growth or manufacture of any foreign country having a treaty with this Kingdom.

**SECTION 3.** In order to prove that any goods, wares or merchandize, imported into this Kingdom, from any of the ports of China or the Phillipine Islands, are the growth or manufacture of some other country having a treaty with this Kingdom, it shall be necessary for the person entering the same at the Custom House, to present to the Collector of Customs a certificate to that effect from the resident Hawaiian Consul, or in default of such Consul, from the Consul or Commercial Agent of such other country, at the port in China or the Phillipine Islands, from whence such goods, wares or merchandize shall have been brought to this Kingdom; and the person entering the same at the Custom House, shall make oath that such goods,

wares or merchandize are not the growth or manufacture of China or the Phillipine Islands, to the best of his knowledge and belief.

SECTION 4. This Act shall take effect at the expiration of six months from the date of its publication in the Polynesian newspaper.

## AN ACT

TO CONSTITUTE A BOARD OF COMMISSIONERS TO ERECT JAILS  
ON THE ISLAND OF OAHU.

*Approved May 26th, 1853.*

*BE IT ENACTED, by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. The Minister of the Interior, with the consent of the King in Privy Council, shall appoint three Commissioners to erect Jails or Prisons on the Island of Oahu, who shall serve without pay.

SECTION 2. The Minister of the Interior, with the consent of the King and Privy Council, as above, shall fill up all vacancies that may occur, by death, resignation or otherwise.

SECTION 3. The Commissioners shall select and procure suitable sites for two jails, the one for male convicts, the other for female convicts, to be situated on the Island of Oahu, and not less than one mile apart, and they shall cause to be erected thereon, with as little delay as possible, such buildings and enclosures, as they shall deem necessary for the safe keeping, correction and employment of the convicts.

SECTION 4. The Commissioners shall, if they deem it necessary, cause to be erected, in some central spot in the town of Honolulu, a lockup for the temporary detention of deserters from ships, and of parties awaiting examination before any of the courts.

SECTION 5. The Commissioners, or any two of them, are authorized, in the performance of the duties prescribed in the 2d, 3d and 4th sections of this act, in the name of the Minister of the Interior, for the Government, to purchase the real estate necessary for the jail sites, to advertise for plans, specifications and proposals, and to make contracts for the supply of materials and labor for the execution of the whole, or any part of the work.

SECTION 6. The Commissioners, or any two of them are further authorized to draw upon the Minister of the Interior for any sums that are necessary to the performance of the duties imposed upon them by this Act; provided, that the aggregate of these sums do not exceed the amount which may have been appropriated by the Legislature for the erection of jails on the Island of Oahu.

SECTION 7. The Commissioners shall on or before the 31st of December in each year, present to the Minister of the Interior, a report of their proceedings, with a full account of their receipts and expenditures.

SECTION 8. So much of sections 1st and 2d of the "Act relating to Prisons, their Government and Discipline," approved 4th August, 1851, as relates to the erection of Jails on the Island of Oahu, is hereby repealed.

SECTION 9. This Act shall take effect from and after the date of its passage.

## AN ACT

## RELATING TO THE SEARCHING OF SHIPS FOR DESERTERS.

*Approved May 26th, 1853.*

BE IT ENACTED, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. It shall be lawful for any Marshal, Sheriff or other Police Officer to search foreign vessels in any port of this Kingdom, for deserters, without a warrant, on producing to the commanding officer of the vessel they wish to search, their commission or appointment as Police Officer; provided, that nothing in this section shall be so construed, as to apply to vessels of war, or other vessels commanded by officers bearing the Commissions of Foreign States, and not subject to search by the law and usage of nations.

SECTION 2. The commanding officer of any vessel, who shall refuse such Police Officer access to the vessel, or to any part of the same, after producing his commission or appointment, shall be subject to a fine of not exceeding twenty-five dollars.

SECTION 3. This act shall take effect from and after the day of its passage.

## AN ACT

RELATING TO MUTINY AND SEDITION ON BOARD OF FOREIGN VESSELS WHILST IN ANY PORT OF THE HAWAIIAN ISLANDS.

*Approved May 28th, 1853.*

WHEREAS, acts of mutiny on board foreign vessels visiting the ports of the Hawaiian Islands frequently occur, and whereas, the existing laws make no provision for the arrest of such mutineers and their detention:

Therefore—

BE IT ENACTED, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. Upon written application made to the Marshal, any of his Sheriffs or their Deputies, by any Foreign Consul, Vice Consul or Commercial Agent, residing in this Kingdom, requesting the arrest of any mutinous person or persons on board of any vessel of their nation, being within the jurisdiction of this Kingdom, it shall be lawful for such Marshal, Sheriff or Deputy Sheriff, to proceed on board such vessel, and to arrest any person or persons named or described in such application; provided, the same shall set forth, that such Consul, Vice Consul or Commercial Agent, will indemnify the Marshal, Sheriff or Deputy Sheriff, for all damages which may accrue to him from said proceeding, and by the detention of said prisoners, and said Foreign Agent will pay all fees and costs, connected therewith.

SECTION 2. It shall be lawful for the Marshal, Sheriff or Deputy Sheriff, to detain such arrested mutineer or mutineers in prison, until called for by the Foreign Agent who caused their arrest.

SECTION 3. This act shall take effect from and after the day of its passage.



## AN ACT

## TO REGULATE THE NUMBER OF THE REPRESENTATIVES OF THE PEOPLE.

*Approved May 26th, 1853.*

WHEREAS, by the 76th article of the Constitution, it is made the duty of the Legislature, at stated times, to regulate the Representatives of the people:

Therefore—

BE IT ENACTED, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That, in future, the Islands of Molokai and Lanai shall form one Election District, to be called the District of Molokai.

SECTION 2. That in future, the Island of Niihau shall form a part of the Election District of Kona, (from Nualolo to Hanapepe) on the Island of Kauai.

SECTION 3. That, hereafter, the District of Kona on the Island of Hawaii, shall form two Election Districts, viz: from Keahualono on Puohao, to be called the District of North Kona; from Puohao to Kaheawai, to be called the District of South Kona.

SECTION 4. That from the year 1854, till the year 1859, both inclusive, the number of the Representatives of the people in the Legislature shall be as follows, viz:

For the Island of Hawaii, eight, that is to say,

One for the District of North Kona.

“ “ “ “ South Kona.

“ “ “ “ “ Kau.

“ “ “ “ “ Puna.

Two “ “ “ “ Hilo.

One “ “ “ “ Hamakua.

“ “ “ “ “ Kohala.

For the Island of Maui, six, that is to say:

Two for the District of Lahaina, Olowalu, Ukumehame and Kahoolawe.

One for the District of Kahakuloa and Kaanapali.

One from Waihee to Honuaula.

“ “ Kahikinui to Koolau,

“ “ Hamakualoa to Kula.

For the District of Molokai, two.

For the Island of Oahu, eight, that is to say:

Four from Maunalua to Moanalua, inclusive.

One for the District of Ewa and Waianae.

“ “ “ “ Waialua.

“ “ “ “ Koolauloa.

“ “ “ “ Koolaupoko.

For the Island of Kauai, three, that is to say:

One from Nualolo to Hanapepe inclusive, (including Niihau.)

One from Wahiawa to Wailua.

One from Kapaa to Awaawapuhi.

SECTION 5. The Minister of Public Instruction shall cause five hundred copies of this Act, to be printed in the Hawaiian language, and circulated throughout the Kingdom, in the month of November, 1853.

SECTION 6. This act shall take effect from after the day of its passage.

## AN ACT

RELATING TO THE BOARD OF COMMISSIONERS TO QUIET LAND  
TITLES.

*Approved May 26th, 1853.*

**BE IT ENACTED**, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That all claimants of land within this Kingdom, who have entered their claims with the Board of Commissioners to Quiet Land Titles, and who shall not have appeared before the said Board and proved their several claims, previous to the first day of May, A. D. 1854, shall be forever barred from proving the same; and the said Board of Commissioners are hereby authorized and required to give due notice of this act, through the Polynesian and Elele newspapers, and to deal with all outstanding land claimants accordingly.

AN ACT  
FOR THE RELIEF OF THE MINISTER OF THE INTERIOR.

*Approved May 26th, 1853.*

**BE IT ENACTED**, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That His Highness, Keoni Ana, His Majesty's Minister of the Interior, shall be, and is hereby released from all responsibility and obligation of re-imbursing to His Majesty's Treasury, the losses which have arisen, or may arise, to the same, from the insolvency of the estate of the late Alfred W. Parsons.

AN ACT  
TO ABOLISH NEWSPAPER LICENSE.

*Approved May 26th, 1853.*

WHEREAS, the License at present required, for the publication of Newspapers and Periodicals, is opposed to the spirit of the third article of the Constitution:

Therefore—

BE IT ENACTED, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That article sixth of "Newspapers and Periodicals," of chapter second, part first of an act entitled "An Act to Organize the Executive Departments of the Hawaiian Islands," passed April 27th, 1846, be, and the same is, hereby repealed.

AN ACT  
RELATING TO WHALERS' PERMITS.

*Approved May 26th, 1853.*

**BE IT ENACTED**, by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION I.** That section XVII of article I, chapter I, part II, of the 2d act Kamehameha III, including the two forms of Whalers' Permits, be, and the same is, hereby repealed, and the following Section and form of Permit substituted in its stead.

Every whaler that shall have been duly entered at the Collector's office, have delivered all the necessary papers, and paid the legal charges due upon such entry, shall be entitled to demand and receive from the Collector, a permit to trade or barter goods or supplies, excepting spirituous liquors, to the amount of twelve hundred dollars, original invoice value, two hundred dollars of which, shall be free of duties, without being subjected to any charge for tonnage or harbor dues. Said permit shall be in the following words:

**WHALERS' PERMIT**

TO LAND MERCHANDIZE.

Office of Collector of Customs, \_\_\_\_\_, H. I.

Marks.	No.	Packages and Contents. Quantities to be Specified.	Value per Invoice.

Permission is hereby given to \_\_\_\_\_ Captain of the \_\_\_\_\_ whaler, to land from said vessel, goods or supplies, excepting spirituous liquors, as above

named, the same being entered according to their marks, numbers and actual cost, delivered on board as per original invoice.

N. B.—Oil and bone valued as follows:

Sperm oil           , Whale oil           , Bone           .

All articles to be landed on this permit must be entered upon it *with ink*, and the value carried out before leaving the vessel.

\_\_\_\_\_, Collector.

To which shall be added the following deposition:

I, \_\_\_\_\_ Master of the \_\_\_\_\_ Port of \_\_\_\_\_ H. I. do depose on oath that I have not exceeded the value of \_\_\_\_\_ dollar in trade or barter with the inhabitants of this port or its jurisdiction, since my entry on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_, and I have not landed or allowed to be landed from my said vessel, any goods or supplies other than what is included in this permit.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

\_\_\_\_\_, Collector.

**SECTION 2.** This act shall take effect on the thirtieth day after its passage, and all laws, or parts of laws, in contravention of this act, shall be, and the same are, hereby repealed.

## AN ACT

## TO AMEND THE LAWS RELATING TO PUBLIC AUCTIONEERS.

*Approved June 16th, 1853.*

**BE IT ENACTED**, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

**SECTION 1.** That all officers of His Majesty's Government who are required or allowed, by law, to dispose of any Government property, shall be, and are hereby authorized to cause the same to be disposed of at public auction, without the intervention of a licensed auctioneer, excepting such property as may be required to be sold in Honolulu or Lahaina; provided, that no commissions shall be allowed or paid to the agents employed by such officer, for effecting such sale at auction, other than would have been allowed or paid them, in case of their having disposed of the same at private sale; provided, moreover, that no such government agent shall buy either for himself or for any relation of his, or through another for himself, any Government property so exposed for sale, under penalty of double the value of the price at which he may have sold such property.

**SECTION 2.** That public notice of such sale shall be posted up, in the native and English languages, throughout the district in which such property is situated and also in Honolulu, and such public notice shall be inserted in the Polynesian newspaper and *Elele Hawaii*, at least thirty days previous to the day of sale.

**SECTION 3.** This act shall take effect from and after the day of its passage.



AN ACT  
RELATING TO CORAL AND SAND.

*Approved June 16th, 1853.*

WHEREAS, the present law prohibiting the free use of coral and sand is a burden upon the people without any corresponding benefit to the Exchequer:

Therefore—

BE IT ENACTED, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That, hereafter, the Government reefs shall be free, for the use of the people. Whoever, being a Hawaiian subject, shall desire coral or sand from the Government reefs and lands, may freely take the same, either for his own use or for sale or exportation; provided, that this act shall not apply to the Government domain in Honolulu, Oahu, or Lahaina, Maui.

SECTION 2. That so much of section 2, article 1, chapter 7 of part 1st of an "Act to organize the Executive Department," as constitutes the taking of coral and sand, a trespass, is hereby repealed.

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

AN ACT  
REPEALING CERTAIN LAWS.

*Approved, June 16th, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 43, 44, 45, 47, 48, 49, 51, 52, 53, 54 and 55, and all other parts of the old laws, entitled "Laws of the Hawaiian Islands," be, and the same are hereby repealed.

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

## AN ACT

TO PREVENT JUDICIAL OFFICERS FROM ACTING AS COUNSEL OR ATTORNEYS IN SUITS TRIED BEFORE THEM.

*Approved, June 16th, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. No person shall be employed, nor allowed to appear as counsel or attorney before any court, in any suit, which shall have been previously determined, before himself, as a Judge or Justice.

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

**AN ACT****PROVIDING FOR THE TRIAL OF DIFFERENT DEGREES OF CERTAIN  
OFFENSES UNDER ONE INDICTMENT.**

*Approved, June 16th, 1853.*

**BE IT ENACTED** *by the King, the Nobles, and the Representatives of the  
Hawaiian Islands in Legislative Council assembled:*

**SECTION 1.** Under an indictment for robbery, larceny or any other offense, of more than one degree, the Jury may, when the evidence will not warrant a verdict of guilty in the degree for which the prisoner is indicted, return a verdict for any lesser degree of the same offense.

**SECTION 2.** This Act shall take effect from the day of its passage.

AN ACT  
RELATING TO THE SECRETARY AT WAR.

*Approved, June 16th, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That section 4 of chapter 2, part 2, of an Act entitled an "Act to organize the Executive Departments of the Hawaiian Islands," and other laws and parts of laws, conferring the duties, or any part of the duties of Secretary at War and of the Navy upon any one of His Majesty's Ministers, *ex officio*, shall be, and the same are hereby repealed; and His Majesty may, in his discretion, by special commission, confer the duties of said office upon any one of His Cabinet Ministers, or upon any other person, as He may judge best, for the good of His service; provided that such Secretary at War shall not be entitled to receive any additional pay for his services as such.

SECTION 2. This act shall take effect from and after the date of its passage.

AN ACT,  
RELATING TO THE ROAD TAX.

*Approved, June 16th, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That the labor tax on roads, bridges, and the like public works, shall be, and is hereby reduced, from twelve to six days' labor annually; Provided that eight hours' labor shall be considered a full day's work.

SECTION 2. It shall be optional with any person liable to the road tax, to commute for the same, in advance, when first called upon by the road supervisor or his deputy, by paying him the sum of two dollars.

SECTION 3. Every male inhabitant of the kingdom between the ages of sixteen and fifty years, shall be, and is hereby declared to be liable to the road labor tax.

SECTION 4. The following persons alone shall be exempt from the road labor tax, viz : His Majesty the King ; all diplomatic agents of foreign powers; all clergymen and school teachers actually employed; also all regular soldiers and their officers ; all firemen legally organized ; all insane persons and cripples : and all persons incapable of labor by reason of long sickness.

SECTION 5. That the people, at the time and place fixed for the election of Representatives to sit in Legislative Council, shall elect by ballot, in the same manner that the representatives are elected, a road Supervisor, in each of their respective districts, who shall hold his office for one year from the date of his election; provided always, that in case of the death or resignation of any Supervisor so elected, a new election shall be held as before.

SECTION 6. The road Supervisors, within their respective districts, shall have the direction of the public labor, on roads, bridges and all

public highways, but shall lay out no new road, or shut up any old road, without first calling a meeting of those persons, who are subject to the road tax, in their respective districts, by giving five days public notice of the time and place of said meeting, and taking their voice on the propriety of the measure. This voice, whether for or against the measure proposed, shall be obeyed.

SECTION 7. The said Supervisors shall collect and disburse all road taxes within their respective districts; and no portion of said tax shall be expended in any other district, except with the consent of the people of the district, expressed in public meeting, called as provided in the preceding section.

SECTION 8. The road Supervisors may appoint deputies for their respective districts, not exceeding one for every fifty taxable persons in the district, whose only compensation shall be exemption from the road labor tax.

SECTION 9. Every road Supervisor shall, on the 31st day of December of each year, render to the Minister of the Interior, in writing a detailed report of his transactions during the year preceding, stating at least, the number of persons liable to the road tax in his district; the number of days worked by them the amount of cash received, as commutation; the amount of tax still due; the amount of cash on hand at the commencement of the year; the amount expended, and the amount on hand; the number and condition of government tools on hand, and the number of days of his own personal service.

SECTION 10. The road Supervisors, upon rendering such report, shall receive such compensation, as the Minister of the Interior may deem just, out of the monies appropriated for that purpose, by the Legislature.

SECTION 11. All monies appropriated by the Legislature for the roads of the respective districts, shall be drawn from the treasury by the Minister of the Interior, and expended by the road supervisors under his general direction.

SECTION 12. Any road Supervisor, who shall fraudulently free any person, from road labor, not exempted by law, or who shall not work the persons liable to the road tax, the full number of days and hours prescribed in this act, shall on conviction thereof before any District

Justice, be fined five dollars for each such offense; all such fines to be expended as part of the road tax of such district.

SECTION 13. The said Supervisors within their respective districts, shall have power to sue for, and collect by execution, all road taxes unpaid on the last day of October.

SECTION 14. It shall not be lawful for any road Supervisor, to compel the people of any neighborhood to go more than five miles beyond their residence, to labor on any road, unless by a vote of the people of the district expressed in public meeting, called as hereinbefore provided in section 6.

SECTION 15. The road Supervisors, in case of indolence, disorderly or mutinous conduct, on the part of the workmen, shall have power to authorize and require any constable, to apprehend any delinquent, and take him before any district justice, who shall, unless good cause be shown to the contrary, sentence such delinquent to hard labor, not more than five days.

SECTION 16. It shall be lawful for the several Supervisors, to commute for the labor tax on roads, with all persons employed by the month or year, or with their employers, either to complete a certain amount of work on the road, or to work by the day, with carts, plows, or other implements, as may be agreed upon as a commutation for the road tax, of all his laborers liable to this tax.

SECTION 17. It shall be the duty of each road Supervisor, to surrender to his successor in office, on or before the 15th day of January, all accounts and other papers relating to the office, and all monies which he may have on hand, arising from the commutations, and other sources, together with all implements belonging to the government, which may be in his possession.

SECTION 18. Upon a written complaint being brought before the inspectors of elections of any district, signed by at least fifty of the inhabitants of said district, setting forth that their road Supervisor is guilty of a breach of the law, specifying the particular charges against such Supervisor, it shall be the duty of said inspector of elections to give such complaint a hearing, and upon proper cause being shown, to dismiss said Supervisor from office, and to order a new election of a road Supervisor, at least ten days previous to the day of election.

SECTION 19. It shall be the duty of every man liable to the labor tax for the roads, to appear punctually at the time appointed, with suit-



able implements for the work, and to work diligently, as directed by the Supervisor, otherwise he shall be liable to the penalty hereinbefore provided in Section 15.

SECTION 20. Should any person find it inconvenient to work on the roads, as aforesaid in person, at the time appointed, he may employ a substitute, or he shall pay to the Supervisor, fifty cents for each day on which he fails to work, as directed by the Supervisor.

SECTION 21. Every person who is liable to the road tax, shall be liable to the labor tax on roads, in the district where he is found on the labor day appointed by the road Supervisor, for that District, unless he be provided with a certificate from some Road Supervisor, that he has already performed his labor, or paid his commutation for the current year, in some other district.

SECTION 22. In laying out any new road, or planning any bridge, as provided in section 6, respect shall be had to the private vested rights of property which any private individual may have in the land over which said road shall be intended to pass, and over which any such bridge shall be intended to extend. It shall be the duty of the Supervisor, immediately after such new road or bridge has been determined upon, as in section 6, to cause notices to be posted along the line of such proposed new road or bridge advertising the fact, and summoning all parties interested therein, to bring forward their claims to the nearest circuit Judge.

SECTION 23. It shall be lawful for the Circuit Judge to appoint a commission of three disinterested persons to assess the value of the private property so to be appropriated to the public use, and also the damages likely to be sustained by the present owner, whose decision shall determine the price to be given by the government for such private property; Provided the owner shall have the right of appeal from the decision of said committee, to a jury of twelve men (with the usual right of objection for cause,) to be empanelled by the circuit Judge, who shall send a certified copy of the decision of said committee, or of said Jury, to the Minister of the Interior, and give a certificate also, to the party in whose favor the verdict was rendered.

SECTION 24. Upon the delivery of said certificate to the party in whose favor the verdict was rendered, the property assessed shall revert to the public use intended, without further conveyance, and the hold-

er of such certificate, shall present the same to the Minister of the Interior, for adjustment, pursuant to the provisions of the succeeding section.

SECTION 25. The Minister of the Interior shall have power to compound with the holder of any such certificate, in any way he may deem most advantageous to the government, by the substitution of other land or other privileges, in lieu of that appropriated for the public good; and he shall also present to the Legislature, annually, a report of such certificates, as he may not have been able to cancel, in the manner above prescribed.

SECTION 26. This act shall take effect on the first day of January, A. D. 1854, and all former acts relating to road taxes, shall be and are hereby repealed.

AN ACT  
PROVIDING SUMMARY PROCEEDINGS TO RECOVER POSSESSION OF  
LAND IN CERTAIN CASES.

*Approved, July 6th, 1853.*

WHEREAS there is now no way of removing tenants wrongfully in possession of lands, but by the long and tedious process of a suit of ejectment,

Therefore,

BE IT ENACTED by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:

SEC. 1. When the lessee of any lands or tenements, or any person holding under such lessee, shall hold possession of the demised premises, without right, after the determination of the lease, either by its own limitation or by a notice to quit of at least ten days, the person entitled to the premises may be restored to the possession in the manner hereinafter provided.

SEC. 2. The person entitled to the possession of the premises, may apply to any police or district justice for a writ in the form used for an original summons in common civil actions before such justices, in which the defendant shall be summoned to answer the complaint of the plaintiff, for that the defendant is in the possession of the lands or tenements in question, describing them, which he holds unlawfully, and against the right of the plaintiff, and no other declaration shall be recognized.

SECTION 3. Such summons shall be served either,

1. By delivering to the tenant, to whom it shall be directed, a true copy thereof, and at the same time showing him the original, or,

2. If such tenant be absent from his last or usual place of residence, by leaving a copy thereof at such place, with some person of mature age residing in the premises.

SECTION 4. The summons shall be returnable within such time as

shall appear reasonable to the justice, not less than three nor more than five days, and the suit shall be conducted like other civil actions before such Justices.

**SECTION 5.** If the defendant shall be defaulted, or if on the trial it shall be proved to the satisfaction of the justice, that the plaintiff is entitled to the possession of the premises, he shall have judgment for the possession thereof and for his costs, and execution shall issue accordingly.

The writ of possession shall issue to the Marshal, or to any sheriff or constable of the city or district where the premises are situated, commanding him to remove all persons from said premises, and to put the plaintiff or his agent into the full possession thereof.

**SECTION 6.** The officer to whom such warrant for delivering possession shall be directed and delivered, is hereby required to execute the same according to the tenor thereof.

**SECTION 7.** Whenever a warrant shall be issued as aforesaid for the removal of any tenant, the contract for the use of the premises, if any such exists, and the relation of landlord and tenant between the parties, shall be deemed to be cancelled and annulled.

**SECTION 8.** The issuing of such warrant of removal shall be stayed in the case of a proceeding for the non-payment of rent, if the person owing such rent, shall, before such warrant be actually issued, pay the rent due, and all the costs and charges of the proceedings; or give such security for the payment thereof, within five days, as shall be satisfactory to the justice or to the plaintiff.

**SECTION 9.** Any justice before whom a suit may be pending for the recovery of premises may, upon the request of either party, adjourn the hearing of the suit, for the purpose of enabling such party to procure his witnesses when it shall appear to be necessary; but such adjournment shall in no case exceed five days.

**SECTION 10.** Either party may appeal from the judgment of the justice, at any time within twenty-four hours after the entry of the judgment, to any Circuit Judge, or to the Supreme Court; but the appellant shall, before the allowance of his appeal, file with the justice a bond, with sufficient surety or sureties, to the adverse party, in the sum of one hundred dollars, with condition to prosecute his appeal without delay, and to pay all the costs arising from the appeal, in case the decision of the justice is affirmed.

**SECTION 11.** When the defendant is proceeded against for the non-payment of rent, and the justice decides that the plaintiff should have possession, the defendant shall not be allowed to keep possession and take his appeal, unless he first gives a bond to the plaintiff, with good and sufficient surety or sureties, to pay all rent that may accrue and become due after the appeal; provided it shall be finally determined that the plaintiff was entitled to the possession.

**SECTION 12.** If any tenant, being in arrear for rent, shall desert the demised premises, and leave the same unoccupied and uncultivated, any police or district justice may, at the request of the landlord, and upon due proof that the premises have been so deserted, by such tenant leaving rent in arrear, go upon and view said premises; and upon being satisfied, upon such view, that the premises have been so deserted, he shall affix a notice in writing upon a conspicuous part of the premises, requiring the tenant to appear and pay the rent due, at some time in the said notice specified, not less than ten nor more than thirty days after the date thereof.

**SECTION 13.** At the time specified in such notice, the justice shall again view the premises and if the tenant shall appear and pay the rent, or deny that any rent is due to the landlord, all proceedings shall cease. If, upon such second view, the tenant or his agent shall not appear and pay the rent in arrear, or deny that any rent is due, then such justice may put the landlord into possession of the premises; and any demise of the premises, to such tenant, shall from thenceforth become void.

**SECTION 14.** An appeal from the proceedings of any justice under the last two preceding sections may be taken by the tenant to any Circuit Judge at chambers, or to the Supreme Court, at any time within one month after possession delivered, by serving notice in writing thereof upon such justice, and by giving a bond in the sum of one hundred dollars with good and sufficient sureties, to be approved by the justice, to pay to the landlord all costs of such appeal which may be adjudged against the tenant; and thereupon such justice shall send up a copy of the proceedings had before him within ten days appeal taken, and shall give notice to the landlord of such appeal.

**SECTION 15.** This act shall take effect from and after its passage.

## AN ACT

PROVIDING FOR THE DIVISION OF THE PROCEEDS OF PROPERTY CONFISCATED OR FORFEITED, AND FINES IMPOSED FOR VIOLATION OF THE REVENUE LAWS.

*Approved, July 6th, 1853.*

BE IT ENACTED by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:

SECTION 1. That the proceeds of all property confiscated and sold according to law, for violation of the revenue laws, after deducting the legal commissions for selling the same, the advertising and all other necessary expenses, shall be paid in to the Collector General of Customs; and also all fines and penalties imposed for violation of the Revenue Laws, after deducting the costs of court.

SECTION 2. The proceeds of all penalties and forfeitures under the revenue laws, after deducting the legal charges and costs as provided in the foregoing section, shall be divided as follows;—one half shall be paid and accounted for by the Collector General of Customs to the Hawaiian Exchequer; one fourth to the person or persons who gave the definite information which led directly to the seizure, or induced the prosecution; and one fourth to the person who made the seizure, or entered the prosecution. If no other person has a claim as informer, then the one making the seizure or entering the prosecution shall be entitled to one half.

SECTION 3. If any person, entitled to a share of the penalty or forfeiture, shall be necessary as a witness on the trial, he may be examined, but in such case his share of the same accrues to the Exchequer.

SECTION 4. Every person having a claim for a share of any penalty or forfeiture shall state the same in writing, upon oath, to the Collector General of Customs within thirty days from the date of the seizure, or from the time when the fine or penalty is imposed, otherwise he shall forfeit his claim.

**SECTION 5.** The Collector General of Customs shall pay to the several claimants according to their right under the law, of which he shall be the judge, subject to an appeal to the Commissioners of Customs within ten days.

**SECTION 6.** No officer shall be entitled to any share of a fine or forfeiture for the violation of the revenue laws by virtue of his office, or shall be debarred from recovering a share on account of his office or salary.

**SECTION 7.** All spirituous liquors, seized and condemned for violation of the revenue laws, shall be sold in bond, and be subject to exportation, or to withdrawal for consumption, upon payment of the legal duties, the same as if they had been legally imported; and the person or persons entitled to a share of the proceeds of the article condemned and sold, on account of having seized the same or given the information which led directly to the seizure, shall receive a share of the duties actually paid on such liquors, in the proportions named in the second section of this act.

**SECTION 8.** All property other than spirituous liquors, seized and condemned for violation of the revenue laws, shall be sold according to law and without any reference to duties, and the proceeds shall be divided as provided in the second section of this act.

**SECTION 9.** This act shall be in force from and after the date of its passage, and all laws or parts of laws inconsistent herewith shall be and hereby are repealed.

## AN ACT

## TO LIMIT THE TIME OF COMMENCING PERSONAL ACTIONS.

*Approved, July 6th, 1853.*

BE IT ENACTED by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:

SECTION 1. That the following actions shall be commenced within six years next after the cause of such action accrued, and not after:

1. Actions for the recovery of any debt founded upon any contract, obligation or liability, excepting such as are brought upon the judgment or decree of some Court of Record.

2. Actions upon judgments rendered in any Court not being a Court of Record.

3. Actions of debt, for arrearages of rent.

4. Actions for trespass upon land.

5. Actions for taking, detaining or injuring any goods or chattels, including actions of replevin.

6. Special actions on the case for criminal conversation, for libels, or for any other injury to the persons or rights of any, except such as are specified in the two next sections.

SECTION 2. The following actions shall be commenced within two years after the cause of action accrued, and not after:

1. Actions for assault and battery.

2. Actions for false imprisonment.

3. Actions for words spoken slandering the character or title of any person.

4. Actions for words spoken whereby special damages are sustained.

5. Actions against the Marshal, sheriffs, or other officers, for the escape of prisoners or upon any liability incurred by them, by the doing any act in their official capacity, or by the omission of any official duty.

SECTION 3. In all actions of debt, account or assumpsit brought to



recover any balance due upon a mutual, open and current account, the cause of action shall be deemed to have accrued, from the time of the last item proved in such account.

SECTION 4. If any person entitled to bring any action in this act specified (excepting actions against the Marshal, sheriffs or other officers) shall, at the time the cause of action accrued be, either,

1. Within the age of twenty years; or
2. Insane; or
3. Imprisoned on a criminal charge, or in execution under the sentence of a criminal court for a term less than his natural life; or,
4. A married woman.

Such person shall be at liberty to bring such actions within the respective times in this act limited, after such disability removed.

SECTION 5. If any person entitled to bring any action in this act specified shall die before the expiration of the time herein limited for the commencement of such suit, if such cause of action shall survive to his representative, his executors or administrators may, after the expiration of such time and within one year after such date, commence such action; but not after that period.

SECTION 6. If at the time when any cause of action specified in this act shall accrue against any person, he shall be out of this kingdom, such action may be commenced within the terms herein respectively limited, after the return of such person into this kingdom; and if, after such cause of action shall have accrued, such person shall depart from and reside out of this kingdom, the time of his absence shall not be deemed or taken as any part of the time limited for the commencement of such action.

SECTION 7. When an action, commenced within the time prescribed by law, shall abate by reason of the death of the plaintiff, if the right of the action survive to his representatives, his executor or administrator may, within one year after such death commence a new action.

SECTION 8. Whenever the commencement of any suit shall be stayed by an injunction of any court of Equity, the time during which such injunction shall be in force shall not be deemed any portion of the time in this act limited for the commencement of such suit.

SECTION 9. When a suit shall be alledged by a plaintiff to have been

commenced within the time required by law, and such allegation shall be put in issue by the defendant, it shall be competent for the defendant to prove, on the trial, that the process issued by the plaintiff was not issued with the intent or in the manner required by law ; or that any means whatever were used by the plaintiff or his attorney to prevent the service of the writ, or to keep the defendant in ignorance of the issuing thereof.

SECTION 10. Upon any such matter being established, or upon its appearance in any other way that any process was issued without any intent that it should be served, such process shall not be deemed the commencement of a suit within the meaning of any of the provisions of this act.

SECTION 11. No person shall avail himself of any disability enumerated in this act, unless such disability existed at the time his right of action accrued.

SECTION 12. Where there shall be two or more such disabilities existing at the time the right of action accrued, the limitations herein prescribed shall not attach until all such disabilities be removed.

SECTION 13. The provisions of this act shall not extend to any action which is or shall be limited by any statute to be brought within a shorter time than is herein prescribed ; but such action shall be brought within the time limited by such statute.

SECTION 14. If any person who is liable to any of the actions mentioned in this act shall fraudulently conceal the cause of such action from the knowledge of the person entitled thereto, the action may be commenced at any time within six years after the person who is entitled to bring the same shall discover that he has such cause of action, and not afterward.

SECTION 15. All the provisions of this act shall apply to the case of any debt on contract, alleged by way of set-off on the part of a defendant, and the time of limitation of such debt shall be computed in like manner as if an action had been commenced therefor, at the time when the plaintiff's action commenced.

SECTION 16. Every judgment and decree in any court of record of this kingdom shall be presumed to be paid and satisfied, at the expiration of twenty years after the judgment or decree was rendered.

**SECTION 17.** The provisions of this act shall not apply to any actions commenced, nor to any cases where the right of action shall have accrued before the time when this act takes effect as a law; but the same shall remain subject to the laws now in force.

**SECTION 18.** This act shall take effect from and after the first day of August, A. D. 1853.

**AN ACT**

TO REMOVE FROM THE POLICE AND DISTRICT COURTS THE JURISDICTION IN CASES OF LARCENY IN THE SECOND DEGREE.

*Approved, July 6th, 1853.*

**BE IT ENACTED** *by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:*

**SECTION 1.** That the third division of section 1, chapter 53 of the Penal code, be and the same is hereby amended by striking out the word "second," and hereafter no Police Magistrate or District Justice shall have jurisdiction in cases of Larceny in the second degree as described in the second division of the 15th section of the 16th chapter of the Penal Code, but such cases shall be tried by a jury.

**SECTION 2.** This act shall become a law in thirty days from the date of its publication in the Polynesian newspaper and Elele Hawaii.

AN ACT  
RELATING TO DESERTERS FROM VESSELS.

*Approved, July 6th, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. If any seaman desert from a foreign vessel the commanding officer shall within forty-eight hours thereafter inform the Harbor Master, whose duty it shall be to notify the Prefect of Police, who shall cause diligent search to be made for such deserter, for the end that he may be restored to his vessel. If the deserter be found near the harbor, where the vessel is at anchor, the Prefect shall be entitled to recover from the commanding officer, for his apprehension, six dollars; if found without the reasonable and usual precincts of the harbor, the Prefect shall be entitled to recover from the commanding officer twelve dollars, besides such necessary expenses as may have been incurred in apprehending such deserter. In case the deserting seaman shall remain in prison after his arrest, the commanding officer of the vessel from which he may have deserted, shall pay one dollar for each and every day said deserter shall remain, and in all cases when a vessel shall have left her port, and any person being arrested who deserted from the same shall remain in prison, he shall be liable to pay the same fee for his arrest as above prescribed.

SECTION 2. At those ports of entry where there is no harbor master, the notice of desertion shall be made to the Collector of Customs, who shall notify immediately the head of police, and in all cases one half of the fees for apprehending deserters shall be paid to the person or persons who apprehend them, and the other half to the highest officer of police at the port where such deserter is delivered up.

SECTION 3. This act shall take effect from and after the day of its passage, and all laws contravening this act are hereby repealed.

AN ACT  
PRESCRIBING FEES OF SEARCH FOR THE REGISTRAR OF  
CONVEYANCES.

*Approved, July 6, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:*

That from and after the passage of this act the fees of the Registrar of Conveyances for searching the Records of his office and giving the certificate required by law for the same shall be, and is hereby fixed at twenty-five cents for each search, for each year searched, including the certificate before mentioned.

## AN ACT

PROVIDING THAT CERTAIN TRANSCRIPTS FROM THE DOCKETS OF COURTS OF RECORD AND OF CERTAIN OTHER COURTS SHALL BE ADMITTED AS EVIDENCE.

*Approved, July 6, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. A transcript of any of the records and judicial proceedings of any court of record, or of any judge of a court of record, at chambers, shall be admitted in evidence, upon being authenticated by the attestation of the clerk of such court with the seal of such court annexed, or of the judge at chambers before whom the proceedings were had, with the seal of his office annexed.

SECTION 2. A transcript from the docket of any police or district justice, of any judgment had before him, of the execution issued thereon, if any, and of the return to such execution, if any; when subscribed by said justice, shall be evidence to prove the facts stated in such transcript, in any other court.

SECTION 3. This act shall take effect from and after its passage.

## AN ACT

TO AMEND THE SECOND SECTION OF THE ACT TO PROVIDE FOR THE APPOINTMENT OF AGENTS TO SELL GOVERNMENT LANDS TO THE PEOPLE.

*Approved, July 6, 1853.*

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. The second section of the "Act to provide for the appointment of agents to sell government lands to the people," passed on the 11th day of July 1851, shall be, and is hereby amended by striking out the first word "fifty," and inserting in its place the words "one hundred;" also by striking out the words "fifty cents," and substituting in their place the words "one eighth of a dollar."

SECTION 2. The compensation allowed said agents shall be deducted from the amount to be receipted for by the Minister of Finance, as per section 5, article 2, chapter 7, part 1 of the act to organize the executive departments.

SECTION 3. This act shall take effect from the date of its passage.



AN ACT  
TO AMEND THE LAW RELATING TO PUBLIC AUCTIONEERS.

*Approved, Nov. 2d, 1853.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled.*

That section second of the "Resolution to amend the law relating to the License of Public Auctioneers," passed June 2d 1851, shall be and is hereby amended by striking out the words "*for the Island of Maui, two hundred dollars.*"

**AN ACT**  
**REGULATING THE DISBURSEMENT OF MONEY APPROPRIATED FOR**  
**THE MILITARY.**

*Approved, Nov. 2nd, 1853.*

**BE IT ENACTED** *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That, from and after the date of the passage of this act, no part of any appropriation, which may be made for military purposes, shall be drawn from the Treasury, except by order of the Secretary of War, whose duty it shall be to account for the particulars of such disbursements in his yearly report to the Legislature.

AN ACT  
RELATING TO DIVORCES.

*Approved, Nov. 2d, 1853.*

Whereas the present laws relating to Divorces, owing to the different enactments on that subject, are in a state of confusion and uncertainty, which it is very desirable to remedy ; and whereas the power of granting Divorces is in too many hands :

Therefore,

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

**OF DIVORCES ON THE GROUND OF THE NULLITY OF THE MARRIAGE  
CONTRACT.**

**Sec. 1.**—The Supreme Court, any Circuit Court, or any Justice of the Supreme Court at chambers, may, by a sentence of nullity, declare void the marriage contract for either of the following causes, existing at the time of the marriage.

1. That the parties were related to each other within the fourth degree of consanguinity.

2. That the parties, or either of them, had not attained the legal age of marriage.

3. That the husband had an undivorced wife living, or the wife had an undivorced husband living or that either party being divorced, was the guilty party in such divorce, and that the former husband or wife was then living.

4. That the husband being a foreigner has failed to comply with the requirements of the law validating marriages with the female subjects of this kingdom.

5. That one of the parties was an idiot or lunatic.

6. That one of the parties was impotent or physically incapable of entering into the marriage state.

**Sec. 2.** A suit to annul a marriage on the ground that one of the parties was under legal age, may be brought by the parent or guardian entitled to the custody of such minor, or by any person admitted by the court to prosecute as the friend of such minor; but in no case shall such marriage be annulled on the application of a party who was of legal age at the time it was contracted, nor when it shall appear that the parties after they had attained the legal age had for any time freely cohabited as man and wife.

**Sec. 3.** A marriage may be declared null on the ground that one of the parties has an undivorced husband or wife living, on the application of either of the parties during the lifetime of the other, or upon the application of such former husband or wife.

**Sec. 4.** Every woman who shall be deceived into contracting an illegal marriage with a man having another wife living, under the belief that he was an unmarried man, shall be entitled to a just allowance for the support of herself and family out of his property, which she may obtain upon application to any Judge of a court of Record at chambers; provided, always, that such allowance shall not exceed one third of his real and personal estate.

**Sec. 5.** The children of such illegal marriage shall be entitled to succeed in the same manner as legitimate children, to all the real and personal estate of both parents in this Kingdom.

**Sec. 6.** The marriage of an idiot or insane person may be annulled on the application of the same party, or any relative of the idiot or lunatic, or on the application of any person admitted by the court to prosecute as the next friend of said idiot or lunatic, or upon the application of the lunatic himself after restoration of reason, but in such case, no sentence of nullity shall be pronounced if it shall appear that the parties freely cohabited as husband and wife after the lunatic was restored to a sound mind.

**Sec. 7.** Upon the annulment of a marriage on account of nonage, insanity or idiocy of either party the issue of the marriage shall be deemed to be in all respects the legitimate issue of the parent who, at the time of the marriage, was capable of contracting.

**Sec. 8.** Upon the annulment of a marriage that is prohibited on account of consanguinity between the parties, or for a failure upon the

part of the husband, being a foreigner, to comply with the requirements of the validating marriage with the female subjects of this Kingdom, the issue of the marriage shall be deemed to be illegitimate.

Sec. 9. A suit to annul the marriage on the ground of the physical incapacity of one of the parties at the time of marriage shall only be maintained by the injured party, against the party whose incapacity is alleged ; and shall in all other cases be brought within two years from the solemnization of the marriage.

Sec. 10. No sentence of nullity of marriage shall be pronounced solely on the declarations or confessions of the parties, but the Court shall, in all cases, require other satisfactory evidence of the existence of the facts on which the allegation of nullity is founded.

#### OF DIVORCES DISSOLVING THE MARRIAGE CONTRACT.

Sec. 11. The Supreme Court, any Circuit Court, or any Justice of the Supreme Court at chambers, may dissolve the marriage contract and decree a divorce from the bond of matrimony, for the following causes :

1. Adultery by either party.
2. Wilful and continued desertion without cause for five consecutive years shall be presumptive evidence of adultery, and the Court may at its discretion grant a divorce for the same.
3. Five years absence in a foreign country and unheard of; the commission of a crime whereby either party is sentenced to imprisonment at hard labor for life, or for five years or more, which shall constitute the person strictly dead ; when application is made pending the imprisonment and before pardon granted.

Sec. 12. If the adultery, or other offense amounting to adultery, be admitted by the defendant, yet the Court before pronouncing a decree of divorce shall require other satisfactory evidence of the guilt of the accused.

Sec. 13. Although the fact of adultery or other offense amounting thereto shall be established, the Court may deny a divorce in the following cases :

1. Where the offense shall appear to have been committed by the procurement or with the connivance of the complainant.
2. Where the offense charged shall have been forgiven by the in-

jured party, and such forgiveness be shewn by express proof, or by the voluntary cohabitation of the parties, with the knowledge of the fact.

3. Where there shall have been no express forgiveness and no voluntary cohabitation of the parties, but the suit shall not have been brought within two years after the discovery by the complainant of the offense charged.

4. Where it shall be proved that the complainant has also been guilty of adultery or other offense amounting thereto, under such circumstances as would have entitled the defendant, if innocent, to a divorce.

Sec. 14. A divorce for the cause of adultery committed by the husband shall not affect the legitimacy of the issue of the marriage.

Sec. 15. A divorce for the cause of adultery committed by the wife shall not affect the legitimacy of the issue of the marriage but the legitimacy of such children, if questioned, shall be tried and determined by the Court. In every such case, the legitimacy of such children shall be presumed, until the contrary be shown.

Sec. 16. Upon granting a divorce for the adultery or other offense amounting thereto, of the husband, the Court may make such further decree or order against the defendant, compelling him to provide for the maintenance of the children of the marriage, and to provide such suitable allowance for the wife, for her support, as the court shall deem just and reasonable, having regard to the ability of the husband, the character and situation of the parties, and all other circumstances of the case.

Sec. 17. Upon annulling a marriage or decreeing a divorce, the court may make such further decrees as it shall deem expedient, concerning the care, custody, education and maintenance of the minor children of the parties, and determine with which of the parents the children or any of them shall remain ; and the court may, from time to time, afterwards, on the petition of either of the parties, revise and alter such decree concerning the children, and make a new decree concerning the same, as the circumstances of the parents and the benefit of the children may require.

Sec. 18. When a divorce is decreed for the adultery, or other offense amounting thereto, of the husband, and the wife shall be the owner of

real estate, or have in her possession any personal property, given to her by her husband, acquired by her own industry, given her by devise or otherwise, or to which she may be entitled by the decease of any relative, all such real estate and personal property shall be her sole and absolute property.

Sec. 19. When a divorce is decreed for the adultery or other offense amounting thereto, of the wife, the husband shall hold her personal estate forever, and he shall hold her real estate so long as they shall live; and if he shall survive her, and there shall have been issue of the marriage born alive, he shall hold her real estate for the term of his own life, as a tenant by the curtesy; provided that the court may make such reasonable provision for the divorced wife, out of any real estate that may have belonged to her, as they may deem proper.

Sec. 20. A wife divorced for adultery or other offense amounting thereto, shall not be entitled to a dower in her husband's real estate or any part thereof, nor to any share of his personal estate.

Sec. 21. Whenever the court shall make an order or decree requiring a husband to provide for the care, maintenance and education of his children, or for an allowance to his wife, the court may require him to give reasonable security for such maintenance and allowance; and upon neglect or refusal to give such security, or upon default of him and his surety to provide such maintenance and allowance, the court may sequester his personal estate, and the rents and profits of his real estate, and may appoint a receiver thereof, and cause such personal estate, and the rents and profits of such real estate, to be applied towards such maintenance and allowance as to the court shall, from time to time, seem just and reasonable.

Sec. 22. Whenever a marriage shall be dissolved for adultery, or other offense amounting thereto, the innocent party may marry again at any time, but the guilty party shall not marry again until the death of the innocent one.

Sec. 23. If any persons, after being divorced for any cause whatever, shall cohabit as husband and wife, they shall be liable to all the penalties provided by the laws against adultery.

#### SEPARATION.

Sec. 24. A separation from bed and board forever, or for a limited

time, may be decreed by the Supreme Court, any Circuit Court, or any Justice of the Supreme Court at chambers, for the following causes :

1. For excessive and habitual ill treatment of the one party by the other.

2. For habitual drunkenness by either party.

3. For the refusal or neglect of the husband to provide his wife with the necessaries of life.

**Sec. 25.** In any suit brought for a separation the defendant shall be permitted to prove, in his justification, the ill conduct of the complainant, and on establishing such defense, to the satisfaction of the court, the suit may be dismissed.

**Sec. 26.** Upon decreeing a separation, the court may make such further decree for the support and maintenance of the wife and her children, by the husband, or out of his property, as may appear just and proper.

**Sec. 27.** Where a decree for a separation forever, or for a limited period shall have been pronounced, it may be revoked at any time thereafter, under such regulations and restrictions as the court may impose, upon the joint application of the parties, and upon their producing satisfactory evidence of their reconciliation.

**Sec. 28.** This act shall take effect from the day of its passage, and Chapter ten of the old laws, entitled "Of Marriage and Divorce," Article 2, Chap. 4, Part 1., of the second act of Kamehameha III, entitled "Of Divorce and Separations," an act entitled "An act to amend the Law of Marriage and Divorce" passed on the 6th of July A. D. 1852, and all other acts relating to Divorces, shall be and the same are hereby repealed.



## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT RELATING TO THE FORT LANDS OF HONOLULU."

*Approved, Nov. 2, 1853.*

BE IT ENACTED, *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

Sec. 1. By this act the Minister of the Interior is prohibited from selling the water ponds in certain of the Fort Lands about Honolulu, that is to say, the pond of Kunawai, in the ili of Kunawai, and the ponds of Kumuhahane and Kaluapalolo in the ili of Alewa, in Honolulu, Kona, Oahu, and other water ponds that may hereafter be discovered, which are ponds for the good of the public, and which shall be in the charge of the Minister of the Interior.

Sec. 2. The Minister of the Interior shall have power to commute such of the aforesaid Fort lands as he may deem it proper, for any lands that have been or may be taken by the government for the purpose of constructing new streets in Honolulu, Island of Oahu.

Sec. 3. This act shall become a law on the day its passage, and all laws and parts of laws in contravention of this are hereby repealed.

## JOINT RESOLUTION.

*Approved, April 18th, 1853.*

**BE IT RESOLVED, by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:**

**SECTION 1.** That His Majesty's Minister of Finance shall set apart in the Treasury the sum of eight thousand dollars for the use of both Houses of the Legislature, without waiting for the passage of an Appropriation Bill.

**SECTION 2.** The House of Nobles and the House of Representatives may draw from time to time upon His Majesty's Minister of Finance what they may deem necessary for their use, out of the sum above stated.

JOINT RESOLUTION  
FOR THE RELIEF OF W. C. PARKE.

*Approved, May 25th, 1853.*

Whereas, in enforcing the quarantine of the ship Charles Mallory and her passengers, in accordance with the instructions of His Majesty's Privy Council, Mr. W. C. Parke, the Marshal of the Kingdom, has incurred heavy expense, to meet which no appropriation has been made:

Therefore:

*Be it enacted by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That the Minister of Finance be, and he hereby is empowered and instructed, to pay out of any monies that may be in the Treasury, to the order of W. C. Parke, the sum of one thousand five hundred dollars.

## JOINT RESOLUTION.

*Approved, Nov. 2d, 1853.*

**BE IT RESOLVED** *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled :*

That, the Secretary at War shall be, and is hereby authorised to dispose, in such manner as he may judge most profitable, of all cannon and other arms as may be superfluous, or unfit for service, and to apply the proceeds thereof to the repair and purchase of such cannon, arms and accoutrements, as may be needed, accounting in his annual reports to the Legislature, for his proceedings in this matter.

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# L A W S

OF HIS MAJESTY

## K A M E H A M E H A III.,

KING OF THE HAWAIIAN ISLANDS,

PASSED BY THE

### NOBLES AND REPRESENTATIVES

AT THEIR SESSION,

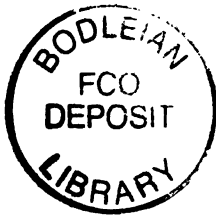
1854.



HONOLULU:

PRINTED BY ORDER OF THE GOVERNMENT.

1854.



SESSION LAWS,  
1854.

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AN ACT  
RESPECTING THE SCHOOL COMMITTEE OF HONOLULU.

*Approved April 21st, 1854.*

BE IT ENACTED *by the King, Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That, in anticipation of a Bill of Appropriations for the current year, the Minister of Finance is hereby authorized to pay to the "School Committee of Honolulu," or their order, the sum of \$607, being the balance of the amount raised on the local School Tax of Honolulu, in the Treasury on the 31st of March, 1853, but diverted from the original purpose of the tax, by section 2, of the Appropriation Bill of 1854, and therefore remaining unexpended.



**AN ACT**  
**TO PROVIDE FOR THE SPECIAL ELECTION OF THE SCHOOL COMMITTEE**  
**OF HONOLULU.**

*Approved April 21st, 1854.*

**WHEREAS**, No election was held for the School Committee of Honolulu, on the last Monday in December last, as provided in Section 2, of "An Act to provide for the education of the children of foreigners, and those of foreign extraction, in the city of Honolulu and other places in the Kingdom;" and whereas that act provides for no election, except on the day aforesaid. Therefore,

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** It shall be the duty of the Marshal, the Police Justice of Honolulu, and the Collector General of Customs, to hold a special election for said "School Committee of Honolulu," within ten days from the passage of this Act, at such time and place as the Minister of Public Instruction shall designate, by giving public notice of the same, at least five days previous to the time of said election.

**SECTION 2.** Said School Committee, when duly elected, shall possess all the powers, and perform all the duties, contemplated in the act aforesaid; and in all cases hereafter, the Committee of this School, when regularly chosen, shall continue in office till their successors are elected.

**SECTION 3.** This Act shall take effect on the day of its passage.

**AN ACT**  
**APPROPRIATING MONEY FOR THE LEGISLATURE OF 1854.**

*Approved, April 21st, 1854.*

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

**SECTION 1.** There shall be set apart by His Majesty's Minister of Finance, out of the Money in the Treasury, the sum of ten thousand dollars, for the expenses of the two Houses of the Legislature, without waiting for the General Appropriation Bill of this year.

**SECTION 2.** The House of Nobles and the House of Representatives shall be at liberty to draw on the Minister of Finance, at their discretion, for any sums of money, within the amount above specified, to meet their expenses.

**AN ACT**  
**FOR THE RELIEF OF HIS MAJESTY AND THE MEMBERS OF THE PRIVY**  
**COUNCIL.**

*Approved, April 29th, 1854.*

**WHEREAS**, the appropriation of ten thousand dollars by the Legislature of 1853, for the expenses occasioned by the presence of the small pox on these islands, proved insufficient; and whereas His Majesty and the members of His Privy Council most generously raised on their own responsibility, an additional sum for that object, which sum, with the interest thereon to 1st of May, amounts to (\$20,115 84) twenty thousand one hundred and fifteen and 84-100 dollars. Therefore,

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** That the Minister of Finance be, and is hereby authorized to pay, out of any sums now in the treasury, not otherwise appropriated, to the holders of the two notes negotiated by him for the Royal Commissioners of Public Health, and signed by His Majesty and the Members of the Privy Council, the sum of twenty thousand one hundred and fifteen dollars and eighty-four cents, on the first day of May, 1854; and to discharge the signers of said notes from all further liability thereon.

**SECTION 2.** This act shall take effect from and after the day of its passage.

**AN ACT**  
**FOR THE RELIEF OF THE MINISTER OF FINANCE.**

*Approved, May 11th, 1854.*

**WHEREAS**; the Minister of Finance has allowed upon the Books of the Treasury Department a credit to the Department of War of five thousand dollars in addition to the fourteen thousand dollars, voted for that Department by the Legislature of 1853;

**AND WHEREAS** the expenditure of this additional sum was necessary for the public defence and the maintainance of law and order, and was in accordance with the Fourth Section of the Appropriation Bill of 1853. Therefore,

**BE IT ENACTED**, *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

That the sum of five thousand dollars set apart by the Minister of Finance on the 6th day of March 1854, for the support of the Department of War, in addition to the appropriation of 1853, be and is hereby appropriated for that object.

## AN ACT

CONFIRMING THE GRANT OF A CHARTER TO THE HAWAIIAN STEAM NAVIGATION COMPANY, PASSED BY THE KING AND PRIVY COUNCIL ON THE 19th DAY OF DECEMBER 1853.

*Approved, May 1st, 1854.*

**WHEREAS**, an ordinance was passed in the Privy Council on the 25th of July 1851, granting certain privileges to Wm. H. Howard and others in relation to Inter-Island Steam Navigation, and whereas at a subsequent day the following resolution was passed, viz: "Resolved, That the privilege granted to Capt. Howard, which expires on the 30th November 1851 be extended to sixty days from that date, and that thereafter the contract for which he had stipulated be given in the same terms to whomsoever shall first place an efficient steamer of the capacity indicated, in the King's waters, properly equipped for inter-island navigation, and that this resolution be published every week in the Polynesian until further orders;"

**AND WHEREAS**, neither the said Howard nor his associates did comply with the terms of said ordinance, and thereby forfeited all claims to said privileges;

**AND WHEREAS**, on the 1st day of August last the following resolution was passed by the Privy Council, viz: "Resolved, That the communications of Mr. Bowlin this day submitted to the Privy Council respecting inter-island navigation be and are hereby referred to Messrs. Wyllie, Bates and Kamehameha, to consider and report upon at their earliest convenience," and at a subsequent day said committee made a report favorable to the grant of privileges prayed for.

**IN VIEW**, therefore, of the previous action of the Government and of the very great importance of inter-island steam navigation, it is hereby ordained and declared—

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

ARTICLE 1. The exclusive privilege is hereby granted to Garet W. Ryckman, Emery T. Pease, William A. Lighthall, Perry G. Childs, Richard H. Bowlin, associated under the name and style of the Hawaiian Steam Navigation Company, and their associates and successors, for the establishment of steam navigation between the several ports and Islands of the Hawaiian Kingdom for the term of ten years with the exemptions and privileges granted, or which may be hereafter granted to national merchant vessels, and the same exclusive privilege for the same term is hereby granted to said Company for the tugging or towing vessels in, and out of the Harbor of Honolulu by steam, with the privileges and obligations of a Pilot of Honolulu so far as their steam vessels, or those vessels towed in and out of the Harbor of Honolulu, are concerned.

ARTICLE 2. The said company shall have the privilege of obtaining water from the Government Tanks, free of charge for the term of five years.

ARTICLE 3. The said Company shall have the privilege, for the term of five years, of landing passengers and freight at such of the government wharves as the Harbor Master or Wharfinger may direct when not engaged or occupied by other vessels, and shall be free from all harbor dues or port charges.

ARTICLE 4. All Coal or other materials for the production of steam and all machinery necessary for the use of any of said steamers shall be imported free of duty, and the vessels in which said Coal or other materials or machinery are imported shall be free from tonnage dues, provided they do not take on board any other article of traffic or commerce or any passengers.

ARTICLE 5. The said steamers shall be registered under the Hawaiian Flag, on the oath being taken by the agent of said Company, that he is a Hawaiian subject and that the steamers are the property of said Company, and they shall enjoy all the privileges and be subject to all the laws affecting coasting vessels of this Kingdom.

ARTICLE 6. In order to secure the foregoing privileges the said company shall have employed in said Inter-Island Navigation a new

and substantial steamer, of not less than 350 tons burthen, within twelve months from this date in addition to the steamer "AKAMAI," now employed, and which said company shall keep employed for the said purposes contemplated in this grant, or one equally commodious and safe; and hereafter shall furnish all the steam facilities which the business of the Hawaiian Islands requires, not only for the Inter-Island Communication, but for the tugging and towing in and out of the Harbor of Honolulu.

ARTICLE 7. Said company shall allow these steamers to be pressed into Government service in any emergency calling for the use of the same, the Government paying an adequate and fair compensation for the use of the said steamer or steamers so used, and in the event of the loss of said steamers in such service, to pay to the said company the full value of the same.

ARTICLE 8. Said company shall afford the Government any facilities in their power in carrying on any public improvements of the harbors of the group.

ARTICLE 9. Said company shall carry all persons on official business of the Government free of charge, to and from any port of this Kingdom.

ARTICLE 10. Said company shall carry the public Mails between all the ports and places their vessels visit, and safely deliver the same to the person directed, free of charge, always giving seasonable notice of the time and place of departure.

ARTICLE 11. The Supreme Judicial Court is hereby authorized and empowered on the application of any ten citizens of this Kingdom to revise the rates of passage and freight and fix the same after the expiration of five years, and at such other times thereafter, as said Court may deem proper.

ARTICLE 12. The Supreme Judicial Court is hereby authorized and empowered, on application of any ten citizens of this Kingdom, to revise the rates of tugging and towing by said company in and out of the harbor of Honolulu, and fix the same.

ARTICLE 13. It is hereby expressly understood and declared, that the Supreme Judicial Court of this Kingdom shall have full power to examine and adjudicate on the fulfilment of the terms and conditions and obligations of this grant by said company, and on having due no-

tice of time and place fixed by said Supreme Judicial Court for said examination, and on proof satisfactory to said Court that the terms, conditions and obligations have not been complied with, said Court shall have the power at their discretion to abridge or modify the privileges of this grant, or declare the same forfeit.

A true copy of the Ordinance of Privy Council of Dec. 19, 1853,

LORRIN ANDREWS,

Sec. of Privy Council.

(Signed,)

KAMEHAMEHA.

KEONI ANA.

We agree to the preceding articles, and in testimony of our conformity thereto, we sign this in Honolulu, this 27th day of December, 1853.

GARRET W. RYCKMAN,  
EMERY T. PEASE,  
WILLIAM A. LIGHTHALL,  
PERRY G. CHILDS,  
RICHARD H. BOWLIN.



## AN ACT

TO REGULATE THE RETAILING OF INTOXICATING DRINKS IN THE CITY OF HONOLULU.

*Approved, June 23, 1854.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council Assembled:*

SECTION 1. That the Minister of the Interior is hereby authorized and empowered to grant, for one year, to any person a license to sell spirituous liquors at retail, without discrimination between bottle and glass licenses, in Honolulu, within the limits prescribed for the year eighteen hundred and fifty three, upon his paying into the public Exchequer, the sum of one thousand dollars, and filing with the Minister of the Interior a Bond in the penalty of one thousand dollars, with at least one sufficient surety, to be approved by said Minister, with the condition now prescribed in Section sixth, of Article 2nd, of Chapter 2nd, of the second Act of Kamehameha III.

SECTION 2 This Act shall be in operation from and after the first day of July A. D. 1854, and all laws or parts of laws inconsistent herewith, are hereby repealed.

## AN ACT

TO REMEDY THE EVILS RESULTING FROM THE DISQUALIFICATIONS OF  
MAGISTRATES.

*Approved, June 28th, 1854.*

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** That, when for any cause, any District or Police Justice is legally disqualified to hear and determine any case, civil or criminal, which would by law come under his jurisdiction, the same may be brought, by direct suit or complaint, before any local Circuit Judge of the District in which such District or Police Justice holds office, to be heard and determined by him in like manner as if it had been brought before him by appeal. The same costs shall be charged for the suit as would have been if the suit had been brought before the District or Police Magistrates.

**SECTION 2.** That, when any party deems himself aggrieved by the decision of any District Justice in any case civil or criminal, and the local Circuit Judge, to whom appeal should be made, is legally disqualified to hear and determine the case, said party may take an appeal direct to the Supreme Court, or to the Circuit Court of the district in which he resides, upon conforming to the conditions upon which appeal may be taken to a local Circuit Judge at Chambers.

**SECTION 3.** This act shall take effect from and after the day of its passage.

**AN ACT**  
**TO REMOVE ALL DISABILITIES OF ALIENS BY REASON OF NOT OBTAINING**  
**CERTIFICATES OF NATIONALITY.**

*Approved, June 23th, 1854.*

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled.*

**SECTION 1.** All disabilities of aliens by reason of not obtaining Certificates of Nationality, shall be, and the same are hereby removed.

**SECTION 2.** Any objections that may be made to the validity of any transaction with an alien residing in this Kingdom, on account of his not having obtained a Certificate of Nationality, shall be filed with the Clerk of the Supreme Court within two months from the publication of this Act, or the person making the same shall be forever barred from raising such objection.

**SECTION 3.** This Act shall take effect from and after its passage, and Sections 6 and 7, of Article 1, Chapter 5, Part 1, of the Second Act of Kamehameha III., and all other laws, or parts of laws, in contravention of this Act shall be, and the same are hereby repealed.

## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO ABOLISH THE DISABILITIES OF ALIENS TO ACQUIRE AND CONVEY LANDS IN FEE SIMPLE," PASSED ON THE 10<sup>TH</sup> DAY OF JULY, 1850.

*Approved, June 28<sup>th</sup>, 1854.*

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled.

SECTION 1. That the last clause of Section 1 of "an Act to abolish the disabilities of aliens to acquire and convey lands in fee simple," which reads as follows, "and further provided that no deed or conveyance of lands in fee simple to an alien, shall be of any validity or effect, unless it contains a clause providing for such submission, forfeiture and escheat," shall be, and the same is hereby repealed.

SECTION 2. Any objection that may be made to the validity of any conveyance on account of the omission to insert therein the proviso contained in Section 1 of that act, shall be filed with the Clerk of the Supreme Court, within two months from the publication of this act, or the person making the same shall be forever barred.

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

## AN ACT

TO AMEND CERTAIN ACTS RELATING TO THE PUNISHMENT AND PREVENTION OF SMUGGLING.

*Approved, June 28th, 1854.*

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

**SECTION 1.** That, in the Joint Resolution of April 3d, 1846, "to carry into effect the sixth Articles of the Treaties concluded at Honolulu between the governments of France and Great Britain," there shall be substituted for the words "one thousand dollars each," wherever the same may occur, the following: "Not less than fifty and not more than one thousand dollars each, in the discretion of the Court."

**SECTION 2.** This Act shall become a law from and after the day of its passage.

## AN ACT

## TO PROVIDE FOREIGN JURIES IN THE THIRD AND FOURTH JUDICIAL DISTRICTS.

*Approved, June 28th, 1854.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That, in all cases hereafter to be tried, at any term of the Circuit Courts for the Third or Fourth Judicial Districts of this Kingdom, in which it is necessary or proper to have a Jury composed wholly or in part of foreigners, the presiding Judge of such Circuit Court, for the time being, shall summon, from among the foreigners resident within such District, a sufficient number of persons to act as Jurors in such cases under the same regulations as to pay as foreign Jurors are in the other Judicial Districts.

SECTION 2. This Act shall take effect and become a law from and after the day of its passage. ●

AN ACT  
FOR THE ENCOURAGEMENT AND SUPPORT OF ENGLISH SCHOOLS FOR HA-  
WAIIAN YOUTH.

*Approved, July 20th, 1854.*

WHEREAS, A knowledge of the English language is very important to the success of the Hawaiian people in the pursuit of wealth, and to their intellectual progress; therefore,

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. The House of Representatives of the Hawaiian Islands shall, biennially, on the third week of their session, elect by ballot two persons for each election district of the Islands, who, with the School Inspector or School Inspectors of the District, shall constitute a Board of School Directors for the encouragement and support of English Schools for Hawaiian youth. The said persons being duly elected, shall hold their offices for the term of two years, or till their successors shall have been duly elected and qualified; and they shall possess the powers and perform the acts hereinafter granted and prescribed.

SECTION 2. The Boards of Directors as aforesaid, shall have power to make their own bye-laws, not in conflict with the laws of this Kingdom, regulating the time and places of their meetings, their choice of officers, the method of conducting their business, to fill all vacancies that may occur in their number, and to locate, establish and control such schools for the instruction of Hawaiian youth in the English language, as may receive the aid of the Government in their support, provided that in all cases, they shall keep regular and permanent records of their proceedings, and make a full report annually through the Minister of Public Instruction to the Legislature at least one month previous to the commencement of each session.

SECTION 3. A majority of each of the said Boards, at any meeting duly notified, shall be necessary to constitute a quorum for business,

and all questions of business shall be decided by a majority of those present.

SECTION 4. It shall be the duty of the several Boards of Directors as aforesaid, and of their individual members, to use their best endeavors to impress upon the minds of the people the importance of a knowledge of the English language to their children, to induce them to provide for them as soon as possible the means of acquiring it, by contributing according to their ability, the means of supporting English Schools of good character among them. All money or property entrusted to the Boards of Directors shall be carefully applied by them to the object aforesaid, and shall be minutely accounted for by them in their annual report with accompanying vouchers.

SECTION 5. The Minister of Public Instruction shall be, *ex officio*, a corresponding member of each of said Boards of Directors, and shall co-operate with them in carrying out the provisions of this Act. It shall be his duty, on receiving from any Board of Directors a certificate that any suitable school-house has been provided in their District and that they have received from responsible parties subscriptions for the support of an English school or schools, to the amount of four hundred dollars per annum or more, to open an account with the said Board of Directors, and to draw upon the Minister of Finance for a sum not exceeding one hundred dollars per quarter for each Representative in Parliament which the District may be entitled to send, and in no case exceeding the amount which has been actually paid in by the private supporters of the school.

SECTION 6. Should the Boards of Directors of two or more adjoining election districts fail after a reasonable effort to obtain the means of supporting a separate English school for the object aforesaid in each of said Districts, it shall be lawful for them to unite on such terms and for such a period as shall be mutually agreed upon by themselves in writing, for the support of at least one school for the several districts which, in that case, for the purposes of this Act, shall be regarded as one district; and it shall be lawful for said Boards of Directors to commit the immediate care and management of such school to such sub-directors, chosen from their own number, as they shall deem proper, who, when duly authorized, shall, for the time being, while said districts are thus united, be the Board with whom



the Minister of Public Instruction shall correspond and co-operate, and who shall be held accountable for the funds of the school committed to their care.

SECTION 7. The Directors contemplated by this Act shall be entitled to no compensation from the Government for their services; but the Minister of Public Instruction shall be authorized to reimburse them for any reasonable expenses actually incurred by them in discharging the duties imposed upon them by this Act.

SECTION 8. At the earliest convenient day after the passage of this act, the House of Representatives for 1854 shall elect by ballot the two persons for each election district, contemplated in the first section of this Act, who shall hold office until the third week of the session of the Legislature of 1856, or till their successors shall have been duly elected and qualified.

SECTION 9. This Act shall take effect from and after the day of its passage.

## AN ACT

TO PROVIDE FOR THE DISSOLUTION OF THE BOARD OF COMMISSIONERS  
TO QUIET LAND TITLES.

*Approved July 20th, 1854.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. The Board of Commissioners to quiet land titles shall be dissolved on the last day of March, A. D. 1855; and, until, the 30th day of December of the present year, it shall be lawful for all parties having claims filed before said Board, to present evidence thereon sufficient for their final decision.

SECTION 2. All awards for land claims which may be remaining in the hands of the said Board or its agents, together with all the books and papers belonging to the said Board, at the time of its dissolution shall be delivered into the hands of the Minister of the Interior for safe keeping, by a detailed inventory particularly describing the books and marking all important documents by numbers, of which inventory there shall be two identical copies, one of which shall remain with the Supreme Court, and the other with the Minister of the Interior, whose duty it shall be to deliver the remaining awards to the parties interested, on payment of the costs.

SECTION 3. Any award of the Land Commission not appealed from, within ninety days after its date, in accordance with the present laws, shall be final and binding upon all parties, and shall be a good and sufficient title to the person receiving such award, his heirs and assigns, and shall furnish as good and sufficient a ground upon which to maintain an action for trespass, ejectment or other real action, against any person or persons whatsoever, as if the claimant, his heirs or assigns, had received a Royal Patent for the same; provided that nothing in this section shall be construed as annulling the Government right to commutation in any freehold award as at present established by law.

SECTION 4. All the Land Commissioners are hereby required to

sign all their awards previous to the delivery of the books and papers into the hands of the Minister of the Interior.

SECTION 5. That, the fourth, fifth, and twelfth sections of article fourth, chapter seventh of part first, of the "Act to organize the Executive Departments of the Hawaiian Islands," and all other laws or parts of laws which conflict with the provisions of this Act be, and the same are hereby repealed.

SECTION 6. This Act shall take effect and become a law from and after the date of its passage.

## AN ACT

REPEALING THE ACT AMENDING THE LAW RELATING TO THE KING'S  
CHAMBERLAIN.

*Approved, August 10th, 1854.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That the Act of A. D. 1850, amending the law relating to the King's Chamberlain, be and is hereby repealed, and all Acts, and parts of Acts in any way referring to the duties of the King's Chamberlain, be, and the same are hereby repealed. This shall not be so construed, however, as to apply to any appropriation that may be made for that office.

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

AN ACT  
RESPECTING MARRIAGE.

*Approved, August 10th, 1854.*

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** It shall not be lawful for any Minister of religion of any sect whatsoever, or any other person to perform the marriage ceremony within this Kingdom, without first obtaining from the Minister of the Interior, a license to celebrate marriage.

**SECTION 2.** This Act shall take effect thirty days after publication in the "Polynesian" and "Elele" newspapers, and all laws and parts of laws in conflict with this are hereby repealed.

AN ACT  
FOR THE RELIEF OF CERTAIN KONOHIKIS.

*Approved, August 10th, 1854.*

WHEREAS, certain Konohikis who received lands from His Majesty, at the great division of lands, in the year 1848, did, from accidental causes, fail to present their claims to such lands to the board of commissioners to quiet land titles, within the time allowed by law and have, in consequence, been barred, Therefore:

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That any Konohiki who received land from the King, at the division of lands in the year 1848, and who failed, from any cause whatsoever, to present his claim for such land to the board of commissioners to quiet land titles, previous to the 14th day of February, A. D. 1848, may present his claim for such land to the said board of commissioners, at any time previous to the first day of November next ensuing; and the said board of commissioners are hereby authorized to receive, hear, and determine all claims that may be presented to them under the foregoing provisions, in like manner, as if such claims had been presented to them previous to the 14th day of February, A. D., 1848.

SECTION 2. This act shall take effect and become a law from and after the date of its passage.

## AN ACT

RELATING TO THE WATER-LOTS CALLED WAIKAHALULU, MAKAI OF THE  
FORT AT HONOLULU.*Approved, August 10th, 1854.*

WHEREAS, the improvement of the water-lots, makai of the fort, known as Waikahalulu, is demanded by the wants of the commerce and navigation of the Kingdom; and whereas His Majesty has called the attention of the Nobles and Representatives in his last speech, to this subject so important in his view to the prosperity and business of the Islands; Therefore,

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

SECTION 1. The Minister of the Interior is hereby authorized, under the direction, and with the approbation of the King and Privy Council, to improve the water-lots known as Waikahalulu, by causing a retaining wall to be erected at such depth of water seaward, as he may direct, and to fill up the said lots with suitable material, so that warehouses may be safely built thereon, and also to extend from said exterior wall, such wharves as the public wants may require.

SECTION 2. The said Minister of the Interior, in case said improvement is made, shall cause the Fort of Honolulu to be removed, and the material thereof shall be applied to the building of said retaining wall, and to the filling up of said lots.

SECTION 3. The Minister of the Interior is hereby authorized to draw upon the Minister of Finance, for the purpose of improving these water-lots, such sums as may, from year to year, be inserted by the legislature in the appropriation bill, for the improvements mentioned in section first.

SECTION 4. The minister of the Interior is hereby authorised, with the approbation of the King and Privy Council, to lease the above property, or any portion or portions thereof, at public auction; provided, that no such lease shall be made until three months after the same

shall have been advertised in at least two newspapers published in Honolulu, nor until six weeks after the same shall have been advertised in at least two newspapers published in San Francisco; and no sale of the above property shall be made without the previous consent of the Legislature.

**SECTION 5.** To enable the government to accomplish either of the purposes under the provisions of the preceding sections, the Minister of the Interior, with the approbation of the King and Privy Council, is hereby authorized and directed to adjust all private rights which conflict with the title of the government to the property aforesaid, called Waikahalulu, for a sum not exceeding twenty-two thousand dollars, and obtain the necessary legal conveyances for the same, and the Minister of Finance is hereby authorized to issue exchequer bills to the person or persons specified by the Minister of the Interior, as entitled to the same, and for the amounts specified by him, the whole amount of which shall not exceed twenty-two thousand dollars, as aforesaid, and the same shall be payable at the pleasure of the government with semi-annual interest.

**SECTION 6.** This act shall take effect on the day of its passage.



**AN ACT  
TO MAKE COMPULSORY THE PRACTICE OF VACCINATION THROUGHOUT  
THE HAWAIIAN ISLANDS.**

*Approved, August 10th, 1854.*

**WHEREAS**, the late mortality caused by the Small Pox has shown the necessity of compelling a general and effective vaccination of the subjects of this Kingdom; Therefore,

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** As soon as may be convenient after the passage of this act, the Minister of the Interior shall appoint four suitable persons as Vaccinating Officers, viz:

One for the Island of Hawaii.

“ “ “ Islands of Maui, Molokai, and Lanai.

“ “ “ Island of Oahu.

“ “ “ Islands of Kauai and Niihau,

who shall receive such salaries as may be provided in the annual appropriation bills.

**SECTION 2.** Each vaccinating officer shall select, within his respective district, a number of convenient places, not less than three in each school district, for the performance of vaccination; and from time to time give public notice of the day and hour at which he will attend at such places, to vaccinate all persons not already successfully vaccinated, who may then and there appear; and also of the time at which he will attend at such place, to inspect the progress of such vaccination in the persons so vaccinated.

**SECTION 3.** The father or mother of every child born on the Hawaiian Islands, after the first day of June, 1854, shall, within six calendar months after the birth of such child, or in the event of the death, illness, or absence of the father or mother, then the guardian, nurse or person having charge of the said child, shall, within six months after the birth of said child, or at the earliest opportunity after, take the said

child to the vaccinating officer of the district in which the said child is resident, for the purpose of being vaccinated.

SECTION 4. Upon the eighth day following the day on which any child has been vaccinated, as aforesaid, the father, mother, or the person having charge or custody of the said child shall again take the said child to the vaccinating officer, by whom the operation was performed in order that he may ascertain by inspection, the result of such operation.

SECTION 5. Upon the ascertained successful vaccination of any child the vaccinating officer shall deliver to the father, mother, or person having charge of the said child, a certificate under his hand, that the child has been successfully vaccinated; and shall note the same in a book to be kept by such vaccinating officer for that purpose; for which services the said officer shall not be entitled to demand and receive, from the father, mother, or person having charge or custody of such child, any pay whatsoever.

SECTION 6. On the presentation of a child to be vaccinated, should the vaccinating officer deem the child in an unfit state to be vaccinated, he may postpone the operation to some future time, at his discretion, giving due notice to the parents, or persons having charge or custody of such child, to reproduce it for vaccination at such future time.

SECTION 7. The vaccinating officers appointed under the provisions of this act may be removed from office at any time, by the Minister of the Interior.

SECTION 8. The vaccinating officers shall visit the several stations appointed by them, once in every six months, or oftener if deemed necessary by the Minister of the Interior, and the parent or person having charge or custody of any child which has not been vaccinated who shall neglect to produce such child for vaccination in accordance with the third section of this act, shall be subject to a fine of five dollars, on conviction of such neglect before any Police or District Justice of this Kingdom; one-half of which fine shall be paid to the informer.

SECTION 9. The Minister of the Interior is hereby charged with the duty of carrying out the provisions of this act, and of providing the necessary books and stationery to the vaccinating officers.

AN ACT  
TO EXTEND THE POWERS OF THE POLICE COURTS OF HONOLULU AND  
LAHAINA.

*Approved, August 10th, 1854.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That all the powers conferred upon Courts of Record in the Kingdom, by an Act entitled "An Act providing for the arrest of debtors," passed on the 27th day of July A. D. 1852, be, and the same are hereby extended to, and conferred upon the Police Courts of Honolulu and Lahaina, in cases coming within their jurisdiction.

SECTION 2. This Act shall take effect and become a law, from and after the day of its passage.

## AN ACT

TO REDUCE THE DUTY ON ALCOHOL TO BE EMPLOYED FOR MEDICINAL  
AND MECHANICAL PURPOSES.

*Approved, August 16th, 1854.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That the Minister of Finance be and he hereby is authorized to grant to any person applying therefor, a permit to withdraw from the Custom House, on payment of a duty of five per cent. *ad valorem*, pure alcohol in such quantities as he shall deem proper, upon his receiving from the applicant for such permit satisfactory security that the same shall be used only for medicinal or mechanical purposes.

SECTION 2. That the Joint Resolution in relation to the duties imposed 3d of April, 1846, "on the importation of spirituous liquors," passed April 10th, 1846, be amended by striking out the words "in cases appearing to his satisfaction, to exempt them in equity from said imposts," and all acts or parts of acts which conflict with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect from and after the date of its passage.

**AN ACT**  
**FOR THE ABOLITION OF TONNAGE DUES IN THE PORTS OF THE HAWAIIAN**  
**ISLANDS.**

*Approved, August 16th, 1854.*

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

**SECTION 1.** That after the day on which this act shall take effect, no tonnage dues shall be levied in any port of the Hawaiian Islands, on any vessel whether Hawaiian or Foreign.

**SECTION 2.** This act shall take effect on the 30th day after its passage, and all laws or parts of laws now in force, in contravention of the same, shall be from that date and hereby are repealed.

## AN ACT

TO AUTHORIZE THE EMPLOYMENT OF MAIL CARRIERS IN THE REMOTE DISTRICTS OF THE KINGDOM.

*Approved, August 16th, 1854.*

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

SECTION 1. The Postmaster of Honolulu is hereby authorized, from and after the day of the passage of this act, to employ mail-carriers between certain points on the several islands as hereinafter mentioned, to wit:—On the island of Hawaii, between Hilo, Waiohinu and Kealakeakua; between Kealakeakua, Kailua and Kawaihae; between Kawaihae and Kohala; between Kawaihae, Waimea, Hamakua and Hilo. On the Island of Maui, between Lahaina, Waikapu, Wailuku, Kahului and Makawao; between Lahaina, Kalepolepo, and Honuaula; between Honuaula and Hana; Makawao and Hana, and between Lahaina and Molokai. On the Island of Oahu, between Honolulu and Hauula *via* Kaneohe, and between Hauula and Honolulu *via* Waiaialua. On the island of Kauai, between Koloa and Waimea; between Koloa, Nawiliwili and Hanalei.

These mails shall be carried weekly or semi-monthly, as the Post-Master in Honolulu may judge to be most for the public good.

SECTION 2. The sheriffs of the several districts, under the direction of the Marshal, shall designate by name, for the service of mail-carriers, such active and trusty constables as may be required for such service, in their several districts, who shall faithfully carry the mails as directed by the Post-Master or his agents, and shall receive such compensation as shall be agreed upon by the Marshal and such constables as he may appoint, and the Post-Master of Honolulu, to be paid out of the appropriation for Police.

SECTION 3. The Post-Master of Honolulu may appoint agents in the several districts to assist him in carrying out the provisions of this act; provided, trustworthy persons can be found who will contribute their services gratuitously to this object.

SECTION 4. This act shall take effect from and after the day of its passage.

## AN ACT

TO REPEAL CERTAIN PRIVILEGES GRANTED TO CLERGYMEN AND OTHERS.

*Approved, August 16th, 1854.*

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. No person is or shall be exempt from the payment of any government tax by reason of his being a clergyman, a Christian missionary, a servant of a missionary, a school inspector, or trustee, or constable.

SECTION 2. All soldiers except those whose names shall be returned by the Commander-in-chief to the Minister of Finance on the first day of October of each year, as having been during some portion of the previous year in actual service, and in receipt of regular monthly pay shall hereafter pay the school tax.

SECTION 3. All acts or parts of acts at variance with the provisions of this act shall be, and the same hereby are repealed.

SECTION 4. This act shall take effect from and after the first day of January, A. D. 1855.

AN ACT  
TO CREATE A COURT OF PROBATE AND DIVORCE.

*Approved September 8th, 1854.*

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

SECTION 1. That the King and Privy Council, whenever, in their opinion, they may think the public good requires it, are hereby authorized and empowered to appoint and commission a Judge of Probate, who, upon receiving his commission, shall have original jurisdiction, and be invested with all the rights and powers of a Judge of a Court of Record, as provided by the Statutes of the Kingdom, to entertain, hear and determine all questions in relation to the settlement and partition of the estates of deceased persons, when the person deceased was a native subject, and with all the powers and rights of a justice of the Supreme Court, to entertain, hear and determine all petitions for divorce or separation, when the person taking a divorce is a native subject; Provided, always, that any party deeming himself aggrieved by the decision of the said Judge of Probate, may appeal therefrom to the Supreme Court, by giving notice of his intention to appeal within ten days after such decision is made.

SECTION 2. The yearly salary of this Judge shall be two thousand dollars; and the Minister of Finance is hereby authorized to pay the same until the 30th day of June, 1855, unless a new appropriation bill shall have been previously passed.

SECTION 3. This Act shall take effect from and after the day of its passage.



## JOINT RESOLUTION.

**BE IT RESOLVED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That the Minister of the Interior be authorized to procure from some competent person, an estimate of the probable cost of supplying the town of Honolulu with water from Nuuanu Valley, and lay the same before the Legislature now in session, and the Minister of Finance is hereby authorized to pay, out of any unappropriated money in the Treasury, a sum not exceeding two hundred dollars, to defray the expenses of such estimate.

**JOINT RESOLUTION.**

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

That the charges due the Hawaiian Government by the steamer "Polynesian" for this trip, excepting pilotage, be and the same are hereby remitted.

**JOINT RESOLUTION FOR THE RELIEF OF JOHN  
RICORD.**

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That any note or notes in the hands of the Minister of Finance against John Ricord, Esq., formerly Attorney-General of this Kingdom, is hereby declared cancelled; and that the Minister of Finance be instructed to return the same to the said John Ricord, together with a certified copy of this resolution.

## JOINT RESOLUTION

EXTENDING THE TIME ALLOWED TO THE HAWAIIAN STEAM NAVIGATION COMPANY TO FULFIL THE CONDITIONS OF THE 6TH ARTICLE OF THEIR CHARTER.

*Approved August 10th, 1854.*

WHEREAS, The time allowed to the Hawaiian Steam Navigation Company for their second vessel in these waters, is manifestly insufficient for the obtaining of a suitable vessel; therefore,

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council Assembled:*

That the time allowed the Hawaiian Steam Navigation Company by the 6th Article of the Charter, to place a second boat in the inter-island trade, be extended to one year from the 19th day of December, 1854.



## AN ACT

TO SEPARATE THE OFFICE OF KUHINA NUI FROM THAT OF MINISTER OF INTERIOR AFFAIRS.

*Approved, January 6th 1855.*

WHEREAS, the Kuhina Nui is invested by the Constitution with extraordinary powers, and whereas the public exigencies may require his release from the labor and responsibilities of the office of Minister of Interior Affairs, now by law imposed upon him, Therefore; BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That so much of Section 2d of the Act entitled "an Act to organize the executive Ministry of the Hawaiian Islands," as declares that "the Premier shall be Minister of Interior Affairs," is hereby repealed.

SECTION 2. This Act shall take effect on the day of its passage.

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# L A W S

OF HIS MAJESTY

K A M E H A M E H A I V . ,

KING OF THE HAWAIIAN ISLANDS,

PASSED BY THE

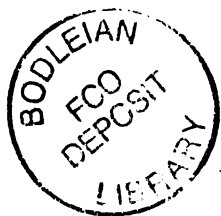
NOBLES AND REPRESENTATIVES,

AT THEIR SESSION,

1855.



HONOLULU:  
PRINTED BY ORDER OF THE GOVERNMENT.  
1855.



**SESSION LAWS,  
1855.**

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**AN ACT**

**APPROPRIATING MONEY FOR THE LEGISLATURE OF 1855.**

**BE IT ENACTED** *by the King, the Nobles and Representatives, of the Hawaiian Islands in Legislative Council assembled:*

**SECTION 1.** There shall be set apart by His Majesty's Minister of Finance, out of the money in the Treasury, the sum of eight thousand dollars, for the expenses of the two Houses of the Legislature, without waiting for the general Appropriation Bill of this year.

**SECTION 2.** The House of Nobles and the House of Representatives shall be at liberty to draw on the Minister of Finance, at their discretion, for any sums of money, within the amount above specified, to meet their expenses.

*Approved April 21st, 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**

## AN ACT

## RELATING TO THE PORT OF HILO.

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That, from and after the passage of this act, the same privileges in regard to the shipping of native seamen, and to the discharge of Foreign and native seamen, that now are or may hereafter, be conferred by law, on the Ports of Honolulu in the Island of Oahu, and Lahaina in the Island of Maui, be, and the same are hereby conferred likewise on the port of Hilo in the Island of Hawaii.

*Approved this 28th day of April, 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**

## AN ACT

## TO PROVIDE A POLICE COURT FOR THE PORT OF HILO.

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** One of the District Justices for the District of Hilo Island of Hawaii, shall be Police Justice for the Port of Hilo, with the same powers and jurisdiction which now are, or may hereafter be conferred by law upon the Police Justices of Honolulu and Lahaina.

**SECTION 2.** The Police Justice of Hilo shall be appointed in the same manner as the Police Justices of Honolulu and Lahaina.

**SECTION 3.** This act shall take effect and become a law from and after the date of its passage.

*Approved this 3d day of May, 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**



## AN ACT

## RELATING TO THE CENSUS.

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

**SECTION 1.** The act entitled "an Act in regard to the Census," and approved by the King on the 11th July, 1851, is hereby repealed.

**SECTION 2.** This act shall take effect and become a law, on the day of its approval by the King.

*Approved this 7th day of May, 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**

## AN ACT

## TO INCORPORATE THE HONOLULU SAILORS' HOME SOCIETY.

WHEREAS, an association was formed on the 20th of November 1854, in the City of Honolulu, under the name of "the Honolulu Sailors' Home Society," for the purpose of improving the social, moral and religious condition of seamen, resorting to this port, by the establishment and maintenance of a Home of good character, from which all intoxicating liquors shall be excluded, and by such other means as shall be deemed proper, and whereas the said association have petitioned for an act of incorporation in order more fully to effect the purpose. Therefore:

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:

SECTION 1. That Elisha H. Allen, Richard Armstrong, Ichabod Bartlett, Chas. H. Butler, Wm. St. Maur Bingham, Samuel N. Castle, Samuel C. Damon, John Ii, Geo. B. C. Ingraham, Wm. H. Johnson, Gerrit P. Judd, Wm. L. Lee, George M. Robertson, Thomas Spencer, J. T. Waterhouse, H. M. Whitney, H. I. H. Holdsworth, and J. E. Chamberlain, and their associates and successors, be and are hereby incorporated, and made a body politic, under the name of "the Honolulu Sailors' Home Society," and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend to final judgement and execution; and in their said corporate capacity, they and their associates and successors forever, may take, receive, have and hold in fee simple or otherwise, lands, tenements and hereditaments, by gift grant or otherwise, and may also take and hold by donation, bequest or otherwise, personal estate, and the said real or personal estate shall be faithfully appropriated to the purpose and object of establishing and maintaining a Sailor's Home as aforesaid, and not otherwise; and the said corporation may have a common seal, which they may alter or renew at pleasure.

SECTION 2. Any person contributing one dollar annually, shall be a member, and by the payment of fifty dollars shall be a life member.

**SECTION 3.** The control and disposal of the funds, property and Estate of the Society, and the direction of all its concerns shall be vested in a board of trustees, consisting of eighteen persons residing in Honolulu, who shall be chosen by the members of the society at its annual meeting, and the Trustees last chosen shall hold their offices until their successors are chosen, ten of whom shall be a quorum at any meeting regularly convened. The Board of Trustees shall be divided into three classes, of six each. One class shall go out at the end of each year, but shall be re-eligible. The said Board shall have power to elect from their own number a President, Vice President, Treasurer, Secretary and Executive Committee of three, and to appoint such other Committees as shall from time to time be deemed necessary. The Board shall also have power to fill vacancies in its own body, occasioned by resignation, death or any other circumstance. At the annual election the twelve Trustees remaining, shall have power to nominate twelve candidates, from whom six may be elected by the Society to fill up the Board, and the present officers of said Board, shall continue in office until their successors are elected.

**SECTION 4.** The Board of Trustees shall have power to appoint their own meetings, form their own rules of business, and employ such other means for accomplishing the object of the Society, as in their judgement, its exigencies may require, keeping regular minutes of their proceedings.

**SECTION 5.** The conveyance of any Real Estate, or a lease thereof, may be made with the concurrence of two thirds of the Trustees present at any meeting duly called.

**SECTION 6.** The property of the Society is alone liable for the payment of its debts and liabilities, it being hereby expressly declared that no personal liability is incurred by its members.

**SECTION 7.** All contracts and deeds which the said Board of Trustees may lawfully make and execute, signed by their President and countersigned by their Treasurer, and sealed with the common seal of said corporation, shall be valid in law to all intents and purposes.

**SECTION 8.** This act shall take effect from and after the day of its passage.

*Approved, this 7th day of May, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

## TO REMODEL THE DEPARTMENT OF PUBLIC INSTRUCTION.

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:

SECTION 1. It shall be lawful for His Majesty the King, to abolish the office of Minister of Public Instruction, and appoint and commission a board of Education, consisting of a President and two Directors, to hold office during the King's pleasure, which board shall have the entire charge and control of the Department of Public Instruction, shall superintend the execution of all the laws relating thereto, and said President by and with the advice of said Directors, shall discharge the several duties heretofore imposed upon said Minister.

SECTION 2. All the members of the board aforesaid shall reside at the seat of the Hawaiian Government, it shall have the power to make its own by-laws, not in contravention of the laws of this Kingdom, shall keep regular records of its proceedings and the President shall make a full report of the business and transactions of the Department to the Legislature of each year, through the Minister of the Interior.

SECTION 3. The President aforesaid shall keep an office or place of business at the seat of government, shall sign all official documents of the Board, in order to their validity, shall have a seal of his Department, and be entitled to employ a clerk. He shall use his best exertions to promote the interests of education and morality on the the Islands, and the general objects of the Department, and shall receive such salary as the Legislature shall determine, but the Directors aforesaid shall receive no compensation for their services.

SECTION 4. All laws and parts of laws of this Kingdom in conflict with this act, are hereby repealed.

SECTION 5. This act shall take effect on the 1st day of July next.

*Approved this 7th day of May, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

TO PROVIDE FOR THE EMPLOYMENT OF PRISONERS ON THE ISLAND OF OAHU.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That from and after the date of the passage of this Act, and until the erection of suitable prisons on the Island of Oahu, to meet the requirements of the "Act relating to Prisons, their government and discipline," passed in the year 1851, all male convicts sentenced by the several Courts of the Island of Oahu, to imprisonment at hard labor, shall be in the keeping of the Marshal of the Kingdom, and his Deputies, under the orders of the Governor of Oahu, who shall employ them on any public works which may from time to time be designated by the Minister of the Interior or the Secretary at War.

SECTION 2. Should the labor of such Prisoners not be required, at any time, in the performance of work for the Government, it shall be the duty of the Marshal of the Kingdom to hire them out to labor for private individuals, with the consent of the Governor, upon such terms, and to be employed at such kind of labor, as he may approve. Provided, however, that such Prisoners shall not be so employed as to prevent their being locked up within the prison every night.

SECTION 3. When such prisoners are employed on any Government work, the expense of maintaining them shall be defrayed out of the appropriation made for such work; and when they are employed to labor for private individuals, the expense of maintaining them shall be defrayed out of their earnings; and when they are not employed in either of the above modes, the Marshal may employ them in any way he may deem expedient, and the expense of maintaining them shall be defrayed by the government.

*Approved this 7th day of May, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

TO AMEND THE LAW RELATING TO THE ELECTION OF REPRESENTATIVES OF THE PEOPLE.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That the words "or any other cause," in Section 2, of the Act entitled "an Act to amend the law relating to the election of the Representatives of the people," passed in the year 1851, be and the same are hereby expunged; and the word "or" is hereby inserted between the words "resignation" and "death" in said 2nd Section.

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

*Approved this 14th day of May, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

AN ACT  
FOR THE SUPPRESSION OF PROSTITUTION.

WHEREAS, large numbers of young females belonging to the remote Districts of the Kingdom, are in the habit of frequenting the sea-ports, particularly during the fall shipping season, for the purpose of prostitution:

AND WHEREAS, this evil practice is calculated to spread disease and death among the people, thereby contributing to their rapid decrease in number. Therefore:

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:

SECTION 1. That from and after the date of the passage of this Act, it shall be lawful for the Police and District Justices of Honolulu and Lahaina, and the District Justice of Hilo respectively to cause to be arrested and brought before them, any female that may be complained of by the Sheriff or Prefect of Police as being a prostitute, and if it shall appear to the satisfaction of the Justice that such female is a prostitute, and that her father, mother or other guardian, reside in any other district than that in which such Justice has jurisdiction, or that such female has left her native district and come to reside within the district where such Justice has jurisdiction, for the purpose of prostitution, then such Justice may order such female to return to her parents or guardian if she have any, or to the district from whence she came, within forty-eight hours from the time of such order; and if such female be found within his district after the expiration of such period of forty-eight hours, the Justice may punish her by imprisonment at hard labor, or solitary confinement for a period not exceeding thirty days upon the first complaint, and upon any subsequent complaint for a period not exceeding sixty days. It shall be the duty of all Judicial and Police Officers, School Inspectors and School

Teachers, to inform the Police Justices of the seaports aforesaid, of any females belonging to their respective districts whom they may suspect of having resorted to said seaports for the purposes of prostitution, that they may be dealt with as hereinbefore provided.

*Approved this 14th day of May, 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**



## AN ACT

TO AMEND AN ACT RELATING TO BANKRUPTCY, PASSED JUNE 16TH,  
1848.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That Section Thirtieth of "An Act relating to Bankruptcy," passed June 16th, 1848, be and the same is hereby repealed.

SECTION 2. After the passage of this Act, appeals may be taken from the decisions of the Commissioners in Bankruptcy in all cases decided by them to the Supreme Court of this Kingdom, provided that the appellant give notice of appeal within five days after the decision rendered, and within ten days after such decision file with the said Commissioners a good and sufficient bond, in the penal sum of One Hundred Dollars, conditioned for the payment of all costs arising from said appeal, in case the said appeal shall not be sustained in the Supreme Court.

SECTION 3. This Act shall take effect from and after the day of its passage.

*Approved this 14th day of May, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

TO PROVIDE REVENUE FROM IMPORTS, AND TO CHANGE AND MODIFY EXISTING LAWS IMPOSING DUTIES ON IMPORTS.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That, in lieu of the duties imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected and paid on the goods, wares and merchandise herein enumerated and provided for, imported from foreign countries, the following rates of duty; that is to say,

On Spirits, Liqueurs, Cordials, &c., mentioned in Schedule A, of the strength of proof—Three Dollars per gallon, and so in proportion for any greater or less strength.

On Wines mentioned in Schedule B, a duty of One Dollar per gallon.

On goods, wares and merchandise mentioned in Schedule C, a duty of fifteen per centum ad valorem.

On goods, wares and merchandise mentioned in Schedule D, a duty of ten per cent. ad valorem.

On goods, wares and merchandise mentioned in Schedule E, a duty of five per centum ad valorem.

SECTION 2. *And be it further enacted,* That the goods, wares and merchandise mentioned in Schedule F, shall be exempt from duty.

SECTION 3. *And be it further enacted,* That there shall be levied, collected and paid on all goods, wares and merchandise imported from foreign countries, and not specially provided for in this Act, a duty of ten per cent. ad valorem.

SECTION 4. *And be it further enacted,* That in all cases in which the invoice or entry shall not contain the weight, or quantity or measure of goods, wares or merchandise, now weighed or measured or gauged, the same shall be weighed, gauged or measured, at the expense of the owner or consignee.

**SECTION 5.** *And be it further enacted,* That it shall be lawful for the owner, consignee, or agent of imports which have been actually purchased, on entry of the same to make such addition in the entry to the cost or value given in the invoice, as in his opinion may raise the same to the true market value of such imports in the principal markets of the country whence the importation shall have been made, or in which the goods imported shall have been originally manufactured or procured, as the case may be, and to add hereto all costs and charges which, under existing laws would form part of the true value at the port where the same may be entered, on which the duties should be assessed. And it shall be the duty of the Collector, within whose district the same may be imported or entered, to cause the dutiable value of such imports to be appraised, estimated and ascertained, in accordance with the provisions of existing laws; and if the appraised value thereof shall exceed by ten per centum or more, the value so declared on the entry, then, in addition to the duties imposed by law on the same, there shall be levied, collected and paid a duty of twenty per centum ad valorem on such appraised value. Provided, nevertheless, that under no circumstances shall the duty be assessed upon an amount less than the invoice value.

**SECTION 6.** All laws or parts of laws inconsistent with this Act shall be and the same are hereby repealed.

**SECTION 7.** This Act shall take effect in twelve months from and after the day of its publication in the Polynesian newspaper, provided that it is not in violation of any treaty existing at that time.

#### SCHEDULE A.

Spirits or strong waters of strength of proof by Gay Lussac's Alcometre, and so in proportion for any greater or less strength, viz:— Brandy, Gin, Rum, Whiskey, Alcohol, and all other spirits, \$3 per gallon; and all Spirits, Liqueurs, Cordials, brandied fruits or strong water respectively, sweetened or mixed with any other articles of the strength of proof by Gay Lussac's Alcometre; and so in proportion for any greater or less strength, \$3 per gallon.

#### SCHEDULE B.

Port, Sherry, Madeira and other wines, containing over 18 per centum and under 30 per centum alcohol, \$1 per gallon.

## SCHEDULE C.

Fire-arms and side-arms of every description; Laces, Braids and Insertings of Cotton or Silk; manufactures of goat's or mohair not otherwise provided for; Lasting, Cambric, Damask, Drapery, Moreen, Paramattas, Silk Velvet, Silks and Satins and manufactures of silk or of which silk shall be a component part; Grasscloth, Piña goods, Corn, Wheat, Rye, Barley and other grain, and the manufactures thereof; Bread, Beans, Peas, Musical Instruments of all kinds; Crockery, Billiard Tables, Fruits and Vegetables of all kinds not otherwise provided for; Carpets, Oil and Floor Cloth, Gloves, Lacquered, Plated, Silver and Glass ware, manufactures of Papier Maché, Tobacco, and all manufactures of Tobacco; Comfits, Sweetmeats or Fruits preserved in sugar or syrup, and Confectionery of all kinds; Powder, Shot, Percussion Caps, Salt-Petre, Soda, Essences not otherwise provided for; Regalia, Gold-Leaf, Hair-Cloth, Ten-Pin Balls, Cassia, Cloves, Nutmegs and Spices of all kinds; Card-Cases, Pocket-Books, Shell Boxes and Souvenirs, and all similar articles of whatever materials composed; Combs of all kinds, Coral manufactures, Crayons, Dolls and Toys of all kinds, Fans and Feathers, and artificial Flowers of whatever material; manufactures of Ebony, Mahogany, Rosewood, Satin or Camphor wood; manufactures of Pearl, Bone, Horn, Ivory, and all other kinds of fancy articles of a similar kind; Daguerreotype stock, Arrow Root, Sago, Tapioca; Perfumes, Tinctures, Pastes, Extracts and Cosmetics used for the toilet, Bay-Rum, Tea, Coffee, Chocolate, Cocoa, Crackers, Salt, Sugar of all kinds and Syrups of sugar; Sardines and all fish in oils; Molasses, Starch, Gros de Naples, Helventine, Jewelry of all kinds, Bracelets, Guards and Chains of hair; Beads of all kinds, Ornaments, Watches and parts of Watches, Circus and Theatrical Wardrobes, and all articles used for scenic representations or public exhibition, Lacquered Furniture, Walking Sticks or Canes, Paintings and Engravings, whether framed or otherwise; Claret, Hock, Champagne and all other light wines containing not over 18 per cent. of alcohol, Cider, Champagne Cider, Perry, Ale, Beer, Porter, and all other beverages containing alcohol.

## SCHEDULE D.

Iron or Steel, Axes, Hatchets, Ballast, Buoys, Windlass-Nippers, Trypots, Whale and Seal Irons, Anchors, Stoves, Lances and Bomb Lances, Hand-Cuffs, Tacks, Trace-Chains, Iron Pipe, Wire-Cloth, manufactures of Wool, Linen and Cotton not otherwise provided for; Beef and Pork Tongues, Hams, Lard, Game and Vegetables inclosed in sealed cans or otherwise, Butter, Cheese, Leather and manufactures of leather, Hides, Fish—fresh, salted, dried, smoked or pickled;—Doors and Sashes, House Frames, Bunting, Britannia, Hard, Hollow, Tin, Zinc and Wooded Ware not otherwise provided for; Clothing ready made, and wearing apparel of every description; Hats, Caps, Bonnets, Hose not otherwise provided for; Blacking, Corks, Composition, Copper, Tin, Zinc, and Yellow Metal not otherwise provided for; and nails of the same; Cordage, Cambooses, Chronometers, Davits, Ship's Tackle and Stores not otherwise provided for; Oars, Twine, Tarred Paper, Candles, Camphene and burning fluids of every description not otherwise provided for; Pitch, Tar, Rosiu, Lamps, Lanterns, Scales, Pumps, Carriages, and parts of Carriages, Wagons, Carts, Whips, Wheels, Spurs, Yokes, Safes, Vaults, Trunks not otherwise provided for; Vinegar, Wax, Sperm, Whale, Seal, Porpoise and Blackfish Oil, Neatsfoot and Cocoonut Oils, Marbles, Sheet Lead, Lead Pipe, Lines, Nets, Grindstones, Glass, Hops, Live Stock not otherwise enumerated; Slates, Solder, Sand Paper, Spy-Glasses and Telescopes, Cutlery of all kinds, Orleans, Alpacca, Alpine, Barage, Balzorine, manufacture of Worsted or Cashmere, or of which they shall be a component part, not otherwise provided for; Brooms and Brushes of all kinds, Furniture and Upholstery not otherwise provided for; Clocks and parts of Clocks, Belts, Shawls not otherwise provided for; Paper Hangings, Matting, Soda Fountains, Honey, Medical Drugs, Roots and Leaves, and medicinal preparations not otherwise provided for; Surgical Instruments.

## SCHEDULE E.

Blacksmith's, Caulker's, Cooper's, Carpenter's, Shoemaker's, Machinist's and Turner's Tools; Chain Cable, Nails, Rivets and Spikes of Iron of all kinds, Iron Hoops, manufactures of cotton not otherwise provided for; Flannel of whatever material, Blankets of all kinds,

Coburgs, Crash, Duck and Canvass, Osnaburgs, Boats, Lumber, Hewed, Sawed and Rough; Casks and Barrels, Staves, Books, printed and blank; Stationery and Paper of all kinds not otherwise provided for; Brick, Cement and building materials of all kinds; Bags and Bagging, Furnaces, Monuments, Spars, Walrus Teeth, Points of all kinds, Turpentine, Linseed and other oils used in painting, Varnish, Putty, Soap, Rice and Paddy, Thread not otherwise provided for, Hydraulic Rams, Wood, Coal, Ice, Alcohol when introduced for medicinal or mechanical purposes, in accordance with the Act passed August 16th, 1854.

#### SCHEDULE F.

Trees, Shrubs, Bulbs, Plants, Roots and Seeds for planting and sowing not otherwise provided for; Machinery of all kinds, Steam Engines, Mills, Coffee Cleaners, Rice Hullers, Plows, Hoes, and other instruments of husbandry imported by any agriculturalist or body of agriculturalists, and not intended for sale; animals for improving the breed in this kingdom, all produce of Hawaiian Fisheries, Professional Books, Instruments, implements and tools of trade, old and in use of persons from abroad, and not intended for any other person or for sale; goods, wares and merchandise exported to a foreign country and brought back in the same condition as when exported, upon which no draw-back has been allowed; household effects and wearing apparel, and other personal effects in use, not merchandise; also all goods imported free by Christian Missionaries and Foreign Ministers, and Whale Ships under the present laws.

*Approved this 14th day of May, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

AN ACT  
TO INSTITUTE HOSPITALS FOR THE SICK POOR.

WHEREAS, past experience and daily repeated observation show the necessity and duty of the public to provide Hospitals for their relief, where they may receive kind nursing and skillful attendance; and that the said Hospitals may become schools where a certain number of intelligent Hawaiians selected for that object, may be instructed in medical science and the cure of the numerous diseases now prevalent and that are constantly on the increase: Therefore, BE IT ENACTED, *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. The Minister of the Interior is hereby authorized to establish two Hospitals for the sick poor, being natives of this kingdom, one at Honolulu, Island of Oahu, and one at Lahaina, Island of Maui, which Hospitals shall be under the immediate supervision of the Board of Health, in conjunction with the Governors of the Islands on which said Hospitals are established.

SECTION 2. That the Minister of the Interior, at his discretion, can cause a Hospital to be established on Hawaii, and also one on Kauai, under the same regulations that may govern those established on Oahu and Maui.

SECTION 3. It shall be the duty of said Board to make rules and regulations for the government of said Hospitals, which shall be submitted to the King in Privy Council for approval, and which shall be published for general information.

SECTION 4. This Act shall take effect from and after the day of its passage.

*Approved this 25th day of May, A. D. 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

DECLARING THE PERIOD AT WHICH ALL SUBJECTS OF THE KING CEASE  
TO BE MINORS AND BECOME OF LEGAL AGE.

BE IT ENACTED, *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. All male persons residing in this kingdom who shall have attained the age of twenty years, and all females who shall have attained the age of eighteen years, shall be regarded as of legal age and their period of minority to have ceased.

SECTION 2. This Act shall take effect and become a law on the day of its approval by the King.

*Approved this 1st day of June, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.



## AN ACT

TO REGULATE THE PAY OF TAX COLLECTORS AND TO PROVIDE FOR AN  
ENUMERATOR OF ALL PERSONS AND ANIMALS LIABLE  
TO TAXATION.

BE IT ENACTED, *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. His Majesty the King is hereby authorized to appoint annually, on or before the first day of July, an Enumerator for each Taxation District of this kingdom, whose duty it shall be, under the direction of the Minister of Finance, to make, on or before the first day of September, a faithful enumeration of all persons and animals in his district liable to be taxed, and to make a tax list of the same, classified according to a blank form to be furnished by said Minister.

SECTION 2. Each Enumerator on his appointment shall take and subscribe before a Police or District Justice the following oath, a certified copy of which shall be immediately forwarded by the magistrate before whom it was taken to the Minister of Finance:—

“ I, \_\_\_\_\_, being appointed to make an enumeration of all persons and animals liable to taxation in the District of \_\_\_\_\_, Island of \_\_\_\_\_, do solemnly swear that I will faithfully discharge the duties of said office. So help me God.”

SECTION 3. It shall be the duty of each Enumerator to call once at the usual place of business or residence of every tax payer for the purpose of ascertaining accurately the amount of taxes such person is liable to pay; and if any person when called upon by the Enumerator shall decline or refuse to give a list of persons residing with him, and animals in his possession, liable to be taxed, or shall refuse to make oath to the accuracy of said list when given, then it shall be competent for said Enumerator to make a list of said persons and animals liable to taxation, according to the best of his knowledge, and include the same in his enumeration, which shall be binding upon the person so declining or refusing as aforesaid.

**SECTION 4.** The Enumerator is authorized at his discretion to administer the following oath to any person who shall give him a list of persons and animals liable to taxation, viz:—" You solemnly swear that the list of all persons residing with you and of animals in your possession liable to taxation, which you have given me, is true. So help you God." Any person refusing to take the oath aforesaid, shall be fined a sum not exceeding fifty dollars, or be imprisoned at hard labor for a period not exceeding thirty days, on being convicted of the offense before any District Justice.

**SECTION 5.** Whenever the Enumerator calls for a list as aforesaid, and no person shall be found to furnish said list, the said Enumerator shall leave a notice at the house or place of business of the person so called upon, requiring said person to furnish him a list of all persons residing with, and all animals in his possession liable to taxation, within twenty days, and in case said list is not furnished within twenty days as aforesaid, then it shall be competent for the Enumerator to make out such list according to the best of his knowledge, which shall be binding upon the party so failing to furnish a list as aforesaid.

**SECTION 6.** It shall be the duty of each Enumerator on or before the first day of September in each year, to complete and deliver to the Governor of the Island in which his district is located, two certified copies of the Tax List made out by him, as above prescribed, one of which copies shall be immediately forwarded by the Governor to the Minister of Finance.

**SECTION 7.** Each Enumerator, who shall have faithfully discharged the duties of his office according to law, on presenting his Tax List completed to the Governor of the Island in which his district is located, shall be paid by the said Governor's draft on the Hawaiian Treasury, a compensation for his services equal to five per centum of the amount of taxes for his district as shown by the Tax List so made out and delivered as aforesaid.

**SECTION 8.** Each Tax Collector, before entering upon the duties of his office, shall annually file with the Governor of the Island in which his District is located a bond to the Minister of Finance, conditioned for the faithful discharge of his duties according to law, with two sureties to be approved by the Governor of the Island in a penal sum

equal to the amount of taxes to be collected by him, as shown by the Tax List, a certified copy of which bond shall be immediately forwarded by the Governor to the Minister of Finance.

SECTION 9. The Governors of the several islands shall deliver to each Tax Collector of their islands respectively, having filed his bond as aforesaid, a copy of the Tax List for his District, and the Tax Collector shall proceed immediately to collect the taxes in his District according to said list.

SECTION 10. Each Tax Collector in the discharge of his duties, shall call on each tax payer at his residence or usual place of business, in the month of September, October or November, after the Tax List has been delivered to him, and demand payment of the taxes made out against said tax payer in the list aforesaid; and if any tax payer cannot be found when thus called upon, the Collector shall leave with some person at his usual place of business or at his residence, a written or printed notice that he has called to collect the taxes of said tax payer, in which he shall state the amount of the same and date of the time of his calling as aforesaid, and that unless said taxes are paid within twenty days from the date of said notice that he will proceed to collect the same according to law.

SECTION 11. If any person shall neglect to pay his taxes, or refuse when called upon by the Tax Collector, until the last day of November of each year shall have elapsed, then the Tax Collector is authorized to sue him before the District Justice of that District, and if the suit is sustained he shall pay the taxes sued for, and one dollar besides for costs, for the benefit of the Royal Exchequer; but he can appeal from the decision of the District Justice.

SECTION 12. It shall be the duty of each Tax Collector on or before the first day of December in each year to pay over to the Governor of the Island in which his District is located the amount of taxes by him collected, and any Tax Collector who shall have failed to do so at the specified time, or within ten days of said time, shall be liable to forfeit ten per cent. of the amount of compensation hereinafter provided for his services as Collector, which forfeiture shall be at the discretion of the Governor aforesaid; and it shall be the duty of the Minister of Finance to prosecute the bond of any Collector who shall have failed to pay over to the Governor of the Island in which his District is located, the amount of taxes by him collected, on or before the first day of January.

SECTION 13. It shall be the duty of the Governors to hold the Tax Collectors responsible for the full amount of taxes specified in their several Tax Lists, unless they shall file with the Governors a sworn list containing the names, places of residence and amount of taxes due from each person in their several districts, from whom, after using due diligence, they were unable to collect the taxes; in which case the Governors are hereby authorized to deduct the amount of taxes in the list so sworn to, from the amount of Tax List, and hold the Collector responsible only for the balance.

SECTION 14. Each Tax Collector who shall have faithfully discharged the duties of his office, and shall have paid on or before the first day of January to the Governor of the Island in which his District is located, the amount of taxes by him collected, shall be paid by the Governor's draft on the Hawaiian Treasury a compensation equal to ten per cent. of the amount of taxes by him collected and paid over as aforesaid; provided, that the compensation paid to the Tax Collectors of Kona, Oahu, and Lahaina, Maui, shall not exceed seven and one-half per cent. of the amount of taxes collected and paid over by them.

SECTION 15. It shall be the duty of the said Tax Collectors to pay over to the School Treasurers of their respective Districts the whole amount of school taxes collected by them in their respective Districts, and the said Tax Collectors shall take receipts from the said School Treasurers of the money so paid by them, which receipts shall be passed over to the Governors of their respective Islands as vouchers of the amount so paid over by the said Tax Collectors to the said School Treasurers.

SECTION 16. This Act shall take effect from and after the date of its publication in the Polynesian newspaper and Elele Hawaii.

SECTION 17. All parts of the existing laws in conflict with the provisions of this Act, shall be, and the same are hereby repealed.

*Approved this 4th of June, A. D. 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

REVISING A PORTION OF THE ACT MAKING THE PORTS OF HILO, KAWAIHAE AND KEALAKEKUA ON THE ISLAND OF HAWAII, AND WAIMEA ON THE ISLAND OF KAUI, PORTS OF ENTRY.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That the words, in the Act making the ports of Hilo, Kawaihae and Kealakekua on the Island of Hawaii, and Waimea on the Island of Kauai, ports of entry, "and Waimea on Kauai" be stricken out, and the words "and Koloa on Kauai" be inserted in their place.

SECTION 2. This Act shall go into effect on the day of its final passage.

*Approved this 7th day of June, 1855.*

VICTORIA K. KAAHUMANU.

KAMEHAMEHA.

## AN ACT

TO ALTER AN ACT ENTITLED AN ACT RELATING TO THE WATER LOTS CALLED WAIKAHALULU, MAKAI OE THE FORT OF HONOLULU.

BE IT ENACTED *by the King, the Nobles and the Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. The word "semi annual" at the close of the 5th Section in the English version of an Act entitled an act relating to the Water Lots called Waikahalulu, makai of the Fort of Honolulu, shall be, and is hereby stricken out, and the word "monthly" substituted for it; and the word "eono" in the Hawaiian version of the said section of the said act shall be and is hereby erased without the substitution of any other word.

SECTION 2. The Minister of the Interior is hereby authorized to sell one or more of the lots of Waikahalulu in like manner with all other real estate belonging to the government, after giving the notice required in Section 4 of the said Act.

SECTION 3. This act shall take effect on the day of its passage.

*Approved this 14th day of June, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

TO AMEND THE LAW RELATING TO APPEALS FROM THE BOARD OF COMMISSIONERS TO QUIET LAND TITLES.

WHEREAS, the functions of the President of the Board of Commissioners to Quiet Land Titles ceased on the 31st day of March, 1855, by the dissolution of the said Board as required by law; Therefore, BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That upon any appeal being taken from the decision of the Board of Commissioners to Quiet Land Titles after the 31st day of March, 1855, the bond required by Section 7, Article 3, Chapter 3, of the Act to organize the Judiciary Department, for such appeal shall be approved by the Minister of the Interior.

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

*Approved this 14th day of June, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

TO TRANSFER THE BUREAU OF PUBLIC IMPROVEMENTS FROM THE OFFICE OF THE MINISTER OF THE INTERIOR TO THE OFFICE OF THE SECRETARY AT WAR.

WHEREAS, it is desirable that surveys of the coasts of the Islands, and of the various harbors and inlets thereon should be made; and whereas, it is indispensably necessary that one or more competent engineers should be engaged for the military service, and whereas, principles of economy require that separate expenses should not be incurred for the performance of these various duties of civil and military engineers; Therefore,

BE IT ENACTED *by the King, the Nobles and Representatives, of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. All duties prescribed in Chapter 3, part 1, of the Act to organize the Executive Departments of the Hawaiian Islands, and all other duties relating to public improvements, shall cease to be performed by the Minister of the Interior, and the Bureau of Internal Improvements shall henceforth be a bureau under the charge of the Secretary at War, who shall perform hereafter all duties assigned by the above mentioned chapter to the Minister of the Interior.

SECTION 2. All monies henceforth appropriated by the Legislature for Public Improvements, shall be drawn from the Treasury and expended under the direction of the Secretary at War, who shall account for the same in his annual report.

SECTION 3. This Act shall take effect from and after the day of its passage; and all laws and parts of laws in conflict therewith shall be, and are hereby repealed.

*Approved this 14th day of June, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.



**AN ACT**

**TO AUTHORIZE THE MINISTER OF FINANCE TO NEGOTIATE A LOAN.**

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

**SECTION 1.** That it shall be lawful for the Minister of Finance by and with the advice and approval of His Majesty and Privy Council, to negotiate a loan by the issue of exchequer bills, or in any other mode deemed best, for a sum not exceeding One Hundred and Fifty Thousand dollars.

**SECTION 2.** The amount arising from the aforesaid loan shall be appropriated for the objects and improvements provided for by law.

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

*Approved this 25th day of June, 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**

## AN ACT

TO AMEND THE STATUTES REGULATING PROCEEDINGS IN COURTS OF  
LAW.BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That all the proceedings authorized and prescribed by Section 23 of chapter 4 of an act to organize the Judiciary Department, may be had before any Judge at chambers authorized to hold the court in which a suit may be pending, and said Judge is hereby empowered at chambers to discharge all the duties imposed on the court by said section.

SECTION 2. That so much of Section 20 of Chapter 4 of the Act to organize the Judiciary Department as declares, "that in no case purely between foreigners in which the property in any foreign vessel is concerned, shall it be lawful to entertain any bill of foreclosure, or in the nature of libel in admiralty without the previous written request of the Representative of the nation whose subject or citizen is concerned, or whose vessel is sought to be attached or libelled and sold or foreclosed," be and the same is hereby repealed.

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

*Approved this 25th day of June, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

TO REGULATE THE SHIPPING AND DISCHARGE OF NATIVE SEAMEN.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. The Minister of the Interior shall appoint in each of the ports of Honolulu, Oahu—Lahaina, Maui, and Hilo, Hawaii, an officer in whose presence, or in the presence of whose deputy, all native seamen of this kingdom shall be shipped, paid off and discharged. The said officer shall give a bond to the Governor in the sum of Two Thousand Dollars for the faithful performance of his duties.

SECTION 2. When any native seaman is discharged from any whale-ship, or other vessel, the captain thereof shall exhibit to the officer so appointed, or to his deputy, previous to settlement, a detail of the debts incurred by such seaman to the said captain, and the amount of the pay due by him to the said seaman to be certified on oath administered by said officer if required.

SECTION 3. The above mentioned Shipping Officer shall be empowered to make all agreements between the masters of vessels and native seamen, on being required so to do by the seaman about to ship.

SECTION 4. The said officer shall receive fifty cents for each seaman shipped or discharged before him, and five per cent. on the amount paid to each seaman; which compensation shall be in lieu of pay for all services rendered. The expense of shipping shall be borne by the vessel.

SECTION 5. It shall moreover be the duty of the said officer to keep all bonds for the return of native seamen enlisted for foreign voyages, as by the present laws provided, and upon the expiration of the time specified in any such bond it shall be his duty to forward such bond to the Governor of the Island where he is situated, and at the same time notify him that its term has expired.

**SECTION 6.** The Governor upon receiving any such bond, shall within three days thereafter place it in the hands of the Government Attorney of the district for prosecution, and such attorney shall prosecute the same within twenty days after receiving it.

**SECTION 7.** It shall not be lawful for the Shipping Officer to ship any native seaman for a foreign voyage to exceed two years.

**SECTION 8.** In case of the death of any seaman during the voyage, said Shipping Officer shall be empowered to demand and receive, on the return of the vessel on which the deceased seaman enlisted, the amount of wages or pay due said seaman, and to pay it over to his legal representatives.

**SECTION 9.** All laws and parts of laws now existing in contravention of this act shall be and are hereby repealed.

**SECTION 10.** This act shall take effect from the day of its publication in the Polynesian newspaper and the Elele.

*Approved this 25th day of June, A. D 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**

## AN ACT

RESPECTING THE RESERVOIRS AND HYDRANTS IN THE CITY OF  
HONOLULU.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That from and after the passage of this act the Sheriff of Oahu, at Honolulu, shall have charge of the Hydrants and Reservoirs belonging to the government in Honolulu.

SECTION 2 That it shall be the duty of the Sheriff of Oahu, at Honolulu, in person or by his deputies to inspect all Hydrants and Reservoirs of water belonging to the government in the city of Honolulu, at least once every week, and to report all damages sustained and repairs necessary for the same to the superintendent of public works, who shall cause such damages to be immediately repaired.

SECTION 3. That the Minister of the Interior be hereby authorized to draw on the Minister of Finance from time to time, for a sufficient amount to keep the aforesaid Hydrants and Reservoirs in efficient repair.

*Approved this 25th day of June, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

## AN ACT

PROVIDING FOR A NEW MARKET IN THE CITY OF HONOLULU.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. By this act, the space between the Flour Mill and the water, the boundaries of which are to be distinctly marked out by the Minister of the Interior, shall be reserved for and used as a market, for the use and convenience of the inhabitants of the above mentioned city, and the present rules and regulations for the government of the present market, shall be applied to the one authorized under this act.

SECTION 2. This act shall go into effect from and after the day of its passage.

*Approved this 25th day of June, A. D. 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

AN ACT  
RELATING TO THE PUBLIC HEALTH.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. There shall be appointed by the King, with the advice and consent of His Privy Council, a Board of Health consisting of three persons, to serve during the King's pleasure, who shall be charged with the general oversight and care of the public health, shall keep regular records of their proceedings, and shall discharge the several duties prescribed in the following sections.

SECTION 2. It shall be the duty of said Board to make and publish, from time to time, such regulations for the public health, both sanitary and quarantine, not in conflict with the laws of this kingdom, as it may think wise and expedient, and impose the same by proper fines and penalties through the regular courts, provided that such regulations shall be subject to the approval of the King in council.

SECTION 3. The Board of Health is authorized and empowered to appoint suitable agents in such localities on the Islands as it may deem necessary, and invest them with authority to carry into effect the aforesaid regulations for the public health, and shall hold such agents accountable for all monies received and disbursed by them, on account of the public health, and for the manner in which they may discharge their several duties.

SECTION 4. It shall be the duty of said Board, in person or by its duly authorized agent, to examine all residences or places where there may be reported or suspected to exist any nuisance deleterious to the public health, and when satisfied that such nuisance does exist, to cause it to be removed at the expense of the owner of the premises, or if on public ground at the expense of the government.

**SECTION 5.** It shall be the duty of the Marshal, all sheriffs and prefects of police, physicians and constables, to report to the Board of Health or its nearest authorized agent, the existence of any such nuisance of which either of them may be cognizant, as soon as possible after it shall come to the knowledge of either of them.

**SECTION 6.** It shall be the duty of every practicing physician to report to the Board of Health, or its nearest agent, in writing, every patient he may have laboring under any malignant disease highly dangerous to the public health, within twenty-four hours after he shall be satisfied of the nature of said disease; also during the prevalence of any malignant disease to report to the said Board, or its agent, every case of death which takes place in his practice from such disease within twenty four hours after it shall have occurred.

**SECTION 7.** It shall be the duty of every head of a family, keeper of a boarding or lodging house, or master of a vessel in any harbor of these Islands, to report to said Board of Health or its nearest agent, the name of any person in or about their houses or vessel whom they shall have reason to believe to be sick with malignant disease, within six hours after its occurrence; and the Board of Health shall have power to remove all cases of malignant disease to a more suitable place, when the health of the people in the vicinity shall require it.

**SECTION 8.** For the purpose of carrying into effect the several provisions of this act, the Board of Health are hereby authorized and empowered to draw from the King's treasury all sums of money that may be appropriated by the Legislature for the good of the public health, and disburse it for the several objects for which it shall have been appropriated; and in case pestilence or contagious disease shall visit the nation, said Board is empowered to draw from the public treasury such sums of money as may be from time to time appropriated by the King in council for the purchase of medicines, procuring the services of physicians, nurses and attendants, the erection of hospitals, supplying necessary food, clothing and lodging for the destitute sick, the interment of the dead, or any other measures they may deem necessary to protect the lives and health of the people during the prevalence of said disease; provided that in all cases said Board



shall observe the strictest economy in their expenditures; and provided moreover that in presenting their drafts to the Minister of Finance for payment, they shall be accompanied with an account current showing the objects for which the money is to be used, and satisfactory vouchers for the same.

SECTION 9. The Board of Health aforesaid shall make a full and detailed report of its transactions and business to the Legislature of each year, embodying an account of its receipts and expenditures, through the Minister of the Interior. It shall also, during the prevalence of severe pestilence or epidemic, furnish for publication each week a report of the health of the population.

SECTION 10. In case any monies are expended by the Board of Health for the sick brought into this kingdom in vessels from abroad, it shall be the duty of said Board, or their authorized agent, to demand the same of the captain of the vessel in which such sick person was brought, and unless paid upon request, the Collector of Customs shall not grant a clearance to such vessel until the same is paid; the master shall be held liable for the said amount, and may be sued for the same in the courts of this kingdom.

SECTION 11. For the purpose of removing filth injurious to the public health from houses, towns and villages, to a suitable distance, or filling up pits or ponds where such filth may be deposited, it shall be lawful for the Board of Health to require of the several governors of Islands to cause the prisoners under their charge to aid them in such work and to such an extent as said Board may deem necessary.

SECTION 12. This act shall take effect and become a law on the day of its passage; and an act entitled "A law establishing a Board of Health," confirmed by the Legislature on the 8th day of May, 1851, and also "An act relating to the Public Health," approved May 16th, 1853, and all other laws or parts of laws contravening this act are hereby repealed.

*Approved this 25th day of June, 1855.*

KAMEHAMEHA.

VICTORIA K. KA AHUMANU.

## AN ACT

TO REGULATE THE SHIPPING OF FOREIGN SEAMEN IN THE PORTS OF  
HONOLULU AND LAHAINA.

BE IT ENACTED, *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. That it shall be the duty of the Governors of Oahu and Maui from year to year to grant to any person applying therefore, a license to establish a Shipping Office for foreign seamen at the ports of Honolulu and Lahaina.

SECTION 2. Before granting a license to keep a shipping office the said Governors shall receive at the hands of the applicant the sum of forty dollars for the use of the Royal Exchequer, as license money, and they shall receive at the hands of the said applicant a bond with at least two good and sufficient sureties, to be approved by the said Governors, in the penal sum of two thousand dollars, which bond shall be in the following form, and upon the following condition:—

Know all men by these presents that we ——— principal, and ———, sureties, residing at ——— in the Island of ——— Hawaiian Islands, are held and firmly bound unto His Excellency ———, Governor of ———, for the use of the Hawaiian Government in the penal sum of two thousand dollars, lawful money, to be levied of our respective joint and several property, in case the condition herein setforth shall be violated. For the just and full payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals, and dated this ——— day of ———, 185 .

The condition of the above obligation is, that whereas the above bounden principal, has this day obtained a license to keep a shipping office for foreign seamen for the term of one year from the date hereof; now if he shall not during the continuance of his said license demand or receive more than three dollars as a shipping fee, nor more

than ten per cent. of the amount advanced as a surety fee from any sailor shipped at his office; and if he shall at no time make default in repaying to any and every captain and agent the amount advanced by them on account of any sailor, who has failed to sail on board their vessel, and for whom he may have become surety; and if he shall in no instance ship a sailor who has not a permit from the Harbor Master, then this obligation to be void; otherwise, upon proof being made to a Police Justice, without the intervention of a jury, as prescribed in the "Act to organize the Judiciary Department," the penalty mentioned in the above bond shall be forfeited, and the license on which it is predicated revoked.

**SECTION 3.** It shall be the duty of every shipping master to demand and receive the Harbor Master's Permit from every seaman whom he may ship, and place the same at the disposal of the Marshal of the Hawaiian Islands or his Deputy; and the shipping master shall deliver to such seaman a certificate of his shipment, stating the name of the ship on which he has engaged to serve, and the time at which he is to render himself on board; provided always that nothing in this act contained shall be so construed as to forbid captains of vessels from shipping foreign seamen for their own vessels, without the intervention of the shipping masters provided for in this law.

**SECTION 4.** Whoever shall ship a foreign seaman without a license as herein provided, shall be subject to a fine of one hundred dollars for each offense upon conviction thereof before a Police Justice.

**SECTION 5.** This act shall take effect from and after the first day of September, 1855.

*Approved this 23d day of July, 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**

## ARTICLES

OF AMENDMENT OF THE CONSTITUTION OF THIS KINGDOM PROPOSED  
AND AGREED TO, PURSUANT TO THE 105<sup>TH</sup> ARTICLE OF THE  
ORIGINAL CONSTITUTION.

**ARTICLE 1.** Article 27 is hereby amended in the native version only, by striking out the words "Alihikaua," and by inserting the words "Ka Luna Nui," so that the article as amended will read as follows:

"O ke Alii ka luna nui, maluna o na koa a me na manua a me na mea kua e ae ma ka moana a me ka aina; a nona ka mana ma ona iho, a ma o kekahi Luna Koa, a mau luna paha ana e koho ai, e ao a e hooponopono i ua mau mea kua nei mamuli o kona manao e pono a e malu ai ke aupuni. Aka, aole e pono ia ia ka hapai i ke kua me ka ae ole o kona Ahakukakukamalu."

**ARTICLE 2.** Article 29th is hereby amended by striking out the words "session of next year," and inserting in the same article, "term of two years," so that the article as amended will read as follows:—

"The King, by and with the advice of His Privy Council, convenes both Houses of the Legislature at the seat of government, or any different place, if that should become dangerous from an enemy or any dangerous disorder; and in case of disagreement between the two Houses, or between His Majesty and them, He adjourns, prorogues or dissolves them, but not beyond the term of two years; under any great emergency, He may convene both or either of them to extraordinary sessions."

**ARTICLE 3.** Article 32nd is hereby amended by striking out the words "appoint and," so that the article as amended will read as follows:—

"He has the power by and with the advice of His Cabinet, and the approval of His Privy Council, to remove at His pleasure, any of the several heads of the Executive Departments, and he may require in-

formation in writing from any of the officers in the Executive Departments, upon any subject relating to the duties of their respective offices."

**ARTICLE 4.** Article 43d is hereby amended by striking out the words "whose titles shall be Highness," and inserting the words "shall be addressed by the birth title, or such title as may have been conferred by His Majesty," so that the article as amended will read as follows:

"The King appoints some Chief of rank and ability to be His Kuhina Nui, who shall be styled the Kuhina Nui of the Hawaiian Islands, and shall be addressed by the birth title, or such title as may have been conferred by His Majesty."

**ARTICLE 5.** Article 54th is hereby amended by striking out the words "an annual," and also the words of "January next preceeding," and inserting the words "day of the fiscal year," so that the article as amended will read as follows:—

"Each of them shall make a report to the Legislature, made up to the first day of the fiscal year, of the transactions and business of his department, within one week after the opening of the Legislature."

**ARTICLE 6.** Article 61st is hereby amended by striking out the word "annually," and inserting the word "biennially," and by striking out the words "in the first week in April, and," and also the word "other," so that the article as amended will read as follows:

"The Legislature Body shall assemble biennially, for the purpose of seeking the welfare of the nation, at such time, and in the place that the King may judge necessary. This body shall be styled the Legislature of the Hawaiian Islands."

**ARTICLE 7.** Article 70th is hereby amended by striking out the words "year in which it shall have been made," and inserting in the same article, the words "term for which they shall have been elected," so that the article as amended will read as follows:—

"The Members of the House of Representatives shall receive for their services, a compensation to be ascertained by law, and paid out of the public Treasury, but no increase of compensation shall take effect during the term for which they shall have been elected; and no law shall be passed increasing the compensation of members beyond the sum of five dollars per day."

ARTICLE 8. Article 100 is hereby amended so as to read as follows:

“The Legislature votes the appropriations biennially after due consideration of the revenue and expenditure for the two preceding years, and of the estimates of the revenue and expenditure of the two succeeding years, which shall be submitted to them by the Minister of Finance.”

ARTICLE 9. Article 72 is hereby amended by inserting after the words “during life,” the following, “unless in case of resignation,” so that the article as amended will read as follows:—

“The King appoints the Members of the House of Nobles who hold their seats during life unless in case of resignation, subject to the provisions of Article 67, but their number shall not exceed thirty.”

*Approved by the King this 23d day of July, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

**JOINT RESOLUTION****FOR THE RELIEF OF THE ESTATE OF HIS LATE MAJESTY KAMEHAMEHA III.**

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

The Minister of Finance is hereby authorized to settle the notes and accounts of His late Majesty with the Hawaiian Treasury, together with all claims and offsets of His late Majesty against said treasury, and remit the balance due from His late Majesty's estate, to the Executors of the same.

*Approved this 27th day of June, A. D. 1855.*

**KAMEHAMEHA.**

**VICTORIA K. KAAHUMANU.**

## JOINT RESOLUTION.

BE IT ENACTED, *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That until the passage of the General Appropriation Bill, the Minister of Finance is authorized to pay all drafts drawn on him by the Minister of the Interior for the necessary expenses of the Fort of Honolulu, not exceeding the sum of Fifteen Hundred dollars.

*Approved this 23d April, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.



## JOINT RESOLUTION.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

That the Minister of Finance shall be and is hereby authorized, until the passage of the Appropriation Bill for 1855, to pay in anticipation of the appropriations for support of military and police, such sums as may be required for their pay; provided, however, that such sums shall not exceed the monthly proportion of last year's appropriation.

*Approved this 1st day of May, 1855.*

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

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## TREATY

BETWEEN HIS MAJESTY KAMEHAMEHA III, KING OF THE HAWAIIAN ISLANDS AND HER MOST GRACIOUS MAJESTY VICTORIA, QUEEN OF GREAT BRITAIN AND IRELAND, DEFENDER OF THE FAITH &c. &c.

KAMEHAMEHA III. King of the Hawaiian Islands, to all whom these presents shall come, greeting:

Whereas, a treaty of friendship, commerce and navigation, between Us and Her most Gracious Majesty the Queen of Great Britain and Ireland, Defender of the Faith &c. &c., &c., was concluded and signed at Honolulu, on the tenth day of July, in the year of our Lord, one thousand eight hundred and fifty-one, by the Plenipotentiaries of Us and of the said Queen of Great Britain, duly and respectively authorized for that purpose, which treaty is word for word as follows:

HER MAJESTY the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Hawaiian Islands, being desirous to maintain and improve the relations of good understanding which happily subsist between them, and to promote the commercial intercourse between their respective Subjects, have deemed it expedient to conclude a Treaty of Friendship, Commerce and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is to say:—

Her Majesty the Queen of Great Britain and Ireland, William Miller, Esquire, Her Consul General for the Islands in the Pacific Ocean:

And His Majesty the King of the Hawaiian Islands, Robert Crichton Wyllie, Esquire, His Minister of Foreign Relations, Member of His Privy Council of State and of His House of Nobles:

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following articles:

*Article 1.* There shall be perpetual Friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Her Heirs and Successors, and the King of the Hawaiian Islands, His Heirs and Successors, and between their respective Subjects.

*Article 2.* There shall be between all the Dominions of Her Britannic Majesty, and the Hawaiian Islands, a reciprocal freedom of commerce. The Subjects of each of the two Contracting parties, respectively, shall have liberty freely and securely to come with their Ships and Cargoes, to all places, ports and rivers in the Territories of the other, where trade with other Nations is permitted. They may remain and reside in any part of the said Territories respectively, and



hire and occupy houses and warehouses; and may trade, by wholesale or retail, in all kinds of produce, manufactures, and merchandise of lawful commerce; enjoying the same exemptions and privileges as Native Subjects, and subject always to the same laws and established customs as Native Subjects.

In like manner, the Ships of War of each contracting party, respectively, shall have liberty to enter into all Harbors, Rivers, and Places, within the Territories of the other, to which the Ships of War of other nations are or may be permitted to come, to anchor there, and to remain, and refit; subject always to the laws and regulations of the two countries respectively.

The stipulations of this article do not apply to the Coasting trade, which each Contracting party reserves to itself, respectively, and shall regulate according to its own laws.

*Article 3.* The two Contracting Parties hereby agree that any favor, privilege, or immunity whatever, in matters of commerce or navigation, which either contracting party has actually granted, or may hereafter grant, to the Subjects or Citizens of any other State, shall be extended to the Subjects or Citizens of the other Contracting party, gratuitously if the concession in favor of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

*Article 4.* No other or higher duties shall be imposed on the importation into the Dominions of Her Britannic Majesty, of any article the growth, produce or manufacture of the Hawaiian Islands, and no other or higher duties shall be imposed on the importation into the Hawaiian Islands, of any article the growth, produce, or manufacture of Her Britannic Majesty's Dominions, than are or shall be payable on the like article, being the growth, produce or manufacture of any other Foreign Country.

Nor shall any other or higher duties or Charges be imposed, in the Territories of either of the Contracting parties on the exportation of any article to the Territories of the other, than such as are or may be payable, on the exportation of the like article, to any other Foreign Country. No prohibition shall be imposed upon the importation of any article, the growth, produce, or manufacture of the Territories of either of the two contracting parties, into the Territories of the other, which shall not equally extend to the importation of the like articles, being the growth, produce or manufacture of any other Country. Nor shall any prohibition be imposed upon the exportation of any article from the Territories of either of the two Contracting Parties to the Territories of the other, which shall not equally extend to the exportation of the like article to the Territories of all other Nations.

*Article 5.* No other or higher duties or charges on account of tonnage, light, or harbor dues, pilotage, quarantine, salvage in case of damage or shipwreck, or any other local charges, shall be imposed, in any of the Ports of the Hawaiian Islands on British Vessels, than those payable in the same Ports by Hawaiian Vessels, nor in the Ports

of Her Britannic Majesty's Territories, on Hawaiian Vessels than shall be payable in the same Ports on British Vessels.

*Article 6.* The same duties shall be paid on the importation of any article which is or may be legally importable into the Hawaiian Islands, whether such importation shall be in Hawaiian or in British Vessels; and the same duties shall be paid on the importation of any article which is or may be legally importable into the Dominions of Her Britannic Majesty, whether such importation shall be in British or in Hawaiian Vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from the Hawaiian Islands whether such exportation shall be in Hawaiian or in British Vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from Her Britannic Majesty's Dominions, whether such shall be in British or in Hawaiian Vessels.

*Article 7* British Whale ships shall have access to the Ports of Hilo, Kealakekua, and Hanalei in the Sandwich Islands, for the purpose of refitment and refreshment, as well as to the Ports of Honolulu and Lahaina, which two last mentioned Ports only are Ports of entry for all merchant Vessels; and in all the above named Ports, they shall be permitted to trade or to barter their supplies or goods, excepting spirituous liquors, to the amount of two hundred dollars *ad valorem* for each vessel without paying any charge for tonnage, or for harbor dues of any description, or any duties of imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted with the like exemption from all charges for tonnage and harbor dues, further to trade or barter, with the same exemption as to spirituous liquors, to the additional amount of one thousand dollars *ad valorem*, for each vessel, paying on the additional goods and articles so traded and bartered, no other or higher duties than are payable on like goods and articles when imported in national vessels and by native subjects. They shall also be permitted to pass from Port to Port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen or land their Passengers in the said Islands except at Honolulu and Lahaina, and in all the Ports named in this article, British Whale ships shall enjoy, in all respects whatsoever, all the rights, privileges, and immunities which are and may be enjoyed by national Whale ships or by whaleships of the most favored nation.

The like privilege of frequenting the three Ports of the Sandwich Islands named in this article, which are not Ports of entry for Merchant Vessels, is also guaranteed to all the public armed vessels of Great Britain. But nothing in this article shall be construed as authorizing any British Vessel having on board any disease usually regarded as requiring quarantine, to enter, during the continuance of any such disease on board, any Ports of the Sandwich Islands other than Honolulu or Lahaina.

*Article 8.* All Merchants, commanders of ships, and others, the Subjects of Her Britannic Majesty, shall have full liberty, in the Ha-

Hawaiian Islands to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as Broker, Factor, Agent, or Interpreter; nor shall they be obliged to employ any other persons than those employed by Hawaiian Subjects, nor to pay to such persons as they shall think fit to employ, any higher salary or remuneration than such as is paid, in like cases, by Hawaiian Subjects. British Subjects in the Hawaiian Islands shall be at liberty to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract or exclusive privilege of sale or purchase whatever; and absolute freedom shall be allowed in all cases to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandise, imported into, or exported from the Hawaiian Islands, as they shall see good; observing the laws and established customs of those Islands. The same privileges shall be enjoyed in the Dominions of Her Britannic Majesty, by Hawaiian Subjects, under the same conditions.

The Subjects of either of the contracting Parties, in the Territories of the other, shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the Courts of Justice in the said Countries, respectively, for the prosecution and defence of their just rights; and they shall be at liberty to employ, in all causes the Advocates, Attorneys or Agents of whatever description, whom they may think proper; and they shall enjoy in this respect the same rights and privileges as Native Subjects.

*Article 9.* In whatever relates to the Police of the Ports, the lading and unlading of Ships, the warehousing and safety of merchandise, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange or testament, or in any other manner whatsoever, as also with regard to the administration of Justice, the Subjects of each Contracting Party shall enjoy, in the Territories of the other, the same privileges, liberties, and rights, as Native Subjects; and they shall not be charged, in any of these respects, with any other or higher imposts or duties, than those which are or may be paid by Native Subjects: subject always to the local laws and regulations of such Territories.

In the event of any Subject of either of the two Contracting parties dying without Will or Testament, in the Territories of the other Contracting party, the Consul General, Consul, or Acting Consul of the nation to which the deceased may belong, shall, so far as the Laws of each Country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful Heirs and Creditors, until an Executor, or Administrator be named according to the laws of the Country in which the death shall have taken place.

*Article 10.* The Subjects of Her Britannic Majesty residing in the Hawaiian Islands, and Hawaiian Subjects residing in the Dominions of Her Britannic Majesty, shall be exempted from all compulsory Military Service whatsoever, whether by Sea or Land, and from all

forced Loans, or Military Exactions or Requisitions; and they shall not be compelled, under any pretext whatsoever, to pay any ordinary Charges, Requisitions, or Taxes, other or higher than those that are, or may be, paid by Native Subjects.

*Article 11.* It is agreed and covenanted that neither of the two Contracting Parties shall knowingly receive into, or retain in, its service, any Subjects of the other party, who have deserted from the Naval or Military Service of that other party; but that, on the contrary, each of the Contracting Parties shall respectively discharge from its Service any such deserters, upon being required by the other Party so to do.

And it is further agreed, that if any of the Crew shall desert from a vessel of War or Merchant vessel of either Contracting Party, while such Vessel is within any Port in the Territory of the other Party, the Authorities of such Port and Territory shall be bound to give every assistance in their power for the apprehension of such Deserters, on application to that effect being made by the Consul of the Party concerned, or by the Deputy or Representative of the Consul; and no public body shall protect or harbor such Deserters.

It is further agreed and declared, that any other favor or facility with respect to the recovery of Deserters, which either of the Contracting Parties has granted or may hereafter grant, to any other State, shall be considered as granted also to the other Contracting party, in the same manner as if such favor or facility had been expressly stipulated by the present Treaty.

*Article 12.* It shall be free for each of the two Contracting parties to appoint Consuls for the protection of trade, to reside in the Territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted. The Diplomatic Agents and Consuls of the Hawaiian Islands, in the Dominions of Her Britannic Majesty shall enjoy whatever privileges, exemptions and immunities, are or shall be granted there to Agents of the same rank belonging to the most favored nation; and in like manner, the Diplomatic Agents and Consuls of Her Britannic Majesty in the Hawaiian Islands shall enjoy whatever privileges, exemptions, and immunities are or may be granted there to the Diplomatic Agents and Consuls of the same rank belonging to the most favored Nation.

*Article 13.* For the better security of commerce between the Subjects of Her Britannic Majesty and of the King of the Hawaiian Islands, it is agreed that if, at any time, any rupture, or any interruption of friendly intercourse should unfortunately take place between the two Contracting Parties, the Subjects of either of the two Contracting Parties, shall be allowed a year, to wind up their accounts, and dispose of their property; and a safe conduct shall be given them to embark at the Port which they shall themselves select. All Subjects of either of the two Contracting Parties who may be es-

tablished in the Territories of the other, in the exercise of any trade or special employment, shall in such case have the privilege of remaining and continuing such trade and employment therein, without any manner of interruption in full enjoyment of their liberty and property as long as they behave peaceably, and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in their own custody, or entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to Native Subjects. In the same case, debts between individuals, public funds, and the shares of companies, shall never be confiscated, sequestered, or detained.

*Article 14.* The subjects of Her Britannic Majesty, residing in the Hawaiian Islands shall not be disturbed, persecuted, or annoyed on account of their religion, but they shall have perfect liberty of conscience therein, and shall be allowed to celebrate Divine Service, either within their own private houses, or in their own particular Churches or Chapels, which they shall be at liberty to build and maintain in convenient places, approved of by the Government of the said Islands. Liberty shall also be granted to them to bury in Burial Places which, in the same manner, they may freely establish and maintain, such Subjects of Her Britannic Majesty, who may die in the said Islands. In the like manner, Hawaiian Subjects shall enjoy, within the Dominions of Her Britannic Majesty, perfect and unrestrained liberty of conscience, and shall be allowed to exercise their religion publicly or privately, within their own dwelling houses, or in the Chapels and places of Worship appointed for that purpose agreeably to the system of toleration established in the Dominions of Her said Majesty.

*Article 15.* In case there should at any time be established British Mail Packets, touching at a Port of the Sandwich Islands, a British packet Agent shall be permitted to reside at such port, and to collect, on account of the British Post Office, the British Sea rate of Postage which may be hereafter fixed for the conveyance of Letters by British Packets from the Sandwich Islands to any other place to which those Packets may proceed.

Such British Mails Packets shall have free access to the Ports of the Sandwich Islands, and shall be allowed to remain to refit, to refresh, to land passengers and their baggage, and to transact any business connected with the public Mail Service of Great Britain. They shall not be subject in such ports to any Duties of tonnage, harbor, light-houses, quarantine, or other similar duties, of whatever nature or under whatever denomination.

*Article 16.* If any ship of war or merchant vessel, of either of the Contracting Parties, should be wrecked on the coasts of the other, such ship or vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the proprietors upon being claimed by them or by

their duly authorized Agents; and if there are no such proprietors or agents on the spot, then the said goods and merchandise, or the proceeds thereof as well as all the papers found on board such wrecked ship or vessel, shall be delivered to the British or Hawaiian Consul in whose district the wreck may have taken place; and such Consul, Proprietors, or agents shall pay only the expenses incurred in the preservation of the Property, together with the rate of salvage which would have been payable in the like case of a wreck of a national vessel. The goods and merchandise saved from the wreck shall not be subject to duties, unless cleared for consumption.

*Article 17.* In order that the two contracting parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interest of their respective Subjects, it is agreed that at any time after the expiration of seven years from the date of the exchange of the Ratifications of the present Treaty, either of the Contracting parties shall have the right of giving to the other Party notice of its intention to terminate Articles 4, 5 and 6, of the present Treaty; and that at the expiration of twelve months after such notice shall have been received by either party from the other, the said Articles, and all the stipulations contained therein, shall cease to be binding on the two Contracting Parties.

*Article 18.* The present Treaty shall be ratified and the Ratifications shall be exchanged, at Honolulu, in Ten Months, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed thereto their respective Seals.

Done at Honolulu, this tenth day of July, in the year of Our Lord one thousand eight hundred and fifty-one.

(L. s.) ROBERT CRICHTON WYLLIE.

(L. s.) WILLIAM MILLER.

And whereas, We have fully examined all the points and articles, thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing Treaty, and We do confirm and ratify the same, in the most effectual manner, promising on Our faith and word as King, for Us and Our successors, to fulfil and observe it faithfully and scrupulously in all its clauses.

In faith of which We have signed this Ratification with Our own Hand, and have affixed thereto the great Seal of Our Kingdom.

Given at Our Palace at Honolulu the 6th day of May, in the year of Our Lord one thousand eight hundred and fifty-two, and in the twenty-seventh of Our Reign.

KAMEHAMEHA.

(L. s.)

KEONI ANA.

By the King and Kuhina Nui.

R. C. WYLLIE.

## EXCHANGE OF RATIFICATIONS.

The undersigned having met together for the purpose of exchanging the Ratifications of a Treaty of Friendship, Commerce, and Navigation, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Hawaiian Islands, concluded and signed at Honolulu on the 10th day of July 1851; and the respective Ratifications of the said instrument having been carefully compared, and found to be exactly conformable to each other, the said exchange, took place this day in the usual form.

In witness whereof, they have signed the present certificate of Exchange, and have affixed thereto their respective Seals.

Done at Honolulu, the sixth day of May, 1852.

(L. s.) ROBERT CRICHTON WYLLIE.

(L. s.) WILLIAM MILLER.

## ROYAL RATIFICATION

OF THE TREATY BETWEEN THE HAWAIIAN KINGDOM AND THE FREE  
HANSEATIC REPUBLIC OF BREMEN.

KAMEHAMEHA III., King of the Hawaiian Islands, to all whom these Presents shall come, greeting : Whereas a Treaty of Friendship, Commerce and Navigation between Us and the Free Hanseatic City of Bremen, was concluded and signed at Honolulu, on the seventh day of August, one thousand eight hundred and fifty-one, by the Plenipotentiary of Us, and the specially authorized Consul of the said Free Hanseatic City of Bremen, which Treaty is word for word, as follows :

It being desirable that a general Convention and instrument of mutual agreement should exist between the Hawaiian Kingdom and the Free Hanseatic City of Bremen, the following Articles have, for that purpose, and to that intent, been mutually agreed upon and signed between the Government of the Hawaiian Islands and that of Bremen.

*Article 1.* There shall be perpetual peace and amity between His Majesty the King of the Hawaiian Islands, his Heirs and Successors, and the Free Hanseatic City of Bremen, and those who may succeed in the Government thereof.

*Article 2.* The citizens of Bremen residing within the dominions of the King of the Hawaiian Islands, shall enjoy the same protection in regard to their civil rights, as well as to their persons and properties, as native subjects; and the King of the Hawaiian Islands engages to grant to the citizens of Bremen, the same rights and privileges which now are, or may hereafter be granted to, or enjoyed by any other foreigners, subjects of the most favored nation.

In the event of any subject of either of the two contracting parties, dying without Will or Testament, in the Territories of the other contracting party, the Consul General, Consul, or Acting Consul of the State to which the deceased may belong, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an Executor or Administrator be named, according to the laws of the country in which the death shall have taken place.

*Article 3.* The protection of the King of the Hawaiian Islands shall be extended to all Bremen vessels, their officers and crews, within the Harbors and Roads of His Dominions. In time of war they shall receive all possible protection against the enemies of Bre-



men. In case of shipwreck, the local authorities and officers of the King, shall use their utmost exertions to succour them and secure them from plunder. The salvage dues shall be settled according to the general law of salvage, and, in case of dispute, shall be regulated by Arbitrators chosen by both parties.

*Article 4.* The desertion of seamen belonging to Bremen vessels shall be severely repressed by the local authorities, who shall employ all means at their disposal, to arrest and confine deserters, and the lawful expenses shall be defrayed by the Captain or Owners. In such cases no unnecessary severity is to be used, and due notice is to be immediately given to the Bremen Consul, agreeably to the Vth Article of this Treaty.

*Article 5.* Bremen citizens shall be allowed to reside or settle on any part of the Dominions of the King of the Hawaiian Islands, upon obtaining a document certifying that they are worthy persons, from the Bremen Consul, whose duty it is, not to give any such documents to others than bona fide citizens of Bremen. In the case of Bremen sailors wishing to remain on the Islands, permission shall be previously obtained of the Government by the Bremen Consul.

*Article 6.* It is agreed that the Bremen Consul shall be instructed to zealously attempt to settle amicably, and extra-judicially, all difficulties arising with Bremen citizens; and that when any case is brought before the Court, of foreign causes, the presiding Judge shall with the least possible delay, communicate knowledge thereof to the Bremen Consul, also that when Bremen sailors or citizens, are committed, in consequence of police, or other offences, information shall be conveyed to him forthwith, by the Prefect or other officer of the police.

*Article 7.* No productions of Bremen, or any other goods on board of, or imported in Bremen ships that can be imported by other foreign ships, shall be prohibited, nor pay more than those duties levied on goods of the most favored nation. Any augmentation in the rate of duties levied on goods, shall not take effect nor be enforced, until eight calendar months after the first public notification of such change.

*Article 8.* Bremen merchandise and property, or goods imported in Bremen vessels, liable to an entrance duty higher than 5 per cent. ad valorem, shall be allowed to be bonded, paying only the usual transit duty.

*Article 9.* All Bremen vessels shall have the right, and privilege, of disposing of their cargoes, or any part thereof, at all, or any of the Ports of the Hawaiian Dominions, now open, or that may hereafter be opened to foreign commerce, and to take in any produce of the Hawaiian Islands, which they may receive in payment of such cargoes.

But they shall not be allowed to take any goods or merchandise or freight from one island or port to another, such coasting trade being restricted to bottoms sailing under the Hawaiian flag.

*Article 10.* The subjects of His Majesty the King of the Hawaiian

Islands, shall in their commercial relations, or relations of any other nature, with the Free Hanseatic city of Bremen and her dependencies be treated on the footing of the most favored nation.

Done at Honolulu, this seventh day of August, 1851.

(Signed)

[L.S.]

(Signed)

[L.S.]

R. C. WYLLIE,

Minister of Foreign Relations.

STEPHEN REYNOLDS,

Under Special Authority,

from the Senate of Bremen.

*Additional Article.* This Treaty shall not be permanently binding till it receive the ratification of His Majesty the King of the Hawaiian Islands, and of the Senate of the Free Hanseatic City of Bremen, but in the mean while, for the sake of Bremen vessels, or citizens arriving it is mutually agreed that it shall take effect provisionally from this date.

Done at Honolulu, this seventh day of August, 1851.

(Signed)

[L.S.]

(Signed)

[L.S.]

STEPHEN REYNOLDS.

Under Special Authority,

from the Senate of Bremen.

R. C. WYLLIE,

Minister of Foreign Relations.

And whereas, We have fully examined all the points and Articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing Treaty, and We do confirm and ratify the same in the most effectual manner, promising on our faith and word as King, for Us and Our successors to fulfil and observe it faithfully and scrupulously, in all its clauses.

In faith of which We have signed this Ratification with Our own hand, and have affixed thereto the Great Seal of Our Kingdom.

Given at Our Palace, at Honolulu, this twenty seventh day of March, in the year of Our Lord one [Seal of State] thousand eight hundred and fifty-four, and in the twenty-ninth year of Our Reign.

(Signed)

KAMEHAMEHA.

(Signed)

KEONI ANA.

Countersigned by the

KING AND KUHINA NUI.

R. C. WYLLIE,

Minister of Foreign Relations.

## TREATY

WITH THE KINGDOMS OF SWEDEN AND NORWAY.

**WE, KAMEHAMEHA IV**, by the Grace of God, King of the Hawaiian Islands, make known

That His late Majesty King Kamehameha III, having authorized a treaty of friendship, commerce and navigation, with an additional article thereto annexed, between the Hawaiian Kingdom, and the Kingdoms of Sweden and Norway, which was concluded, signed and sealed on the first of July, 1852, by our respective plenipotentiaries, viz. : On His behalf, Robert Crichton Wyllie, Esquire, His Minister of Foreign Relations, His Secretary at War, and of the Navy, Member of His Privy Council of State, Member of the House of Nobles and Chairman of the Commissioners of His Privy Purse, and on behalf of His Majesty Oscar, King of Sweden and Norway, of the Goths and Vandals, Monsieur Christian Adolphe Virgin, His Majesty's Chamberlain, Post Captain in His Majesty's Navy, Knight of the order of the Sword, and of the order of St. Stanislaus of Russia, of the second Class, which treaty and its additional article are word for word as follows :

*It being of great advantage to establish relations of friendship and commerce between the Kingdoms of His Majesty the King of Sweden and Norway and the Kingdom of His Majesty the King of the Hawaiian Islands, the undersigned, having exchanged their powers, mutually admitted as sufficient, have agreed, on the part of their respective sovereigns, to conclude a treaty of Friendship, Commerce and Navigation, as follows :*

*Article 1.* There shall be perpetual friendship between His Majesty the King of the United Kingdoms of Sweden and Norway, His Heirs and Successors, and the King of the Hawaiian Islands, His Heirs and Successors, and between their respective subjects.

*Article 2.* There shall be between all the dominions of His Swedish and Norwegian Majesty, and the Hawaiian Islands, a reciprocal freedom of commerce. The subjects of each of the two contracting parties, respectively, shall have liberty freely and securely to come with their ships and cargoes, to all places, ports and rivers, in the territories of the other, where trade with other nations is permitted. They may remain and reside in any part of the said territories, respectively, and hire and occupy houses and warehouses, and may trade, by wholesale or retail, in all kinds of produce, manufactures

and merchandise of lawful commerce, enjoying the same exemptions and privileges as native subjects, and subject always to the same laws, and established customs, as native subjects.

In like manner the ships of war of each contracting party, respectively, shall have liberty to enter into all harbors, rivers, and places, within the territories of the other, to which the ships of war of other nations are or may be permitted to come, to anchor there, and to remain and refit, subject always to the laws and regulations of the two countries respectively.

The stipulations of this article do not apply to the coasting trade, which each contracting party reserves to itself respectively, and shall regulate according to its own laws.

*Article 3.* The two contracting parties hereby agree, that any favor, privilege, or immunity whatever, in matters of commerce or navigation, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other state, shall be extended to the subjects or citizens of the other contracting party, gratuitously, if the concession in favor of that other state shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

*Article 4.* No other or higher duties shall be imposed on the importation into the dominions of His Swedish and Norwegian Majesty, of any article, the growth, produce, or manufacture of the Hawaiian Islands; and no other or higher duties shall be imposed on the importation into the Hawaiian Islands of any article the growth, produce, or manufacture of His Swedish and Norwegian Majesty's dominions, than are or shall be payable on the like article, being the growth, produce or manufacture of any other foreign country.

Nor shall any other or higher duties or charges be imposed in the territories of either of the contracting parties on the exportation of any article to the territories of the other, than such as are, or may be payable, on the exportation of the like article to any other foreign country. No prohibition shall be imposed upon the importation of any article, the growth, produce or manufacture of the territories of either of the two contracting parties, into the territories of the other, which shall not equally extend to the importation of the like articles, being the growth, produce or manufacture of any other country. Nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two contracting parties to the territories of the other, which shall not equally extend to the exportation of the like articles to the territories of all other nations.

*Article 5.* No other, or higher duties or charges on account of tonnage, light, or harbor dues, pilotage, quarantine, salvage in case of damage or shipwreck, or any other local charges shall be imposed in any of the ports of the Hawaiian Islands on Swedish and Norwegian vessels, than those payable in the same ports by Hawaiian vessels, nor in the ports of His Swedish and Norwegian Majesty's

territories, on Hawaiian vessels, than shall be payable in the same ports on Swedish and Norwegian vessels.

*Article 6.* The same duties shall be paid on the importation of any article which is or may be legally importable into the Hawaiian Islands, whether such importation shall be in Hawaiian or in Swedish and Norwegian vessels; and the same duties shall be paid on the importation of any article which is or may be legally importable into the dominions of His Swedish and Norwegian Majesty, whether such importations shall be in Swedish and Norwegian, or in Hawaiian vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be exportable from the Hawaiian Islands whether such exportation shall be in Hawaiian or in Swedish and Norwegian vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from His Swedish and Norwegian Majesty's Dominions, whether such exportation shall be in Swedish and Norwegian, or in Hawaiian vessels.

*Article 7.* Swedish and Norwegian whale ships shall have access to the ports of Hilo, Kealakekua and Hanalei in the Sandwich Islands, for the purpose of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which two last mentioned ports only are ports of entry for all merchant vessels; and in all the above named ports they shall be permitted to trade or barter their supplies, or goods, excepting spirituous liquors, to the amount of two hundred dollars ad valorem, for each vessel, without paying any charge for tonnage or for harbor dues of any description, or any duties or imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted with the like exemption from all charges for tonnage and harbor dues, further to trade or barter with the same exception as to spirituous liquors, to the additional amount of one thousand dollars ad valorem, for each vessel, paying upon the additional goods and articles so traded and bartered no other or higher duties than are payable on like goods and articles when imported in national vessels and by native subjects. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen, or land their passengers in the said Islands, except at Honolulu and Lahaina, and in all the ports named in this article, Swedish and Norwegian whale ships shall enjoy in all respects whatsoever all the rights, privileges and immunities which are or may be enjoyed by national whale ships, or by whale ships of the most favoured nation.

The like privilege of frequenting the three ports of the Sandwich Islands named in this article, which are not ports of entry for merchant vessels, is also granted to all the public armed vessels of Sweden and Norway. But nothing in this article shall be construed as authorizing any Swedish or Norwegian vessel having on board any disease usually regarded as requiring quarantine, to enter during the contin-

uance of any such disease on board, any ports of the Sandwich Islands other than Honolulu or Lahaina.

*Article 8.* All merchants, commanders of ships and others, the subjects of His Swedish and Norwegian Majesty, shall have full liberty in the Hawaiian islands, to manage their own affairs themselves or to commit them to the management of whomsoever they please, as broker, factor, agent or interpreter; nor shall they be obliged to employ any other persons than those employed by Hawaiian subjects, nor to pay to such persons as they shall think fit to employ, any higher salary or remuneration than such as is paid in like cases by Hawaiian subjects. Swedish and Norwegian subjects in the Hawaiian Islands, shall be at liberty to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract or exclusive privilege of sale or purchase whatever; and absolute freedom shall be allowed in all cases to the buyer and seller, to bargain and fix for the price of any goods, wares or merchandise, imported into or exported from the Hawaiian Islands, as they shall see good: observing the laws and established customs of those Islands. The same privileges shall be enjoyed in the dominions of His Swedish and Norwegian Majesty, by Hawaiian subjects under the same conditions.

The subjects of either of the contracting parties in the territories of the other shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice in the said countries, respectively, for the prosecution and defense of their just rights, and they shall be at liberty to employ, in all cases, the advocates, attorneys, or agents of whatsoever description, whom they may think proper; and they shall enjoy in this respect the same rights and privileges as native subjects.

*Article 9.* In whatever relates to the police of the ports, the lading and unlading of ships, the warehousing and safety of merchandise, goods and effects, the succession to personal estates by will or otherwise, and the disposal of personal properties of every sort and denomination by sale, donation, exchange or testament, or in any other manner whatsoever, as also with regard to the administration of justice, the subjects of each contracting party shall enjoy in the territories of the other, the same privileges, liberties and rights as native subjects, and they shall not be charged in any of these respects, with any other or higher imposts or duties, than those which are or may be paid by native subjects, subject always to the local laws and regulations of such territories.

In the event of any subject of either of the two contracting parties dying without will or testament, in the territories of the other contracting party, the Consul General, Consul or acting Consul of the nation to which the deceased may belong, shall so far as the laws of each country will permit, take charge of the property which the deceased may have left for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of country in which the death shall have taken place.

*Article 10.* The subjects of His Swedish and Norwegian Majesty residing in the Hawaiian Islands, and Hawaiian subjects residing in the dominions of His Swedish and Norwegian Majesty shall be exempted from all compulsory military service whatever, whether by sea or by land, and from all forced loans, or military exactions or requisitions, and they shall not be compelled under any pretext whatsoever to pay any ordinary charges, requisitions or taxes, other or higher than those that are or may be paid by native subjects.

*Article 11.* It is agreed and covenanted that neither of the two contracting parties shall knowingly receive into, or retain in its service any subjects of the other party who have deserted from the naval military service of that other party, but that on the contrary, each of the contracting parties shall, respectively, discharge from its service any such deserters upon being required by the other party so to do.

And it is further agreed that if any of the crew shall desert from a vessel of war, or merchant vessel of either contracting party, while such vessel is within any port in the territory of the other party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the consul of the party concerned, or by the deputy or representative of the consul, and no public body shall protect or harbor such deserters.

It is further agreed and declared that any other favor or facility with respect to the recovery of deserters which either of the contracting parties has granted or may hereafter grant, to any other state, shall be considered as granted also to the other contracting party, in the same manner as if such favor or facility had been expressly stipulated by the present treaty.

*Article 12.* It shall be free for each of the two contracting parties to appoint consuls for the protection of trade to reside in the territories of the other party, but, before any consul shall act as such, he shall in the usual form be approved and admitted by the government to which he is sent; and either of the contracting parties may except from the residence of consuls, such particular places as either of them may judge fit to be excepted. The diplomatic agents and consuls of the Hawaiian Islands in the dominions of His Swedish and Norwegian Majesty shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to agents of the same rank belonging to the most favored nation; and in like manner the diplomatic agents and consuls of His Swedish and Norwegian Majesty in the Hawaiian Islands, shall enjoy whatever privileges, exemptions or immunities are or may be granted there to the diplomatic agents and consuls of the same rank belonging to the most favored nation.

*Article 13.* For the better security of commerce between the subjects of His Swedish and and Norwegian Majesty and of the King of the Hawaiian Islands, it is agreed, that if at any time, any rupture or interruption of friendly intercourse should unfortunately take place between the two contracting parties, the subjects of either of the two

contracting parties, shall be allowed a year to wind up their accounts and dispose of their property, and a safe conduct shall be given them to embark at the port which they shall themselves select. All subjects of either of the two contracting parties who may be established in the territories of the other in the exercise of any trade or special employment shall in such case have the privilege of remaining and continuing such trade and employment therein, without any manner of interruption, in full enjoyment of their liberty and property, as long as they behave peaceably and commit no offense against the laws; and their goods and effects, of whatever description they may be, whether in their own custody or entrusted to individuals or to the state shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects. In the same case debts between individuals, public funds, and the shares of companies shall never be confiscated, sequestered or detained.

*Article 14.* The subjects of His Swedish and Norwegian Majesty residing in the Hawaiian Islands, shall not be disturbed, persecuted or annoyed on account of their religion, but they shall have perfect liberty of conscience therein, and shall be allowed to celebrate Divine service either within their own private houses or in their own particular churches or chapels; which they shall be at liberty to build and maintain in convenient places, approved of by the government of the said Islands. Liberty shall also be granted to them to bury in burial places, which in the same manner they may freely establish and maintain, such subjects of His Swedish and Norwegian Majesty, who may die in the said Islands. In like manner Hawaiian subjects shall enjoy within the dominions of His Swedish and Norwegian Majesty perfect and unrestrained liberty of conscience, and shall be allowed to exercise their religion publicly or privately, within their own dwelling houses, or in the chapels or places of worship appointed for that purpose agreeably to the system of toleration established in the dominions of His said Majesty.

*Article 15.* All vessels bearing the flag of Sweden or of Norway in time of war shall receive every possible protection, short of actual hostility, within the ports and waters of His Majesty the King of the Hawaiian Islands; and His Majesty the King of Sweden and Norway engages to respect in time of war the neutral rights of the Hawaiian Kingdom and to use his good offices with all other powers, having treaties with His Majesty the King of the Hawaiian Islands, to induce them to adopt the same policy towards the Hawaiian Kingdom.

*Article 16.* If any ships of war or merchant vessel, of either of the contracting parties should be wrecked on the coasts of the other, such ship or vessel or any parts thereof, and furniture and appurtenance belonging thereunto, and all goods and merchandise which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the proprietors upon being claimed by them, or by their duly authorized agents, and if there are no such proprietors or agents



on the spot, then the said goods or merchandise, or the proceeds thereof, as well as all the papers found on board such wrecked ship or vessel shall be delivered to the Swedish and Norwegian or Hawaiian consul in whose district the wreck may have taken place, and such consul, proprietors or agents shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in the like case of a wreck of a national vessel. The goods and merchandise saved from the wreck shall not be subject to duties, unless cleared for consumption.

*Article 17.* In order that the two contracting parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications of the present treaty, either of the contracting parties shall have the right of giving the other party notice of its intention to terminate articles 4, 5 and 6 of the present treaty; and that at the expiration of 18 months after such notice shall have been received by either party from the other, the said articles, and all the stipulations contained therein shall cease to be binding on the two contracting parties.

*Article 18.* The present treaty shall be ratified and the ratifications shall be exchanged at Honolulu in eighteen months, or sooner, if possible.

In witness whereof the respective plenipotentiaries have signed the same, and affixed thereto their respective seals.

Done at Honolulu this first day of July, in the year of Our Lord one thousand eight hundred and fifty-two:

Signed, R. C. WYLLIE,  
H. H. M.'s Minister of Foreign Relations,  
Member of His Privy Council of State  
and of His House of Nobles.  
[L. S.]

Signed, C. A. VIRGIN.  
Chamberlain to His M. the King of Sweden and Norway, Post Captain in the R. Swedish Navy, Knight of the Royal order of the Sword and of the Imperial Russian order of St. Stanislaus.  
[L. S.]

#### ADDITIONAL ARTICLE.

This treaty shall not be considered as permanently binding until the ratifications have been exchanged as provided for in article eighteen, but it has been agreed that from this date, all the benefits under it shall be extended to all the subjects of His Swedish and Norwegian Majesty, their commerce and navigation.

Done at Honolulu this first day of July, in the year of Our Lord one thousand eight hundred and fifty-two.

Signed, R. C. WYLLIE,  
[L. S.]

Signed, C. A. VIRGIN.  
[L. S.]

And whereas, We, Kamehameha IV., have fully examined all the points and articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing Treaty, and

We do confirm and ratify the same in the most effectual manner, promising, on Our faith and word, as King, for Us and Our successors, to fulfil and observe it faithfully and scrupulously, in all its clauses.

In faith of which, We have signed this Ratification with Our hand, and have affixed thereto the Great Seal of Our Kingdom.

Done at Our Palace of Honolulu, this fifth day of April, in the year of Our Lord, 1855, and the first of Our reign.

[L. S.]

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

By the King and Kuhina Nui.

R. C. WYLLIE,  
Minister of Foreign Relations.



K A N A W A I

O K A M O I

K A M E H A M E H A I V.,

KE ALII O KO HAWAII PAE AINA,

I K A U I A E N A

ALII AHAOLELO A ME KA POEIKOHOIA,

ILOKO O KA AHAOLELO O KA

MAKAHIKI 1856.



HONOLULU :  
PAHA MAMULI O KE KAHOHA A KE AUPUNI :  
1856.



# NA KANAWAI O 1856.

## HE KANAWAI

### E AE ANA I KE KAOMI IA O KA WAINA.

NO KA MEA ; ua mana'o ia o ke kaomi ana i ka waina, he mea ia e oi ai ka waiwai o keia Aupuni, a he mea no hoi e emi ai ka inu ia na wai ano ino.

NOLA'ILA, E HOHOLOIA e ke *Alii*, me na 'Lii a me ka *Po'ikohoa* o ko *Hawaii Pae Aina* i *ako'ako'a iloko o ka Ahaolelo kau Kanawai*:

PAUKU I. Ma keia Kanawai ua kauohaia ke Kuhina Kalai'ana, e haawi aku i na Palapala Ae, e ae ana i ke kaomi ia o ka waina, ke waiho mua mai no nae ua kanaka nei e makemake ana e kaomi i ka waina i ka Palapala Hoopaa me ke Kuhina Kalai'ana, e hoopaa ana ia ia iho, a me kekahi hope kupono; penei ke ano oia Palapala Hoopaa

E ike auanei na kanaka a pau ma keia Palapala, owau—ka mua, a o—ka hope, e noho ana ma—ma ka Mokupuni o—Pae Aina o Hawaii. Ua hoopaa ia maua no na dala Elimu Haneri imua o ke Kuhina Kalai'ana, a i kona mau hope ma ia Oihana, a e hiki no ke obi ia ko maua waiwai hui, a me ko maua waiwai kaawale i kaa keia mau dala ke hooko ole ia na olelo malalo iho, i mea e hooko ia ai keia mau olelo, ke kau nei maua i ko maua inoa no maua iho, a me na hooilina, a me na hooko kauoha, na hooponopono waiwai, a me na waihona o maua.

Ua kau ia na Lima a me na Sila o maua i keia la—o—  
M. H. 185

Eia ke ano o keia Palapala, no ka loa'a ana mai ia—ka mua i keia la i ka Palapala Ae, e kaomi i ka waina, mai loko o ka hua waina i hoouluia ma Hawaii nei no na makahiki he umi mai keia la aku, ina aole ia e kuai, a haawi wale aku paha i ka waina i kekahi kanaka maoli o keia Aupuni iloko o ia mau makahiki he umi; a ina aole oia e kaomi i ka waina mai loko o ka hua waina i hoouluia ma ka aina e; ina aole e puhii, i ka barani, i ka rama, a i kekahi wai ikaika e ae; ina e hoike aku hoi oia ma ka Palapala me ka pololei i ke Kuhina Kalai'ana i ka la hope o Dec. a mamua ae paha, i ka nui o ka waina ana i kaomi ai, ka nui i lilo aku, a me ka nui e koe mai ana ia ia, alaila, e lilo keia Palapala Hoopaa, i mea ole; aka, ina aole kela e hoopolei i kana hana, e like me na olelo a pau maluna, a maopopo i ka mana'o o kekahi Lunakanawai Hoomalu, a o kekahi Lunakanawai

Apana paha, ua hooke ole ia na olelo, a o kekahi hapa paha o na olelo o keia Palapala Hoopaa, alaila e lilo na dala i oleloia maluna no ka Waihona Waiwai o ke 'Lii.

(Sila,)

———Ka mua.

(Sila.)

———Ka hope.

PAUKU 2. Mamua o ka loa ana'ku o ua Palapala Ae nei, e uku ae ka mea lawe i ua Palapala Ae nei i na dala *he kanaama*, i dala no ka Waihona o ke 'Lii a me na dala no hoi kekahi o ke kumukuai o na Palapala Hoailona Pai o ke 'Lii.

PAUKU 3. O kela mea keia e kaomi ana i ka waina, me ka loa mua ole o ka Palapala Ae, e like me na olelo mamua iho nei, ke hoopii ia oia imua o kekahi Lunakanawai Hoomalu, a imua o kekahi Lunakawai Apana paha, e hoopaiia oia e like me na olelo o ka Pauku 2 o ka Mokuna 42 o ke Kanawai Hoopai Karaima.

PAUKU 4. E lilo keia i Kanawai i kona la e hooholoia ai. Aponoia i keia la 13 o Dekemaba, 1855.

KAMEHAMEHA.

V. K. KAAHUMANU.

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### HE KANAWAI

#### E PILI ANA I NA HIHIA KAULIKE.

*E HOOHOLOIA e ke Alii, me na 'Lii a me ka Poaikohoia o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai :*

PAUKU 1. E hoopuaia a ma keia kanawai ua hoopuaia no ke kauwahi hapa o ka pauku umi, haawina ekolu, mokuna eha, o ke kanawai hoonohonoho Oihana Lunakanawai, e olelo ana e hoopii mai ka mea hoopii imua o ka Lunakanawai Kaulike, ma ka hope o kana palapala hoopii, i papa inoa o na hoike ana i hilineai ai.

PAUKU 2. E lilo keia i kanawai mai ka la i hooholoia'i. Aponoia i keia la 17 o Aperila, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

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### HE KANAWAI

#### E PILI ANA I KA AHAHOOKOLOKOLO KAAPUNI O KA APANA AHA.

*E HOOHOLOIA e ke Alii me na 'Lii a me ka Poaikohoia o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai :*

PAUKU 1. Ma keia hope aku, e hoomakaia ka hookelelo ana ma ka Aha Kaapuni no ka Apana Aha, i ka Monede mua o ka malama o Iune, i kela makahiki keia makahiki, aole ma ka Monede mua o Feberuari e like me ka manawa i hala.

PAUKU 2. E hoomakaia ka halawai mua o ia Aha mamuli o ka olelo o keia kanawai i ka Monede mua o lune, M. H. 1856.

Ua aponoia i keia la 17 o Aperila, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

E HOOLOLI ANA I KE KANAWAI NO KA HOOPII HOU ANA MAI NA  
AHAHOOKOLOKOLO HAAHAA, A I NA AHA KAAPUNI ME NA  
AHA KIEKIE

*E HOOHOLOIA e ke Alii, me na 'Lii a me ka Poaikohoia o ko Hawaii Pae  
Aina i akoakoa iloko o ka Ahaolelo kau kanawai :*

PAUKU 1. O ka pauku elua o ka mokuna kanalimakumamakolu, o  
ke kanawai hoopai karaima, e hoololiia a me noia e heluhelua'i :

"Ma keia mau hewa a pau, i hookolokolo ia imua o na lunakana-  
wai hoomalu, a imua o na lunakanawai apana paha, e hiki no i ka  
mea i hoopii hou ae i ka aha kiekie, a i ka aha kaapuni paha, e hoo-  
kolokoloia imua o ka jure, ke hai mua oia i kona manao hoopii hou  
iloko o na la elima mahope iho o ia hookolokolo mua ana, a e uku no  
hoi oia i ke koina iloko o na la umi mahope iho o ia hookolokolo ana,  
a e haawi no hoi oia i palapala hoopaa e hooiki ana, e uku oia i hoo-  
kahi haneri dala, i mea e kaa ai ke koina no ka hookolokolo hou ana,  
ke ko ole oia.

PAUKU 2. O kela mea keia mea i hoopiiia, i kona hoopii hou ana i  
ka olelo hooholo a ka lunakanawai hoomalu a lunakanawai apana  
paha, ma ka hihia karaima, e paa mau no oia malalo o ka makai nui  
a o ka ilamuku paha, a i ka manawa e akoakoa ai ka aha kiekie, a o  
ka aha kaapuni paha, kahi i hoopii hou ae ua mea hoopii la, ke ole oia  
e waiho ma ka lima o ka makai nui a o ilamuku paha, i palapala  
hoopaa no na dala e like ka nui me na dala hoopai i hoopaiia ai e ka  
aha malalo; penei ke ano o ka palapala hoopaa, e hele mai oia e hoo-  
kolokoloia ma ka aha kiekie a i ka aha kaapuni paha i oleloia malu-  
na. A ina paha i hoopai ia oia ma ka aha hoomalu a ma ka aha apa-  
na pana, ina he hoopai dala me ka hoopaa hao kekahi, alaila, e koi  
aku ka ilamuku a o ka makai nui paha, i ka mea hoopii e haawi mai  
i palapala hoopaa e like me ka mea i oleloia maluna, aole emi malalo  
o ka haneri dala hookahi, aole hoi oi aku i na haneri dala elua.

PAUKU 3. E lilo keia i kanawai mai ka la aku i hooholoia'i.

Ua aponoia i keia la 20 o Mei, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

NO KA HOOLAKO ANA I KA POE I HOOPAIIA MA KA HOOPII  
CIWILA.

*E HOOHOLOIA e ke Alii, me na 'Lii a me ka Poaikohoia o ko Hawaii Pae  
Aina iloko o ka Ahaolelo kau kanawai :*

PAUKU 1. Ina, o ka mea pale aku i ka hoopii hookahi a oi aku, no  
ka hihia waiwai, ua hopu ia a hoopaa ia, ma ke ano aie kolohe, e  
hoolakoia oia e ka mea a o na mea paha o ka aoao hoopii a hoopaaia'i  
a hiki i ka pau o kona paa ana.

PAUKU 2. Nolaila, e uku ka mea a o na mea paha o ka aoao hoo-  
pii a hoopaaia ka mea pale aku, i ka hapalua dala o ka la, iloko o ka



lima o ka luna ia ia ka hoopaa ana; a ina i uku ole ia keia haawina i hoolako ai i ka mea pale aku, a hala na la he umi, i kekahi manawa, alaila e hookuuia oia e ka Inna ia ia kona hoopaa ana.

PAUKU 3. E lilo keia i kanawai mai ka la aku o ka pai ana a hoolaha, maloko o ka nupepa *Polunesia*.

Ua ponoia i keia la 2 o Mei, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

### E HOLO LEA AI KA OHI ANA O NA AIE.

NO KA MEA, ua nui na hoopii no ka hoonole ia o ka poe mea aie pono, no ka hoolilo ana o ko lakou poe i aie mai i ko lakou waiwai a pau ia hai, i kaawale ia a hiki ole ke hoomalu a lawe mamuli o ka palapala ohi waiwai, no ka mea, aole mea e pale aku ai i keia, o ka hana loihii a me ka uku nui a me ka hemahema o ka Oihana kau like wale no, a nolaila hoi ua hemahema ke Kanawai,

NOLAILA, E HOOHOLEIA e ke *Alii*, me na '*Lii* a me ka *Poekohoa* o ko *Hawaii Pae Aina* i akoakoa iloko o ka ahaolelo kau kanawai.

PAUKU 1. I na i hunania ka waiwai o kekahi maloko o na lima o kona panihakahaka a hope a luna a waihona paha i hiki ole ai ke loa a hoomalu no kona aie, a i na he mau aie mai o hai ia ia, alaila, e hiki no i kela a i keia o na mea ana i aie aku ai ke hoopii aku nona, a i kona manawa e haawi ai i ka palapala hoopaa no na dala, e like ka nui me ka manao o ka Ahahookolokolo, e pani no na koina a me na poho a ua Panihakahaka la, a hope, a waihona, a Luna paha, ke ko ole ia ka hoopii a ka mea hoopii a hooholo ole ia, alaila, e hiki ia ia ke hookomó maloko o kona palapala noi i ka Aha, i olelo kena e hiki ia ia ke noi aku i ka makai maloko oia olelo kena e waiho aku oia i ke kope oiaio ua hoike ia no ia mea me ua Panihakahaka la, a hope, a luna, a waihona, a i ole ia ma kahi e noho ai oia, a o lakou paha, a e kii aku i ua Panihakahaka la a Waihona, e hele mai i ka la a ma ka manawa hookolokolo i oleloia a hoakakaia maloko o ua olelo kii la, no ka hoolohe ana o ia hihia, a ia manawa, a ia wahi ma ka hooihii ana e hai aku ina ia ia i ka manawa i waihoia mai ua kope la ma o na la, a i keia manawa paha, kekahi waiwai a ukana paha o ka mea pale aku maloko o kona lima, a ina pela, i ke ano a i ka nui o ia waiwai, a ina he aie ko ka mea i hoopiiia ia ia i ke ano a me ka nui o ia aie, a e kakau ia ka inoa o ka Lunakanawai ia ia ka nui o ka olelo, a e hoopukaia e like me ke ano mea mau o ka hana ma aha iloko o keia Apuni. A na ka luna e hana ma ia mea e like me ia kauha ana i ua poe la, e hoomalu ia ma ka lima o ua Panihakahaka la, a Hope, a Luna, a Waihona, a mea aie i ka pale aku na waiwai a pau a me na ukaha a me na aie, maloko o kona lima, i mea e uku ai e like me ka loa a ka hoopii ma ka hookolokolo ana, aole hoi e hoolilo ano e me ia, e ua Panihakahaka la, a Hope, a Luna, a Waihona, a o ia lohe, oia ka lohe kupono i ka mea aku e hiki ai i ka mea hoopii ke hoo-

kolokoloia kona hihia, ke ole ka mea pale aku he kamaaina no keia Pae Aina, a ua noho liuliu paha maanei a ina pela, e waiho ia i kope like ma kona lima, a i ole ia ma kona wahi noho hope ai a noho mua ai no hoi.

PAUKU 2. E ae ia ua Panihakahaka la, a Hope, a Luna, a Waihona, ke noi mai pela, e kokua i kona mea e nana aku ai, ma ua hoo-kolokolo ana la, a ina i hooholoia ma ke ano hoapono i ka mea hoopii, alaila, e pili i na waiwai a pau a me na ukana maloko o na lima o ua Panihakahaka la, a Hope, a Luna, a Waihona, a aie, i ka hapa paha o ia e lako ai no ia mea, ka hihia uuku no ia, a o ka mea hoopii, i kona noi ana i olelo ohi waiwai, e hiki ia ia ke kauoha aku i ka Luna nana e hana ma ia mea, e koi aku i ua Panihakahaka la, a Hope, a Luna, a Waihona, no na waiwai a pau a me na ukana a pau o ka mea pale aku ma kona lima, ka mea ia ia ka pono e hookuu ia i ka lawe ia mamuli o ka palapala ohi, a koi aku hoi i ua mea aie no kekahi aie paha i aie ia i ka mea pale aku, i mea e uku ai a kaa i ka uku i hooholoia, a e pono i ua mea aie la, e uku ia mea; a ina ua haawi ua Panihakahaka la, a Hope, a Luna, a Waihona, ma kekahi ano, i na waiwai, a i na ukana o kona mea e nana aku ai, maloko nae ia o kona lima mamua i ka wa i waihoia me ia ke kope o ka palapala, a i ole e hookuu a hoolilo ia mau mea; ka laweia mamuli o ka palapala ohi waiwai, a i uku ole ua mea aie la i ka Luna i ka wa i kiia'ku i kona aie i ka mea pale aku i ka manawa i waihoia me ia ke kope o ka palapala, alaila e pili i ua Panihakahaka la, a Hope, a Luna, a Waihona, a mea aie, ka uku no ia mea i hooholoia, noloko mai o kona waiwai iho, me he mea la, o kona aie pono no ia, ina ua like pela ka nui o ka waiwai a ukana a aie paha, a i ole pela, alaila, e like me ka nui o ke kumu waiwai o ua waiwai la, a ukana a aie paha.

PALUKU 3. Ina e hiki ole mai ua Panihakahaka la, a Hope, a Luna, a Waihona, a mea aie i ka la, a i ka hora, i olelo ia maloko o ia palapala kakau i olelo ia maluna, a ina ua hele mai, a hoole oia i ka hai aku ma ka hoo-hiki ana, he waiwai paha a ukana o ka mea pale aku maloko o kona lima a me ko lakou ano a kumu waiwai, a he aie paha ua aie oia i ka mea aie, a me ka nui, alaila e hookolokolo no, a ina i aponoia ka mea hoopii ma ka hookolokolo ana, alaila, ma kona noi ana, e hoopuka ia ka palapala ohi waiwai maluna o ka waiwai o ua hookuli la, a Hope, a Luna, a Waihona, a mea aie, no ka nui o ua mea i hooholoia, me he mea la, o kona aie pono no ia, a me na koina ku i ke Kanawai, aka hoi, ina i ikeia ma ka hookolokolo ana ua emi ke kumu waiwai o na waiwai a me na ukana, a ua emi hoi ka aie malalo o ka mea i hooholoia e uku ai ka mea aie, alaila, e hooholoia e uku na mea i Ganisaia e like me ke kumu waiwai o na waiwai, a me ka nui o ka aie, a ina i ikeia ka nele o ka mea i Ganisaia i ka waiwai ole a ukana ole o ka mea aie maloko o kona lima aole hoi i aie ia ia, alaila e loa ia ia kona koina ku i ke Kanawai, aka, ina e hele mai oia, a hoo-hiki, a hai aku huna ole, no kona paa ana maloko o kona lima ka waiwai a ukana, a no kona aie aku i ka mea pale aku, a i ikeia i ka Aha, aole no ia ia ka waiwai a me ka ukana, aole hoi oia i

aie pela, alaila e hooholoia ma kona aoao, a e loa ia ia kona koina ku i ke Kanawai.

PAUKU 4. Ina ma ka hai ana e ua mea aie la ma ka hoohiki ana, ua ikea ka aie o ka mea i Ganisaia i ka mea pale aku, aka, aole i oo, a wkuia a hiki i kekahi manawa e hiki mai ana, alaila e lilo ka olelo hooholo ma ka aoao o ka hoopii i mea pili i ua aie la a hiki, a i ka manawa e oo ai a ku i ka auhau ia.

PAUKU 5. O ka lawe ana'ku o kekahi mea aie, a o kekahi aie i aieia ia ia e like me na olelo maluna, ma ka palapala a ma ka hooholo ana aku i ke Kanawai, mailoko aku o na lima o kona Panihakaha, a Hepe, a Luna, a Waihona, a mea aie oia ka mea e hookuu mau ai ia ia a ia lakou i ka hoopii a i ke koi ana no ia mea.

PAUKU 6. E pili na olelo a keia Kanawai, a me na mana i haawiia maloko, a i na Aha Hookolokolo Oihana mau o keia Aupuni, e like me ko lakou kuleana e noho nei, a e hooponopono hou ia paha ma keia hope aku.

PAUKU 7. E lilo keia i Kanawai mai ka la aku i aponoia e ke Alii. Ua aponoia i keia la 30 o Iune, M. H. 1856.

KAMEHAMEHA.

ΚΑΛΥΜΑΝΩ.

### HE KANAWAI

E HOOLOLI ANA I NA KANAWAI E PILI ANA I KA POE AIEKAAOLE.

E HOOHOLoIA e ke Alii, me na 'Lii a me ka Poaikohoia o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai:

PAUKU 1. E hoololiia a ma keia ua hoololiia no ka pauku eha o ke "Kanawai no ka poe aiekaaole," i hooholoia i ka M. H. 1848, ma ke kapae ana i na huaolelo "a ina e hiki he, mau mea kalepa."

PAUKU 2. E hoololiia a ma keia ua hoololiia ka pauku elima o ua kanawai la, ma ke kapae ana i na huaolelo "he umi," a e hookomo ia malaila ka huaolelo "elima."

PAUKU 3. E hoololiia a ma keia ua hoololiia no ka pauku ewalu o ua kanawai la, a penei e heluhelua'i:—A hoike mai kekahi kanaka ia ia iho he aiekaaole, e like me ka mea i oleloia ma ka pauku mua o keia kanawai, a ina e holo ka olelo a ka poe luna, he kanaka aiekaaole ia, alaila e hoolahaia ua aiekaaole la ma ka nupepa *Polunesia*, a maloko hoi o ua nupepa la e hoolahaia'i no na hebedoma ekolu mai ia manawa mai, e na luna, i ka olelo e kahea ana i na mea a pau, a ka mea i aie aku ai e hele mai imua o na luna, i ka manawa a ma kahi a lakou e olelo ai, e hooiaio i ko lakou aie.

PAUKU 4. E hoololiia a ma keia ua hoololiia no ka pauku umikumamalu o ua kanawai la, ma ke kapae ana i ka huaolelo "kanakolu," a e hookomo ia malaila ka huaolelo "iwakalua."

PAUKU 5. E hoololiia a ma keia ua hoololiia no ka pauku umikumakolu o ua kanawai la, ma ke kapae ana i na huaolelo "la he kanakolu," a e hookomo ai malaila na huaolelo, "pule elua."

PAUKU 6. E hoololiia a ma keia ua hoololiia no ka pauku iwakaluakumamakahi o ua kanawai la, e hookui aku i keia mau olelo pe-

nei:—"Aka hoi, i e hiki no ke hopuia a e hoopaaia ua aiekaaole la me he mea la ua aie hoopunipuni oia, ke hooholo pela ka Lunakanawai Kiekie, mamuli o ka hoopii i hoohikiia e kekahi o ka poe mea aie e hoakaka ana i kumu kupono no ua hopu ana la a me ka hoopaa ana.

PAUKU 7. E hoolohia a ma keia ua hoolohia no ka pauku iwakaluakumamaa o ua kanawai la, ma ke kapae ana i na huaolelo "na hapakolu elua." a e hookomo ai malaila na huaolelo "ka hapaumi."

PAUKU 8. E kakau na luna i moololo no ka lakou hana ana a pau i kela hihia a i keia, a e lilo keia moololo, a o ke kope paha o kekahi ua hooiaio ia, i hoike imua o na Ahahookolokolo a pau o keia aupuni, no na mea a pau i pili pono i ua hihia la.

PAUKU 9. O ka mea aiekaaole i hoopaa ia me he mea la ua aie hoopunipuni oia, e hiki no ke hookuuia aku oia i ua hoopaa ana la, e ka Lunakanawai Kiekie o ka Aha Kiekie i ka hooponopono loa ana i kona waiwai, a i ka wa kokoke paha e hooponopono, ke maopopo i ka Lunakanawai Kiekie ua haawi mai ka mea aiekaaole, a ua hoike mai me ka haalele i kona waiwai lewa, a me ka waiwai paa a pau iloko o na lima o ka poe luna, a kona poe i aie aku ai i koho, a lilo ia lakou, a ua hana hoi oia i na hana a pau e like me ka olelo nui a ke kanawai no ka aiekaaole.

PAUKU 10. E lilo keia i kanawai mai ka la aku o ka hoolaha ana iloko o ka nupepa *Polunesia*; aka, aole ia e pili ma kekahi hana i hoomakaaia, a e waiho ana paha ia manawa, a mamuli paha.

Ua aponoia i keia la 30 o Mei, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

E PILI ANA I NA LAWEHALA I PAA I KA HAO, A ME NA HALE PAHAO.

NO KA MEA, he mea hiki ole ke hooko iho i kekahi mau olelo maloko o ke kanawai i pili i na Hale Paahao, i aponoia e ka Moi i ka la 4 Augate 1851, a nolaila ua hooko ole ia no kela kanawai.

NOLAILA, E HOOHOLOA e ke *Alii*, me na *'Lii* a me ka *Poekohoa* o ko *Hawaii Pae Aina* i *akoakoa iloko o ka Ahaolelo kau kanawai*:

PAUKU 1. E haawii i ke Kubina Kulaiaina ka mana e hana i mau Rula e hooponopono ai i na Hale Paahao, me ka hoolohe ia o na olelo kauoha e ko lcko o ia mau hale, a me ka hooikaika i ka hana, ka noho kolohe ole a me ka imi naauao mawaena o na lawehala ke aponoia nae kela mau Rula mamua e ka Moi me kona aha kuka malu.

PAUKU 2. E lilo keia i kanawai mai ka la aku o ka hooholoia ana; a o na kanawai a pau a me na hapa kanawai i kue i keia, ua hoopau ia a ma keia ua hoopau loa ia.

Ua aponoia i keia la 30 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

E AE I KA MARE HOU ANA O KEKAHI POE I OKIHA.

E HOOHOLOIA e ke *Alii*, me na *'Lii* a me ka *Poikohoia* o ko *Hawaii Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai*:

PAUKU 1. Ma keia ua haawiiia ka mana a me ke kuleana i kela a i keia o na Lunakanawai o ka Aha Kiekie, e ae aku i ka mare hou ana o ka poe i okiia mamua a e oki ana ma keia hope aku.

PAUKU 2. Aole loa e ae ua poe Lunakanawai i ka mare hou o kekahi, ke maopopo ole ia lakou a akaka, ua hala na makahiki elima, mahope mai o ka manawa i okiia ka mea hoopii e mare hou a ua loa ole ia ia iloko o ia mau makahiki i kekahi hahia ma na kanawai i ku i ke oki ana.

PAUKU 3. E lilo keia i kanawai mai ka la aku o ka aponoia e ke Alii.

Ua aponoia i keia la 22 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

NO KE KOHO ANA I POE KOMISINA NO NA ALALILILI.

E HOOHOLOIA e ke *Alii*, me na *'Lii* a me ka *Poikohoia* o ko *Hawaii Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai*:

PAUKU 1. Na ke Kuhina Kalaiaina e koho, ma kela a ma keia o na apana koho, a puni keia aupuni, i ekolu mea pono e hana i ka oihana komisina no na alalilili.

PAUKU 2. E pono no keia poe komisina, ma ko lakou apana iho, e hoolohe a e hooholo no na hoopapapa ana a pau, no ke kuleana ala hele, mawaena o na kanaka, a mawaena o na kanaka a me ke aupuni.

PAUKU 3. Na na komisina, i ko lakou hooponopono ana i na hoopapapa o keia ano, e hooholo e like me ke ano pono a kaulike, mawaena o na aoao, e like me ke ano o ka hihia.

PAUKU 4. Ina manao kekahi ua poino oia no ka olelo hooholo o na komisina, e hiki no ia ia ke hoopii imua o ka Aha Kaapuni oia mokupuni, a ina ma ka mokupuni Oahu ka hihia imua o ka Aha Kiekie. A e hoolohe no ka Aha Kaapuni a kiekie paha ma ka *ahahui* a e hooholo no ia hoopii; aka hoi, ina he manao hoopii ko kekahi e hoopuka no oia pela imua o na komisina, mawaena o na la elima mahope mai o ko lakou hooholo ana.

PAUKU 5. Ina e hoopii kekahi mai ka hooholo ana me o na komisina, e like me na pauku maluna iho, na na komisina e hooili ai moolole no keia hihia, a i kope o ko lakou olelo hooholo, a hiki imua o ka aha kahi i hoopii hou ia'i.

PAUKU 6. E ukuia na komisina i palima na dala ia lakou, pakahi no ka lakou hana ana ma ka hooponopono ana i ka hihia hookahi o keia ano, a na ka aoao hookahi, a na aoao a pau e uku i keia, ma ke ano o ka hooholo ana o na komisina. Ina he hoopii hou e waiho ai

ka uku o na komisina, a me na koena e ae, a hooholo loa ka aha maluna.

PAUKU 7. Aia no i ke Kuhina Kalaiaina ka hemo o na komisina a keia kanawai i olelo ai, a e hiki no ia ia ke pani i na hakahaka iwaena o lakou.

PAUKU 8. E lilo keia i kanawai mai ka la aku o ka hooholo ana.

Ua aponoia i keia la 2 o Mei, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI

E HOOPONOPONO AI I KA HANA ANA I KA PAPA INOA O NA JURE.

E HOOHOLOIA e ke *Alii*, me na *'Lii* a me ka *Poeikohoa* o ko *Hawai Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai*:

PAUKU 1. Mai ka la aku o ka hooholo ana i keia Kanawai aole e luhi kekahi o ka Poeikohoa e na Makaainana ma ke kokua ana i ka imi, a ma ka papa inoa o na mea kupono i ka Oihana Jure; aka, e hana ia kela mau kanawai e ka Aha kakau, i ka manawa a ma ke ano a ke kanawai i olelo ai

PAUKU 2. O na olelo ma ka pauku akahi a me akolu o ka Haawina eha Mokuna eha o ke "Kanawai hoonohonoho i ka Oihana Luna-kanawai" i kua i na olelo e keia Kanawai e hoopauia a ma keia ua hoopau ia.

Ua aponoia i keia la 15 o Sepetemaba, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI

E HOOLOLI AI KE KANAWAI HOOPONOPONO I KE KOHO ANA O KA POEIKOHOIA E NA MAKAAINANA I HOOHOLOIA M. H. 1850.

E HOOHOLOIA e ke *Alii*, me na *'Lii* a me ka *Poeikohoa* o ko *Hawai Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai*:

PAUKU 1. Ua hoololii a ke hoololi ia nei ka pauku akahi o ke kanawai hooponopono i ke koho ana o ka Poeikohoa e na Makaainana, ma ke kapae ana i na huaolelo "i kela makahiki i keia makahiki" a e hookomo ia malaila na huaolelo "i kela lua makahiki i keia lua makahiki." E heluhelu ia ka Pauku akahi penei:

"E kohoa ka Poeikohoa e na Makaainana e noho ma ka Ahaolelo iloko o na Apana a pau o keia Aupuni. ma ka Monede mua o ka malama o Ianuari, i kela lua makahiki i keia lua makahiki, ma na wahi i hoike ia e na Makai Nui o kela Mokupuni keia Mokupuni."

PAUKU 2. O ke koho mua ana mamuli o keia kanawai, aia ma ka Monede mua o Ianuari M. H. 1859; Aka hoi, ina e manao ka Moi, ke Alii e akoakea i ka Ahaolelo iloko e ka makahiki 1857, alaila e kauoha aku oia e koho e ia na Luna Makaainana no ia makahiki.

Ua aponoia i keia la 30 o Mei, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

NO KA HOOMAİKAI ANA I KE AWA O HONOLULU.

**E HOHOLOIA e ke Alii, me na 'Lii a me ka Poaikohoa o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau Kanawai :**

**PAUKU 1.** Ke ae ia nei a ma keia ua ae ia ke Kuhina Waiwai, e hoolilo aku, mai loko ae o na dala e waiho ana ma ka Waihona Aupuni, mamua ae o ka hooholo ana o ka Bila Kalaiwaiwai, i na dala aole e oi aku i na dala eono tausani, no na lilo no ka hoomaikai ana i ke awa o Honolulu

**PAUKU 2.** E lilo keia i Kanawai mai kona la i hooholoia'i.

Ua aponoia i keia la 6 o Mei, M. H. 1856.

KAMEHAMEHA.

KAHUMANU.

## HE KANAWAI

**E KINAI AI I NA KULEANA MA KEKAHI WAHI O KE AWA A ME NA KULANAKAUHALE A ME NA AINA AUPUNI I KE AWA O HONOLULU.**

**NO KA MEA,** o na Kuleana o na kanaka maloko o ke awa o Honolulu a me na kuanalu, a me na aina ma palena o ke awa, aole ia i kupono me ka hana ana maluna, e like me ka mana a me ka noho ana maluna o ke Alii, aole hoi i kupono me ka hoomaikai ana, a me ka hoomakaukau ana no ke kaua, e like me ka pono ma keia hope aku.

**NOLAIIA.** E HOHOLOIA e ke Alii, me na 'Lii a me ka Poaikohoa o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau Kanawai:

**PAUKU 1.** Ma keia ua ae ia ke Kuhina Kalaiaina, me ka ae ana o ke Alii a me kona poe Kuhina, e kuai lilo mai i na wahi a pau o ke awa o Honolulu a me na kuanalu a me na aina a puui ia. ke hiki pono ke hana malaila i Uapo, i hale papaa, i Papu, a i hale Kukui paha, i mea hoi e kinai mau loa ai i ke Kuleana a me ka waiwai o na kanaka a pau e noho nei iloko, ma ke kumukuai a me ka uku ana e like me ka mea i holo mawaena o na Kuhina la, a me ua kanaka la, a i ole ia, e like me ka olelo i hooholo ia e na mea i kohoa e na aoao no ia hana.

**PAUKU 2.** Ma keia, ua ae ia ke Kuhina Waiwai me ka hooholo ana o ke Alii a me kona poe Kuhina, e uku aku, ma ke kikoo ana o ke Kuhina Kalaiaina i dala, i palapala aie o ke Aupuni, a i Bila aie o ka Waihona dala, e olelo ana i ka uku hoopanee aole oi aku i 12 hapa haneri o ka mukahiki, e like ka nui o na dala e holo loa ai i na kuai ana i olelo ia ma ka pauku akahi.

**PAUKU 3.** E manao ia ka mana i haawiiia ma keia Kanawai he ae wale no ia, a e hana ia e pono ai ka lehulehu ke unanao ke Alii a me kona poe Kuhina he mea pono loa ia; malaila wale no.

**PAUKU 4.** E lilo keia i Kanawai mai ka la aku o ka hoapono ana e ke Alii.

Ua aponoia e keia la 15 o Sepetemaba, M. H. 1856.

KAMEHAMEHA.

KAHUMANU.

## HE KANAWAI

**E HOOLOLI AI I KE KANAWAI, E HOOPONOPONO ANA NO KE KIPA ANA O NA LUINA HAOLE MA NA AWA O HONOLULU A ME LAHAINA.**

*E HOOHOLAIA e ke Alii. me na 'Lii a me ka Poekohoia o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai :*

PAUKU I. E hoololiia a ma keia ua hoololia ka Pauku elua, o ke Kanawai e hooponopono ana no ke kipa ana o na luina haole ma na awa o Honolulu a me Lahaina i hooholoia i ka la 23 o Iulai 1855, ma ka holoia ana i na huaolelo "and" ma ka olelo Beritania, a me ka hoo-komo ana malaila ka hua olelo "or" a me ke kapae ana i na huaolelo i holo ole maluna o ka moku, a ma ka hookomo ana ma ka hakahaka i ka huaolelo "ana i haawi ole ai, maluna o ka moku i ka manawa a ke Kapena, a o kona hope paha i olelo ai," a pela, e heluhelu ia ka pauku i hoololiia, penei;

Mamua o ka haawi ana i ka palapala no ka hale kipa e haawi mai ka mea nana i noi i kanaha dala no ka Waihona dala o ke Aupuni, a haawi pu mai no hoi iloko o ka lima o ua mau Kiaaina nei i palapala hoopaa no na dala elua tausani a e kau pu ia me kona inoa ma ia palapala, me na inoa o kekahi mau hope elua a ua mau Kiaaina la e manao ai he pono, penei ke ano o ua palapala la, a penei ke kakau ana.

E ike auanei na kanaka a pau, ma keia palapala, o makou o—ka mua a me— —kona mau hope e noho ana ma —Mokupuni o—ko Hawaii Pae Aina, ua hoopaa makou ia makou iho i ka mea Hanohano—ke Kiaaina o—i na dala maikai elua tausani e ohiaa noloko mai o ko makou waiwai hui a kaawale paha ke malama ole ia keia mau olelo malalo, a nolaila ke hoopaa nei makou ia makou iho a me na hooilina hooko kauoha a me na hooponopono Waiwai hooilina o makou no keia uku.

Hoailonaia e ko makou mau Sila a kakau hoi i keia la—o—18—.

Eia ke ano o keia palapala hoopaa maluna, no ka mea ua loa i keia la i ka aoao kumu i hoopaa ia i palapala ae hale kipa Luina haole no ka makahiki hookahi, mai ka la aku o ke kakau ana i keia, nolaila, ina i ka manawa o kona ae ia, aole oia e koi aku a loa mai ia ia na dala oi aku mamua o ka pakolu o ka luina no ke kipa ana, aole hoi e oi aku o umi hapa haneri o ka uku mua i haawiia, i mea e malu ai mai kekahi luina i kipa ia ma kona hale, a ina aole oia i kekahi manawa e nele i ka hoihoi pono aku i ke Kapena a i kona hope paha, i ka uku mua a pau ana i haawi ai no keia o na luina ona i haawi ole ai maluna o ka moku i ka manawa a ke Kapena a o kona hope paha i olelo ai, ina ua lilo oia i hope hoomalu no ua luina la, a ina aole oia e kipa i kekahi luina i loa ole ka palapala noho mai ka Luna Awa mai, alaila e lilo kela palapala i mea ole, aka, ina hoaka-kaia imua o kekahi Luakanawai Hoomalu me ka hookolokolo ole i ka Jure, e like me ka olelo ma ke Kanawai hoonohonoho Oihana Lu-



nakanawai, e lilo ia no ke kumu dala i olelo ia maloko o keia palapala hoopaa, a e hoopau ia ka palapala ae, i hookumuia ma ia hoopaa ana.

PAUKU 2. E lilo keia i Kanawai inai ka la aku o ka hooholo ana. Ua ponoia i keia la 30 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI

E HOOPONOPONO AI I KE PEPEHI ANA A I KE KUAI ANA I KA BIPI MA NA KULANAKAUHALE O HONOLULU, A ME LAHA'INA.

*E HOHOLOIA e ke Alii, me na 'Lii a me ka Poaikohoa o ko Hawaii Pae Aina iloko o ka Ahaolelo kau kanawai :*

PAUKU 1. I kela manawa a i keia manawa, e hiki no i ke Kuhina Kalaiaina ke haawi i ka mea kii mai, i palapala ae i ka hana hale lole bipi a me ka hale kuai bipi, no ka makahiki hookahi, ma na kulana-kauhale i pili ai ko lakou palapala ae.

PAUKU 2. Mamua o kona haawi ana i ka palapala ae i ka wehe i ka hale lole bipi a me ke kuai bipi, e lawe mai no hoi oia, i na manawa a pau mai ka lima mai o ka mea kii, i palapala hoopaa, ma na dala elua haneri, me na kokua maikai elua a kupono, i ae ia e ke Kuhina penei nae, ke ano a me na olelo maloko.

#### PALAPALA HOOPAA.

E ike auanei na kanaka a pau, o makou, o——ke kumu a o——na kokua e noho ana ma——ma ka Mokupuni o——ko Hawaii Pae Aina, ua hoopaa ia makou a paa loa i ka mea Hanohano——ke Kuhina Kalaiaina, e pono ai ke Aupuni Hawaii, no na dala elua haneri e like me ke Kanawai, e ohia no loko mai o ko makou waiwai hui a kaawale paha ke hana kuae ia ka olelo o keia palapala.

No ka uku pono a pololei, o keia ke hoopaa nei makou ia makou pakahi a hui ma keia palapala, a ko makou poe hooilina a me na hooponopono waiwai hooilina o makou.

Kauia ke makou mau Sila i keia la——o——18——.

Eia ke kumu e keia hoopaa, no ka mea, ua kii aku i keia la ka aoao kumu i hoopaaia maluna, i palapala ae i ka hana i hale lole bipi a e wehe i hale kuai bipi ma——, Mokupuni o——: Nolaila, ina aole e haule iki ia ia ke kakau paa i ka hao kuni o kela holoholona a o keia i pepehiia maloko o kona hale lole bipi, a kuai paha maloko o kona hale kuai bipi, a me ka inoa o ka mea nana ka bipr, a me ka inoa o ka mea a o ka poe nana i lawe mai i ua holoholona la i kona hale lole bipi, a me ka la o ka malama a me ka makahiki i hiki mai ai, a i kaluaia hoi, a me na olelo hoakaka kupono e ae, e like me ka palapala kumu malalo iho, penei :

Manawa i laweia mai.	Ka mea nana ka bipi.	Ka mea nana i lawe mai.	Hao kuni.	Manawa i pepehiia'i.	Na olelo hoakaka.
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A ina e waiho akea oia, i na manawa a pau, i keia palapala i keia

ai ka poe luna kupono a me na mea a pau ke nana, ke makemake lakou e huli maloko, alaila e lilo keia palapala hoopaa i mea ole. A i ole, a i hoike maopopo ia ka ole, imua o ka Lunakanawai Hoomalu, me ka Jure ole, alaila lilo loa ka uku o ka palapala hoopaa, i oleloia maluna, a laweia'ku ka palapala ae.

PAUKU 3. O kela mea keia mea pepehi bipi a kuai no hoi ma ka hale kuai a ma ke alanui o na kulanakauhale o Honolulu a me Lahaina, ma ke ano kua i keia kanawai, ina i ku i ka hewa ma ka hookolo-kolo ana imua e ka Lunakanawai Hoomalu, e hoopai ia oia a e uku no hoi i ke aupuni i na dala aole e emi a elima, aole hoi e oi aku i ka iwakaluakumamalima, aia no i ka manao o ka lunakanawai.

PAUKU 4. E lilo keia i kanawai ma ka pau ana o na la he kanakolu mai ka la aku o ka hooholo ana.

Ua aponoia i keia la 30 o luna, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

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### HE KANAWAI

E HOOPAU AI I KE KANAWAI I KAPAIA "HE KANAWAI E HOOMAHUAHUA AI I KE DUTE MALUNA O KEKAHI WAIWAI," I HOOHOLOIA I KA MAKAHIKI 1853.

E HOOHOLOIA e ke *Alii* me na 'Lii a me ka *Poetikohoia* o ko *Hawaii Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai* :

PAUKU 1. E hoopauia, a ma keia ua hoopauia "Ke kanawai e hoomahuahua ai i ke dute maluna o kekahi waiwai," i hooholoia e ka *Ahaolelo* o 1853.

PAUKU 2. E lilo keia i kanawai mai ka la aku o kona hooholoia ana.

Ua aponoia i keia la 6 o Augate, M. H. 1856.

KAMEHAMEHA.

V. K. KAAHUMANU.

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### HE KANAWAI

E AE ANA I KE KUAI A I KE KAPILI ANA I KEKAHI MOKUAHI E HOLO PILI AINA MAANEI.

E HOOHOLOIA e ke *Alii*, me na 'Lii a me ka *Poetikohoia* o ko *Hawaii Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai* :

PAUKU 1. Ua ae ia ke Kuhina Kalaiaina, mamuli o ke kuhikuhi ana a me ka ae o ka Moi a me kana Aha Kuhina, e kuai, a e hana i palapala ae like no ke kapili ana i kekahi mokuahi e holo pili aina maanei, me kona mau lako a pau, a e lawe mai ma ka awa o Honolulu nei, no na dala aole e oi aku mamua o na dala he Kanaono Tausani.

PAUKU 2. Ua ae ia ke Kuhina Waiwai ma keia, mamuli o ke kuhikuhi ana a ke Kuhina Kalaiaina no ka mea i oleloia ma ka pauku maluna, e hoopuka i mau palapala kikoo maluna o ka waihona dala e ukuia i ke Kuhina Kalaiaina, a i kona mea e kuhikuhi ai paha no na dala aole e oi aku mamua o na kausani he kanaono, a e ukuia keia

mau palapala kikoo i ka manawa a me ka uku hoopanee a ka Moi me kona Aha Kuhina e hooholo ai; aka hoi, ina e hiki ole ke pale ai i ka hoolilo koke i kekahi dala maoli a e hoemi i ka nui o na dala i haawiiia ma na palapala kikoo ua ae ia ke Kuhina Kalaiaina ma keia e kikoo maluna o ka waihona dala o ke aupuni no na dala aole e oi aku mamua o na tausani he iwakalua, e uku ia noloko ae o na dala i hoo-kaawale ole ia. Eia hoi kekahi, e hiki no ke Kuhina Kalaiaina ke kuai i ke kauwahi oloko o ua mokuahi nei me kela mea keia mea mamuli o kona manao he pono.

PAUKU 3. Aole no e kau ia kekahi uku o kela ano keia ano no ke awa a no na dute paha no na mea a pau e laweia mai i mea e pono ai ua mokuahi nei.

PAUKU 4. E lilo keia i kanawai mai ka la o kona hooholoia ana. Ua aponoia i keia la 2 o Mei, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI

E HOOLOLI ANA I KA OIIL) AE LIKE NO KE AWA I HOOHOLOIA  
AU DATE 6, 1846.

E HOOHOLOIA e ke *Alii*, me na '*Lii* a me ka *Poekohoia* o ko *Hawaii* *Pae Aina* i akoakoa iloko o ka *Ahaolelo* kau kanawai:

PAUKU 1. Mai ka la aku e hooholoia'i keia kanawai, e hiki no ma ke kanawai, i na kanaka a pau ke kanu i ka awa maloko o keia aupuni.

PAUKU 2. E pono no i na kiaaina me ka hoapono o ke Kuhina Kalaiaina, ke koho i mau luna nana e kuai aku, a e hoolilo aku i ka awa i na poe i ae ia maloko o keia kanawai.

PAUKU 3. Ke hookapua nei ka inu ana o na kanaka i ka awa o hoopai ia i ka uku hoopai, aole e oi aku mamua o na dala elima, koe ka poe mai i loa ia lakou ka palapala ae mai kekahi kahuna lapaau, e hoike ana he mai kupono kona, a me ka nui o ka awa e pono ai ia mai.

PAUKU 4. E hiki no i na luna kuai awa ke kuai aku me hai i mea e hoopukapuka aku ai, a ma kekahi ano e ae paha, na poe a pau e manao ana e houna aku i na aina e, a i na kahuna lapaau a me na kahuna oki. O ke kumu kuai o ua awa nei i loa mai, e mahaleia penei: elua hapakolu e haawiiia i ka mea nana ka awa, a hookahi hapakolu e lilo no ke aupuni.

PAUKU 5. E ukua na luna kuai awa, he iwakaluakumamalima keneta o ke dala hookahi maloko ae o ko ke aupuni hapakolu, o ke koe na e haawiiia ae ma ka lima o ke Kuhina Kalaiaina, a waihoia 'ku i ke Kuhina Waiwai no ka pomaikai o ka waihona dala o ke aupuni.

PAUKU 6. O na mea a pau i kuai aku i ka awa ma ke ano kue i na otele o keia kanawai, e hooukuia he umi dala no ia hewa pakahi.

PAUKU 7. E lilo keia i kanawai i ka la o kona hooholoia ana, a o na kanawai i kue i keia, e hoopauia, a ma keia ke hoopau ia nei.

Ua aponoia i keia la 15 o Sepetemaba, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI

NO KA HOOPONOPONO ANA I KA LAWE ANA MAI A ME KE KUI ANA I KA OPIUMA, A ME NA LAU MAKE E AE.

NO KA MEA, ua ike pinepine ia ka naauauwa a me na hewa nui e ae, no ka hana ana a me ka hana ino ana e ka Opiuma a me na laau make e ae, a,

NO KA MEA, ua aneane huli na kanaka maoli o ka Moi i poe puni Opiuma, no ko lakou hoopili ana mamuli o na Pake:

NOLAILA, E HOOHOLOIA e ke *Alii*, me na '*Lii a me ka Poikohoia o ko Hawaii Pae Aina i akoakoa iloko o ka ahaolelo kau kanawai.*

PAUKU 1. Ina i hoahewa ia kekahi imua o kekahi lunakanawai, no kona lawe ana mai, a kuai ana aku, kuai ana a haawi ana i ka Opiuma, e hoopaiia oia i na dala aole e emi iho i ke kanalima, aole hoi e oi aku i elima haneri, aia no i ka manao o ka aha. Aka hoi, aole e lilo kekahi olelo a keia pauku i mea e keakea aku ai i ka lawe ana mai a i ke kuai ana aku o ka Opiuma ma ke ano lapaau e ka poe kahuna lapaau a me na kahuna oki i ae ia e ke Kuhina Kalaiaina, no ko lakou ike.

PAUKU 2. Aka hoi, aole e hiki i na kahuna a me na kahuna oki i ae ia e ke Kuhina Kalaiaina maloko o keia kanawai ke kuai a hoolilo, a haawi aku paha i ka Opiuma i kekahi mea e aku oiai aole i pili ma ka lakou oihana lapaau. O na kahuna a pau i kue i keia pauku e pili no ia i ka hoopai i hoakaka ia ma ka pauku 1 o keia kanawai.

PAUKU 3. Ma keia kanawai ua lilo i ke Kuhina Kalaiaina ka mana e haawi i palapala ae i na kahuna lapaau a me na kahuna oki a pau, ke hoike maopopo ia ua makaukau oia ma ia oihana, a ke uku hoi iloko o ka Waihona Kalaiaina i na dala he kanaha.

PAUKU 4. Ina e kuai a e haawi aku paha kekahi mea, i loa ole ka palapala ae e like me ka pauku ekolu, a kuai aku i kekahi laau ano make, a i ku i ka hewa ma ka hookolokolo ana e hooukuia oia aole e emi i na dala he iwakaluakumamalima, aole hoi e oi aku i na dala he elua haneri.

PAUKU 5. E lilo keia i kanawai mai ka pau ana o na malama ekolu mai ka la aku o ka hooholo ana.

Ua aponoia i keia la 30 o Mei, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

NO KA OIHANA KINAI AHI MA HONOLULU.

E HOOHOLOIA e ke *Alii me na 'Lii, a me ka Poeikohoa o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai:*

PAUKU 1. E hoopauia, a ma keia kanawai ua hoopauia ke "Kanawai i kapa ia he kanawai e hoonohonoho i ka Oihana Kinai Ahi no ke Kulanakauhale o Honolulu," i hooholoia i ka la 24 o Iune 1852.

PAUKU 2. E hoololiia a ma keia ua hoololiia ka pauku akahi, o ka haawina akahi o ke kanawai hoonoho i ka Oihana Kinai Ahi no ke Kulanakauhale o Honolulu, i hooholoia i ka la 8 o Mei, 1851, a e heluhelua penei :

Eia na mea komo iloko o keia oihana, he luna nui kinai ahi, elua hope luna, eha kilo, a me na kanaka kinai e like ka nui me ka mea i aeia e ka poeikohoa e ua Oihana la. I ko lakou wa e noho ai maloko o keia hana, e hookuuia ua poe luna nei a me na kanaka o lakou ina auhau o ko lakou kino a pau koe wale no ka auhau kula.

PAUKU 3. E hoololiia ka pauku ekolu, a ma keia ua hoololiia a e heluhelu penei :

"E kohoia ka luna nui kinai ahi, a me na hope luna elua e ka poe i komo ma ia oihana a loa a i ka palapala hookomo, i kela makahiki a i keia makahiki ma ka Monede mua o Iune."

PAUKU 4. E hoololiia ka pauku ekolu o ia haawina a ma keia ua hoololiia, a e heluhelua penei :

"E kohoia na kilo eha i kela makahiki a i keia makahiki e ka poe i kohoia o ia oihana.

PAUKU 5. E hoololiia ka pauku akahi o ka haawina elua o ua kanawai la, a ma keia ua hoololiia ma ka holo ana i na huaolelo "mau kokua," a e hookomo ma ia hakahaka i na huaolelo "hope kahuna," a ma ka holo ana i na huaolelo mahope o ka huaolelo "maikai."

PAUKU 6. E hoololiia ka pauku elua o ia haawina, a penei e heluhelu ia'i:

"Ina e hiki ole aku ka luna nui kinai ahi ma kahi o ke ahi, alaila na ka hope luna mua e lalau aku i ka hana, a i hiki ole mai ka luna nui kinai ahi a me ka hope luna mua, alaila ili mai ka laua hana ma luna o ka hope luna alua.

PAUKU 7. E hoopauia, a ma keia ua hoopauia ka pauku akahi a me eha o ka haawina ekolu o ua kanawai la.

PAUKU 8. Na ka poe kilo e hoopii imua o ka aha hoomalu o Honolulu, no ka poe hewa a pau i na kanawai no ka Oihana Kinai Ahi, a e hiki ia lakou ke lawe no lakou i iwakalua hapa haneri o na uku hoopai i obi ia, a o ke koena, e uku aku lakou i ke kahu dala o ia Oihana.

PAUKU 9. E hoololiia a ma keia ua hoololiia ka pauku mua o ka haawina eha o ua kanawai la, ma ka holo ana i na huaolelo "mahope o ka holo ana."

PAUKU 10. E hoololiia a ma keia ua hoololiia ka pauku elua o ua haawina la, a e heluhelu ia penei :

“Ina no ka hapa loa o kekahi poe kinai, ua noho hemahema lakou no na malama eono, alaila e hiki i ka poe i kohoia o ia oihana ke hoopau ia, a ina ua ae lakou, e hoohui aku ia poe me kekahi poe e ae, ke ae hoi ka poe i hoohui ia mai ai e like me ke kanawai.”

PAUKU 11. E hoopauia a ma keia ua hoopauia ka haawina elima o ia kanawai.

PAUKU 12. E hoololiia a ma keia ua hoololiia ka pauku akahi o ka haawina eono o ua kanawai la, ma ka holo ana i na huaolelo “kokua,” a ma ka hookomo ana ma ka hakahaka ma na wahi a pau i ike ia ua hua la, i ka huaolelo “hope kahuna.”

PAUKU 13. E hoololiia a ma keia ua hoololiia ka pauku eono o ka haawina ehiku o ua kanawai la, a e heluhelu ia penei: O na kane kamaaina a pau o Honolulu, ina e hele lakou i ke ahi, e hoolohe lakou i na olelo a ka luna nui kinai ahi a me na hope luna, a i ole ia e hoo-uku ia i palima na dala.

PAUKU 14. E hoololiia ka pauku ewalu o ia haawina a ma keia ua hoololiia ma ka holo ana i ka huaolelo “kokua,” a ma keia hookomo ana ma ia hakahaka na huaolelo “hope luna.”

PAUKU 15. E hoopauia ka haawina ewalu o ua kanawai la, a ma keia ua hoopauia.

PAUKU 16. E lilo keia i kanawai mai ka la aku o ka hooholo ana. Ua aponoia i keia la 30 o lune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

### NO NA AHA HOOHUI.

E HOOHOLOIA e ke *Alii*, me na *'Lii* a me ka *Poikohoia* o ko *Hawaii Pae Aina* i akoako iloko o ka *Ahaolelo* kau kanawai:

PAUKU 1. E haawi ka mana i kela ahahui keia ahahui, iloko o keia aupuni, i hoohuiia, a e hoohuiia ana paha ma keia hope aku, penei:

1. E hoomau aku ma ko lakou inoa hui, a hala ka manawa i olelo ia, ma ka lakou palapala hoohui, a ina aole i oleloia ka manawa e pau ai, alaila e mau loa aku no.

2. E hoopii aku a e hoopiiia mai lakou iloko o kela ahahookolokolo keia ahahookolokolo.

3. E hana a e hoololi ae i sila e like me ko lakou makemake.

4. E hoopaa, e kuai a e hoolilo aku i ka waiwai paa a me ka waiwai lewa, aole oi aku mamua o ke kumu paa i oleloia ma ka lakou palapala hoohui, a e like hoi me ka mea kupono i ka hana a ia ahahui.

5. E hoonoho i na luna, a me na mea hana, e like me ka mea e pono ai ka hana aia ahahui.

6. E kau i kanawai no lakou iho, aole nae e kue i na kanawai o ke aupuni, i mea e hiki ai ke hooponopono i kona waiwai, a me ke koho ana a me ka hoopau ana i kona poe luna, a e hooponopono i kana mau hana, a e hoolilo aku hoi i kona waiwai.

PAUKU 2. Aole no e haawiia ka mana e ae i na ahahui i hoohua mamuli o na olelo o keia kanawai, e like wale no me ka mea i oleloia ma ka pauku maluna iho, a me ka mana hoi e pono ai ka hana i olelo ia malaila, a me ka mana i hoakaka ia iloko o ka palapala hoohui, e haawina e like me ka olelo mahope nei.

PAUKU 3. Aole no e manaolia he mana ko na ahahui, e kuai i na bila aie ma ka uku hoemi, a me na palapala e ae e maopopo ai ka aie; aole hoi hiki ia lakou ke lawe i ke dala a hai a waiho me lakou, aole hoi e kuai i ke gula a me ke dala, a me ka buliona, a me na dala o na aina e a me ke kuai lilo aku, a me ke kuai lilo mai i na palapala aie, a me na mea e ae paha e maopopo ai ka aie; eia wale no, e like me ka mea kupono maoli i ka lakou hana i hoohui ia'i. Aole hoi e hiki i kekahi ahahui i ae oleia e ka ahaolelo, ke hoopuka aku i na bila aie, a me na mea e ae e maopopo ai ka aie, e kuaiia i kela wahi keia wahi e like me ke dala.

PAUKU 4. Ma na halawai o na ahahui, e hiki no i ka poe i komo ilaila ma na hana a pau ke koho ma o lakou iho, a ma na hope paha a lakou i waiho ai nana e koho; aole nae i manaolia ma keia pauku he mea hiki ole i na ahahui ke kau kanawai no lakou iho, no ke ano o ke koho ana i kona mau kuhu a me na luna hooponopono ona.

PAUKU 5. Ina ua akoakoa mai na mea a pau i komo iloko o kekahi ahahui, o lakou pono, a o na hope paha o lakou iloko o kekahi halawai, i kaheaia ma kela ano keia ano e kakau lakou i ko lakou inoa ma ka buke moolelo, alaila ua paa ka hana oia halawai.

PAUKU 6. E hiki no i ka poe akoakoa pela, ke koho i poe e pani i ka hakahaka o na luna oia ahahui, a e hana i na hana e ae e like me ka hana ana i na wa kahea ia ka halawai mahope o na kanawai oia ahahui.

PAUKU 7. Ina no ka make, no ka hele, a no ka pilikia e ae paha o na luna o kekahi ahahui, aole mea nana e kahea i halawai, e like me ko lakou kanawai, aole hoi paha mea nana e noho i luna hoomalua, alaila e hiki no i ka lunakanawai kaapuni o ka mokupuni i noho ai o ua ahahui nei, ina noi aku ma ka palapala eha a keu aku paha, o kekahi poe o ua ahahui nei, ia ia, e kauoha ae i kekahi o lakou e kahea i halawai no lakou, ma ka hoolaha ana i olelo e like me na kanawai oia ahahui, a e hiki no hoi i ua lunakanawai nei ke kauoha ai i kekahi oia ahahui, e noho luna hoomalua ma ia halawai a e paa no ka hana oia halawai.

PAUKU 8. Aia mahelaia ka puu dala kumupaa o kekahi ahahui, iloko o na mahele maopopo, a e hoopuka ia hoi na palapala e maopopo ai na mea nona na mahele dala (shares) alaila e hiki no ke hoolilo aku i ua mahele nei ia hai ma ke kau ana iho i ka inoa o ka mea nona ia mahele, ma ke kua oia palapala, alaila e haawiia i palapala mahele hou i ua mea nei ia ia ka palapala mua ma ia hoolilo ana, ma kona hoihoi ana i ka palapala mahele mua i ka ahahui; aole hoi e paa ia hoolilo ana aia a leaa ua palapala hou nei. Iwaena o lau elua wale no e paa'i; a ua palapala ia paha, ia hoolilo ana ma na buke o ka ahahui, a me ko lakou wahi i noho ai, i mea e maopopo ai ka

la i hooliloia'i a me na mea kuleana iloko oia hoolilo ana a me ka nui a me ke ano o ua mahele nei i hoolilo ia.

PAUKU 9. Aole hiki i na luna o na ahahui, ke puunaue i ka waiwai o lakou; eia wale no o ka mea i puka ma ka lakou hana ana; aole hoi e hiki i ua mau luna nei ke puunaue, a lawe aku paha ma kekahi ano e ae, a haawi aku i na mea kuleana iloko oia ahahui; kekahi o ke kumupaa oia ahahui aole hoi e hiki ke hooemi i ke kumupaa, me ka ae ole o ka mea nana i haawi ka palapala hoohui, a o ka Ahaolelo paha. Ina i paleia ka olelo o keia pauku, alaila maluna o na kahu nana e hooponopono ia ahahui ia wa ka hihia ma ko lakou kino iho, e uku aku i ka ahahui, a i ka poe a lakou i aie aku ai paha, ke hoopau ia kela aha, e like me ka nui o ka waiwai i puunaue ia pela, a e lawe ia'ku paha, hoemiia paha; aka hoi, aole i mana'ia ma keia pauku, ua hewa ka puunaue ana i ke koena o ke kumupaa mahope o ka hookaa ana o ka aie a pau, ke hoopauia ka ahahui; a ua hiki paha i ka manawa e pau ai o kona palapala hoohui.

PAUKU 10. Ina aole pau loa ke kumu paa o kekahi ahahui i ka haawii mai, a ua lawa ole ke dala kumupaa i loa mai, e hookaa i na aie, alaila, na kela mea keia mea dala iloko o ua ahahui nei e uku i kauwahi o kona mahele, e like me ka mea i oleloia ma ka palapala hoohui, a e like paha me ka mea kupono e hookaa'i i ka aie o ka ahahui.

PAUKU 11. Maluna o ka poe komo iloko o na ahahui a pau i hanaia mamuli o keia kanawai, ka aie a ia ahahui, e like me ke dala kumupaa a lakou pakahi i hookomo ai, oia wale no kona dala e lilo; a i ole ia e like me ka mea i oleloia iloko o kela palapala hoohui keia palapala hoohui.

PAUKU 12. Aole pono e oi aku ka aie a pau a kela ahahui, keia ahahui, i na manawa a pau, mamua o ko lakou kumupaa.

PAUKU 13. Na na luna o na kahu paha, o kela ahahui keia ahahui e hoahuiia mamuli o keia kanawai, e malama i buke, kahi e palapalaia'i na inoa a pau o ka poe mea kumupaa maloko oia ahahui; a me ka nui o na mahele o kela mea keia mea, a me ka manawa i loa ai ia lakou ia mau mahele; a e waiho wale ia, ia buke i na la a pau, koe na la Sabati, a me na la aupuni e nana ia na mea kumupaa iloko oia ahahui, a me ka poe a lakou i aie aku ai; a na ke kakauolelo a mea e ae paha nana e malama ia buke, e haawi i ke kope o na mea iloko oia buke i ka mea kumupaa iloko oia ahahui, a i ka mea a. lakou i aie aku ai paha, ke noiia mai. A he hoike oiaio no ua kope nei, na mea i oleloia malaila, ke hookolokoloia ua ahahui nei.

PAUKU 14. Ina makemake kekahi ahahui e hoopau ia oia mamua o ka pau ana o kona palapala hoohui, e hoopii no ia i ke Kuhina Kalaiaina, me ka palapala hooiaio e olelo ana, ma kekahi halawai o ka poe iloko oia ahahui, i kahea no ia hana, ua hoololoia e na hapakolu elua o lakou e hoopauia ia ahahui, a e kakau iho ka luna hoomalu i kona inoa malalo o ia palapala, a me ke kakauolelo. E waiho no ke Kuhina Kalaiaina ia hoopii a me ka palapala hooiaio ma kona hale hana, a mahope o na la kanaono i ka hoolaha ana ma ka olelo Hawaii, a me ka olelo Beritania, ma ke ano kupono i kona manao, e noonoo



oia i kela mea, a maopopo ia ia, ua hooholo ia e like me ka hooiaio, a ua hookaa ia ka aie a pau a ia ahahiu, alaila e hiki ia ia ke hoolaha aku, ua hoopau oia ia ahahui.

PAUKU 15. A hoopauia ka palapala hoohui o kekahi ahahui a ua pau paha ka manawa i oleloia, a me ke ane e ae paha ina aole i hoonohoia e ka Ahaolelo, e ke Kuhina Kalaiaina, a e kekahi ahahookolokolo kupono paha, kekahi poe nana e hooponopono i na mea a pau i pili ia ahahui; alaila, o na Luna, a poe hooponopono paha oia ahahui, i aeia ma ke kanawai, i lilo lakou i mau kahu malama i na pono o ka poe i aieia'ku, a me ka poe kuleana iloko o ia ahahui; ma ko lakou ano kahu oia ahahui, e hiki no ia lakou ke hoopii, a ma ke ano e ae paha, ke ohi i ke dala aie. a e puunaue aku iwaena o ka poe nona ke kumupaa i ke dala a me ka waiwai e ae i koe mahope o ka hookaa ana i na aie; a maluna o lakou pakahi, a ma ko lakou ano hui, ka hihia ke malama ole lakou i ka waiwai o ia ahahui, e waiho ana ma ko lakou lima, no ka pono o ia aha, a me ka poe a lakou i aie aku ai.

PAUKU 16. Na kela alahui keia ahahui, aole nae o na ahahui manawalea a me ka pono o ke Akua, a me ka hoonauao, e hai pololei mai i ke Kuhina Kalaiaina i ka lakou mau hana i kela makahiki, i keia makahiki, a i na manawa e ae a ua Kuhina nei i olelo ai. He mana ko ua Kuhina nei; ma ona iho, a ma kekahi Komisina, a mau Komisina paha ana e hoonoho ai, e kii aku a koi aku hoi, i na buke, a me na palapala o na ahahui, a e ninau i kona mau Luna, a me ka poe iloko ona, a me na hana e ae a pau e pili ana i na ahahui ma ka hoo-hiki ana i ke Akua. E hiki no i ua ahahui nei, ke hoike aku i na mea i maopopo ia ia ma ia imi makahiki ana, a me ia hookolokolo ana, imua o ka Moi, iloko o kona Ahakukakukamalu, a e hoolaha ae ma ke akea ke manao oia e hana pela. Ina hoole kekahi o ia Poe Hui e hoike mai i ka lakou mau buke a me na pepa, ke olelo aku pela ke Kuhina Kalaiaina, a o na Komisina i kohoia e ia, a ina e hoole kekahi o ka poe luna a poe hoa o ia Poe Hui i ka ninaninauia ma ka hoo-hiki ana, no na hana a ka Poe hui alaila e hiki i ke Kuhina Kalaiaina a o na Komisina paha ke hoopii aku imua o ka Ahahookolokolo kau like i loa mai ai ka palapala kena, e koi aku ai i laweia mai na buke a me na pepa, a i ka ninaninauia ana o ua poe luna la a hoahui paha oia Poe Hui. A e hookoia kela palapala kena e ka aha, e like me na palapala kena e ae a me na olelo.

PAUKU 17. E hiki no ke Kuhina Kalaiaina mamuli o na olelo o keia kanawai, me ka ae pu o ke Alii, a me kona Ahakukakukamalu ke haawi i na palapala hoohui, no ka poe hui mahiai, kalepa, a me na paahana, a me na ahahui no na hana e ae, ua hana ka ekalesia, a me ka hana maoli; koe nae na ahahui no na waihona dala (Banks) a me na kulanakauhale, na ka Ahaolelo wale no e hoohui ia mau mea.

PAUKU 18. E hiki no i ke Kuhina Kalaiaina, me ka ae pu o ke Alii a me kona Ahakukakukamalu ke hana hou i ka palapala hoohui o kekahi ahahui i pau ka manawa, ke noi aku ia i na hapakolu elua o na mea nona ke kumupaa iloko oia ahahui, a me ka wehewehe ana imua ona, i ke ano o ia ahahui.

PAUKU 19. Aole no i manaioia ma keia kanawai, e hiki i ke Kuhina Kalaiaina ke haawi i ka palapala hoohui no kekahi *monopole*, no ka manawa oi aku i na makahiki elima me ka ae ole o ka Ahaolelo; aole hoi e hiki ia ia ke haawi i palapala hoohui mau loa aku i kekahi poe me ka ae ole o ka Ahaolelo, eia wale no, no ka manawalea ana, no ka hoonaaauo ana a me na haqa ekalesia.

PAUKU 20. O na palapala noi a pau i ke Kuhina Kalaiaina, e haawi aku i palapala hoohui no kekahi ahahui, e hui puia ia palapala me na mea e akaka ai ua laweia ekolu hapaha o na mahele o ia ahahui, a ina e hoopii i Ahahui Waiwai, alaila e waiho pu ia'ku me ia palapala hoopii, ma ke keena o ia Kuhina kekahi palapala e hoike ana i kahi i noho ai o ia ahahui a me ka mea e maopopo ai ua laweia na hapaha ekolu o ke kumupaa; me ka hana e huiia'i me ka nui o ka dala kumupaa, me ka hai mai i ka nui i manaioia, e hoomahuahua ae; me ka hai mai hoi i ka manawa e hui ai ia poe; me ka hoike hoi i ka manawa e hana ai lakou, a o ke dala a kela mea keia mea o lakou i hookomo ai oia wale no kona dala e lilo a me ka ole, a e haawii mai paha ke dala kumupaa a pau loa, a o ka hapa wale no paha oia dala ka mea e haawii mai mamua o ka hoomaka ana; a ina o ka hapa wale no, he hapa paha.

PAUKU 21. E lilo keia i kanawai i kona la i hooholoia'i a o ka pauku elua apana 1. "O na olelo pili io ia nei," Buke I na Kanawai, e olelo ana "no na Ahahui," a me na kanawai, a me na hapa kanawai a pau i kua i keia ua hoopauia.

Aponoia i keia la 17 o Aperila, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

E HOOLOLI I KE KANAWAI NO NA AHA HOOHUI.

E HOHOLOLA e ke Alii, me na 'Lii a me ka Pucikohoia o ko Hawaii Pae Aina i akoako iloko o ka Ahaolelo kau kanawai:

PAUKU 1. E hoololii a ma keia kanawai ua hoololii ka pauku 11 o ke "Kanawai no na Ahahui," i hooholoia i ka la 17 o Aperila, M. H. 1856, e heluheluia penei: Maluna o ka waiwai o kela ahahui keia ahahui, e hoohuiia mamuli o keia kanawai, kana aie kupono; aka hoi, aole maluna o kela mea keia mea kumupaa, iloko o kekahi ahahui, kekahi aie e ae, eia wale no, o ke dala o kona mahete kumupaa, a ma mahele kumupaa paha i haawi maoli ia iloko.

PAUKU 2. E lilo keia i kanawai i kona la i hooholoia'i.

Ua aponoia i keia la 24 o Aperila, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

## HE KANAWAI

E HOOLOLI AI I KE KANAWAI NO KA MEA PAIPALAPALA O KE AUPUNI.

NO KA MEA, ma ka noonoo ana e kekahi ano o ke kanawai e noho nei, no ka mea Paipalapala o ke Aupuni, ua loa ka mea e pau ai ka pono o ka pono o ka *Polynesia*, ma kona ano hoolaha ike iwaena o ka lehulehu ; aole hoi pela ka manao o ka poe hooholo ia kanawai; aole no hoi pela ke ano o ka Pauku III o ke Kumukanawai: No-laila,

E HOOHOLOIA e ke *Alii*, me na '*Lii* a me ka *Poikohoia* o ko *Hawaii Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai*:

PAUKU 1. O ka pauku VI, Haawina I, Mokuna I, Apana I, o ke kanawai elua o Kamehameha III, o ka la 27 o Aperila, 1846, ua hoopau ia ma keia kanawai.

PAUKU 2. Na ka Puuku Paipalapala o ke Aupuni, e hooponopono ia pepa ma ke ano kuokoa i ke aupuni ; maluna ona wale no ka hana no ia mea, aole maluna o ke aupuni; koe wale no na olelo hoolaha, a me na palapala i paaia ma ke kauoha o ke aupuni, a o kekahi o kona mau lala paha.

PAUKU 3. E lilo keia i kanawai i kona la e aponoia'i e ke Alii. Aponoia e ka Moi i keia la 30 o Iune, 1856.

KAMEHAMEHA.

KAHUMANU.

## HE KANAWAI

NO KA AUHAU HANA ALANUI.

E HOOHOLOIA e ke *Alii*, me na '*Lii* a me ka *Poikohoia* o ko *Hawaii Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai*:

PAUKU 1. Eono la hana ka auhau hana maluna o na alanui i kela makahiki a i keia makahiki. Ewalu hora hana io ke heluia, oia ka la hana hookahi.

PAUKU 2. Ma keia kanawai e pili a ua hoopili ia no ka auhau hana alanui, i kela kane a i keia kane e noho ana maloko o keia aupuni mawaena o na makahiki he umikumamaono a me kanalima.

PAUKU 3. Eia wale no ka poe pakele i ka auhau alanui: O ka Moi ke Alii, o na luna nui a me na kanikela o na aupuni e, a me na kumu ao ke hana mau lakou, o ka poe kinai ahi i hoonohonohoia e like me ke kanawai, o na pupule a me na oopa, a me ka poe hiki ole ke hana no ka mai loihi.

PAUKU 4. Ma keia kanawai ua ae ia ke Kuhina Kalaiaina ke koho i luna alanui, aole e emi iho i ka pakahi no kela apana keia apana auhau apuni keia aupuni.

PAUKU 5. Aia no i na luna alanui ka hooponopono i ka hana aupuni maluna o na alanui, holopapu, a ma na ala loa a pau o ko lakou apana iho me ka hoolohe nae i ka olelo a ke Kuhina Kalaiaina.

PAUKU 6. Na ka poe luna helu o kela apana o keia apana auhau,

e helu okoa i na mea a pau ke ku i ka auhau alanui, aole nae he uku okoa no ia helu ana a e hookomo lakou ia helu maloko o ko lakou hoike imua e na kiaaina o ko lakou mokupuni.

PAUKU 7. E hiki no i kela mea a i keia mea i ku i ka auhau alanui, ke pani mua ma ke dala no ia hana i ka manawa e hele mai ai ka luna auhau a o kona hope paha, a e haawi ia ia i elua dala; aka, ina aole e pani koke kekahi i ka manawa e hele mai ai ka luna auhau, aole no hoi e aeia oia e pani, e hana no oia i na la hana e like me ke kana-wai, a i ole ia, e kena aku i kekahi e hana ma kona hakahaka.

PAUKU 8. Na ka poe Luna Auhau, ma ka la hope o Novemaba, i kela makahiki a i keia, a mamua paha o ia la, e ohi i na dala elua mai kela a o keia e ka poe oluolu i ka pani ana i ka auhau alanui a e uku aku lakou i ke kiaaina o ka mokupuni o ka apana o lakou, a kaa na dala a lakou i ohi ai o keia ano ma ka la mua o Dekemaba i kela makahiki a i keia makahiki, a e waiho pu no hoi i ka papa inoa pololei o ka poe i uku ole i ka auhau alanui i kakauia e ka luna helu.

PAUKU 9. Na ke kiaaina e haawi aku i na luna alanui o kela apana a o keia apana i na dala auhau alanui, a ka luna auhau i ohi ai ma ia apana iho a e haawi hoi i na luna alanui i ke kope o ka papa inoa a ka luna auhau i hoike ai no ka poe i uku ole ma ke dala i ka auhau alanui.

PAUKU 10. Na ka poe luna alanui e uku aku i na dala auhau alanui maloko o ko lakou apana iho, a e hoike aku i ke Kuhina Kalaiaina, ma na kiaaina o na mokupuni o ko lakou apana iho, no na dala a lakou i uku aku ai no ka hana hou ana i na alanui me na pepa hoi kekahi e hoike ai.

PAUKU 11. Na ke Kuhina Kalaiaina e kii aku ma ka waihona dala o ke aupuni i na dala a pau i hookaawale ia e ka Ahaolelo no na alanui, a e haawi aku i na luna alanui e hana e like me kona kuhikuhiana, a e hoike mai ia ia, na luna alanui no na dala lilo e like me ka olelo ma ka pauku umi.

PAUKU 12. E hiki no i na luna alanui ke koho i poe hope no lakou maloko o ko lakou apana iho, aole nae e oi aku i ka hookahi no na kanaka ku i ka auhau he kanalima iloko o ka apana, aole nae e uku ia lakou, o ka hana ole i ka hana alanui ka lakou uku.

PAUKU 13. Ma ka la kanakolu o Dekemaba i kela makahiki a i keia, e hoike aku kela luna alanui keia luna alanui i ke Kuhina Kalaiaina, ma ka palapala i ka hoike Iilii no kana hana ana iwaena o ia makahiki, e hoakaka ana i ka nui o ka poe i ku i ka hana alanui maloko o kona apana, i ka nui o na la a lakou i hana ai, i ka nui o na dala i loa ia lakou mai na kiaaina mai, i ka nui o na dala i koe ma ko lakou lima i ka hoomaka ana o ka makahiki, i ka nui o na dala i lilo ma na hana, a i ka nui o ke koena ma ko lakou lima i ka la o kona hoike ana, i ka nui hoi a me ke ano o na mea hana o ke aupuni, e waiho ana me ia a me ka nui o kona mau la hana.

PAUKU 14. A hiki mai keia hoike ana, e loa i ka luna alanui i ka uku kupono i ka mana o ke Kuhina Kalaiaina, noloko mai o na haawina dala a ka ahaolelo i hookaawale ai no ia oihana.

**PAUKU 15.** O ka luna alanui ohi dala pani no ka hana alanui a kekahi mea ku i ka auhau a hooohana ole paha i ka poe ku i ka auhau a pau loa, a kaa na la a me na hora a keia kanawai i olelo ai, ina ua ku i ka hewa imua o kekahi lunakanawai apana ma ka hookolokolo ana, e hooukuia oia i na dala elima no kela hewa a no keia hewa, a e lilo na dala hoopai o ia ano a pau i mea kokua i ka hana alanui o ia apana.

**PAUKU 16.** Aole no e ku i ke kanawai ke koi aku kekahi luna alanui o kekahi wahi e hele na kanaka i ka hana ma kahi loihi e aku o na mile elima mai ko lakou hale aku, ke ole e hooholoia pela e na kanaka o ia apana i-ko lakou halawai ana ma ke akea mamuli o ke kahea ana o ka luna alanui no ia mea.

**PAUKU 17.** E hiki no i ka luna alanui, ina he hoomolowa a he hoohaunaale, a hoole hana kekahi o na kanaka hana, e olelo aku a e koi aku i ka makai e hopu aku ia ia imua o kekahi lunakanawai apana, a nana no e hoopai i ua mea hewa la i ka hana oolea, aole e oi aku i na la elima, ke puka ole mai ke kumu kupono i ka hoopai ole.

**PAUKU 18.** E ku i ke kanawai ke kuai na luna alanui me ka poe nana i hoolimalima i kekahi poe ma ka malama, a ma ka makahiki paha, ma ke ano pani i ka auhau alanui, i ka hana ana i kekahi hana ma na alanui a paa, a i ka hana ana me na kaa a me na palau a me na mea hana e ae, e like me ka mea i holo.

**PAUKU 19.** Na kela luna alanui keia luna alanui e hoihoi aku i ka mea i kohoia e pani i kona hakahaka ma ka Oihana, na palapala waiwai a me na papa e ae no kana Oihana, pela no na dala a pau ma kona lima no ia apana, a me na mea paahana o ke Aupuni maloko o kona lima.

**PAUKU 20.** Ina e laweia mai imua o ke Kubina Kalaiaina he palapala hoopii ua kakauia he umikumamalua o na kanaka o kekahi apana oia ka uuku, e hoakaka ana i ka hewa o ko lakou luna alanui, ma keia kanawai, a e hoakaka pololei ana i na kumu hoopii e hewa ai ka luna alanui, alaila, e pono i ke Kubina Kalaiaina he hoolohe no ia hoopii, a i puka mai ke kumu kupono, e hoopau i kela luna a e koho i kekahi e pani i kona hakahaka.

**PAUKU 21.** Na kela kanaka keia kanaka ku i ka auhau hana ma na alanui e hele koke mai i ka hora i olelo mua ia, me kona makaukau i na mea paahana no ia hana, a e hana ikaika, e like me ka olelo a ka luna; a i ole e hana pela e hoopai ia oia e like me ka olelo ma ka Pauku Umikumamaiwa.

**PAUKU 22.** O kela mea keia mea ku i ka auhau alanui, e pili no ia ia ka auhau hana alanui, ma kona apana kahi i noho ai oia ke hiki mai ka la hana i olelo mua ia e ka luna alanui o ia apana, ke lako ole oia i ka palapala, a kekahi luna alanui e hoike ana ua hana oia i ka hana, a ua uku pani ma kekahi apana e ae no ia makahiki.

**PAUKU 23.** Ina e noi aku ka poe ua ku i ka auhau kino he kanalima a keu o kekahi apana, imua o ke Kiaaina o ka mokupuni o ua apana la, e weheia i alanui hou, a e paniia kekahi alanui kahiko ma ia apana, alaila, e ku i ke kanawai ke koho ke Kiaaina, i jure ma-

kaukau he umikumamalua e hooholo no ka pono o ia hana i mana'oa, a na ka luna alanui e hooko i ka olelo i hooholoia e lakou.

PAUKU 24. Ina e hanaia kekahi alanui e like me ka olelo ma ka pauku iwakalukumamakolu, e mana'o ponoia na kuleana waiwai o kela mea a o keia mea kuleana ka aina kahi e mana'o ia e hele ua alanui la, aia a holo ka mana'o e hana i ua alanui hou la, e like me ka pauku iwakaluumamakolu, aluia e kau koke ia ka palapala hoolaha ma na wahi o ua alanui hou la, e hoakaka ana i ka mana'o hana, a e kahea ana i na mea a pau, ke kuleana lakou, e hele mai imua o ka lunakanawai kaapuni kokoke, e hoike mai, a na ua lunakanawai kaapuni la, e hooili aku i ke Kuhina Kalaiaina i kope o ia mau koi ana.

PAUKU 25. E ku i ke kanawai ke koho ke Kuhina Kalaiaina i mau komisina ekolu, he poe pili ole ma kekahi aoao, na lakou e hooholo i ke kumu waiwai o ka waiwai i mana'o ia pela e hooholoia no ka lehulehu, a me ka uku no ka poho o na mea waiwai, me ka noonoo pono hoi i kona pomaikai no ua alanui la, a o ka mea i holo ia lakou, oia no ka nui o ka uku a ke Aupuni e haawi ai no ua waiwai la, aka hoi, e hiki i ka mea waiwai ke hoopii hou ae, mai kela hooholo ana o na Komisina ae, imua o ka jure o na kanaka umikumamalua, (a me ka hiki pono nae o ka hoolaha kumu e like me ka mea mau) i kohoia e ke Kiaina o ka mokupuni a nona no e hooili aku i kope o ka olelo o ka jure ua hooiaioia, i ke Kuhina Kalaiaina, a e haawi aku hoi i palapala hoike i ka mea waiwai i pomaikai ma keia hooholo ana.

PAUKU 26. A i loa i ka mea waiwai ua palapala hoike la, a like me ka hooholo ana, e lilo ka waiwai i hoomaopopo ia pela i ke Aupuni no ka hana i mana'o ia, aole palapala e ae a na ka mea ia ia ua palapala hoike la e lawe aku imua o ke Kuhina Kalaiaina, e hooponopono ai e like me ka olelo ma ka pauku e hiki mai ana.

PAUKU 27. E hiki no i ke Kuhina Kalaiaina ke hooponopono pu me ka mea ia ia ka palapala hoike, ma ke ano e pono ai i ke Aupuni i kona mana'o, ma ka haawi ana i ka aina e ae, no ka mea i lilo loa no ka lehulehu, a nana no hoi e hoike aku imua o ka Ahaolelo, i kela lua makahiki a i keia, i na palapala hoike a pau ke hiki ole ia ia ke hooponopono ma ke ano o na olelo maluna.

PAUKU 28. E lilo keia i kanawai ma ka la hookahi o Ianuari, M. H. 1857.

Ua aponia i keia la 30 Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI NO NA LIO KEA.

*E hooholoia e ke Alii. me na 'Lii a me ka Poaikohoia o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai :*

PAUKU 1. E auhauia na lio kea a pau, ina ua alua makahiki a keu paha, i na dala he umi i kela makahiki a i keia makahiki, koe wale no na

lio kea i ae ia, e like me ke kanawai i hooholoia i ka la 22 o Iune, M. H. 1852.

PAUKU 2. Iaa e huna kekahi i kona lio kea i ae ole ia me ka hoo-komo ole iloko o kona hoike ana i ka luna helu auhau o kona apana, a i ku ka hewa ma ka hookolokolo ana, alaila e hooukuia oia i ka auhau palua aku o ka olelo ma ka pauku akahi, a e lilo ka hapalua o ia uku i ka mea nana i hai aku ia i ka luna helu a luna auhau paha.

PAUKU 3. E lilo keia i kanawai ma ka pau ana o na ia he kanaono mai ka la aku o ka hooholo ana.

Ua aponoia i keia la 30 o Mei, M. H. 1856.

KAMEHAMEHA.

V. K. KAAMUANU.

## HE KANAWAI

NO NA HOLOHOLONA HELE HEWA A ME NA PA HELE HEWA.

E HOOHOLOIA e ke Alii, me na 'Lii a me ka Poehohoia o ko Hawaii Pa-  
Aina i akoakoa iloko o ka Ahaolelo kau kanawai:

PAUKU 1. E pono no na Kiaaina ma ke kauoha o ke Kuhina Kalai-  
aina, e hookaawale a e kukulu no hoi ina he haawina no ia hana ua  
hooholoia e ka Ahaolelo, i pa kupono, a i mau pa kupono paha ma  
kela a ma keia o na Apana a pau o ko lakou Mokupuni, a e hoolaha  
aku no hoi ia, i wahi e hoopaa i na holoholona hele hewa, e like me  
na olelo a keia kanawai.

PAUKU 2. Na na Kiaaina e hookohu i na Luna malama pa hele he-  
wa, a e hiki no ia ia e hoopau ia lakou ke ike ia he kumu pono no ka  
hoopau ana.

PAUKU 3. Aia no maluna o ka poe Luna pa hele hewa ka malama  
pono a me ka hana maikai aku i na holoholona hele hewa a pau i ha-  
wi ia lakou, a no ka lakou hana e loa mai ia lakou i ka hapalua dala,  
no ke poo hookahi, no ka la hookahi, mai ka lima mai o ka mea nona  
ka holoholona hele hewa ma na Apana o Honolulu, a me Lahaina, a  
ma na Apana e ae he hapaha no kela holoholona, keia holoholona,  
koe na hipa a me na kao, e uku ia lakou i eono keneta pakahi no ke-  
la la keia la.—Ua maopopo nae keia e hanai na Luna i na holoholona  
hele hewa i ka ai pono a me ka wai no hoi, a ina he hoopololi kekahi  
Luna pa hele hewa i kekahi o na holoholona i haawiia ia ia ka mala-  
ma alaila e nele i ka uku no ia holoholona, a e pili ia ia ka uku i ka  
mea nona ka holoholona no kona poho; E malama hoi ka Luna pa  
hele hewa i moolelo pololei no ka hana i hanaia ma ka pa ma ka bu-  
ke, i hiki ai i na mea a pau ke nana a e hoike no oia i ke Kiaaina i  
kela hapaha a i keia hapaha o ka makahiki no na dala loa mai a me  
na dala lilo aku o kana hana.

Aole pono i ka Luna ke ae aku i ka hookomo i kekahi holoholona  
maloko o kona pa, ua hopuia no ka hele hewa a no ka hana ino ma  
kekahi Apana e ae, ina he pa hele hewa ma ia Apana e ae.

PAUKU 4. Na ka Luna e hoolaha ma kekahi nupepa, a i ole ia e

kapill iho i ka palapala lima ma na wahi akea ekolu maloko o ia Apana i kela hebedoma a i keia, a e kala hebedoma no hoi i olélo hoakaka no na holoholona hele hewa iloko o ka pa hele hewa, a ina aole e kil mai ka mea nona ka holoholona, a e uku i na koina o ka pa, mawaena o na la he kanakolu, mai ka la aku o ka hoopaa ana, alaia e ku i ke kanawai ke kuai ka Luna i ua holoholona la, ma ke kudala akea, a e unuhi mai i na koina o ka pa, a me ko ke kudala ana, e uku hoi i ka mea nana i hoopaa mai i kona koina no ka poino, a ina he koena e malama ia ia e ka Luna Pa a e ukuia'ku hoi i ka mea nona ka holoholona ke kii mai.

PAUKU 5. Ina o kekahi Lio, miula, puaa, hoki, a bipi paha, e komo hewa ma kekahi aina i mahiia, alaila na ka mea nona ua holoholona la, a mau holoholona e uku i ka mea aina i ka hapalua o ke dala no kela a no keia o na holoholona i oleloia maluna i komo hewa, a ina he hipa a he kao paha ka mea i komo hewa, e uku ka mea nona ua holoholona i eono keneta no ka la, a ina i hoopauia kekahi mea ulu o ka aina a he poino e ae paha i hanaia e ua holoholona la, a mau holoholona, alaila, na ka mea holoholona e uku aku i ka mea i poino, e like me ka nui o kona poho a poho paha. Aka hoi, ina i ikea ma kekahi hihia ua kaumaha loa keia kanawai a me ka paewaewa, no ka nui o na holoholona komo hewa, alaila e hiki i ka Lunakanawai ke hoemi i ka uku.

PAUKU 6. Ina o kekahi o na holoholona i oleloia ma ka pauku e pill ana ae maluna, e komo hewa maluna o kekahi aina i mahi ole ia, alaila e uku ka mea nona ua holoholona la a mau holoholona i ka mea nona ka aina i ka hapawalu o ke dala, no ke komo hewa ana o kela holoholona keia holoholona, koe nae na hipa a me na kao, e uku lakou i eono keneta pakahi; a ina he hana ino i hanaia e ka holoholona a mau holoholona, alaila e uku ka mea nona ia, i ka mea i poino e like me ka nui o kona poho; Aka hoi, ina i ikeia ma kekahi hihia ua kaumaha loa keia kanawai a me ka paewaewa, no ka nui o na holoholona komo hewa, alaila e hiki i ka Lunakanawai ke hoemi i ka uku.

PAUKU 7. Ina aole i ike ka mea aina i ka mea nona ka holoholona komo hewa, a ina i hoole oia i ka uku pono a ku i ke kanawai no ka poino a hoopai e like me keia kanawai, alaila e ku i ke kanawai ke hookomo koke ka mea nona ka aina i komo hewa ia, i ka holoholona a mau holoholona iloko o ka Pa hele hewa, mahope o ka hoike ana i ka mea nona ka holoholona, ke ikeia, a me ka hoike ole ana, ke ike ole.

PAUKU 8. O ka mea nana kekahi lio, miula, hoki, bipi, puaa, hipa, a kao paha i komo hewa iloko o ka aina i paa i ka pa ku i ke kanawai, e uku no oia i ka mea nona ka aina, ke mahiia, i palua aku o ka uku hoopai i oleloia ma ka Pauku elima, a ina ua mahi ole ia ka aina, e uku ka mea holoholona i ka uku palua o ka mea i oleloia ma ka pauku eono a e uku no hoi, ma kela hihia a me keia hihia no ka hana ino a pau i hana ia e na holoholona a mau holoholona.

PAUKU 9. O kela pa keia pa aina ua ku i ke Kanawai, ina he pa pohaku eha kapuai ke kiekie, ina he pa laau, uwea hao, a he pali ua



elii, elima kapuai kona kiekie, ina e hanaia maluna o ke kuaauna o ka lua ua elii ekolu kapuai ka hohonu, a maluna o ka pali maoli e hanaia he ekolu kapuai ke kiekie o ka pa, e pua nae ua pa la a pili pono no hoi e huli ai na holoholona. Ina he lua wale no ka pa aina, alaila i eiwa kapuai ka laula maluna a i eha kapuai ka hohonu, ina he pa nahelehele, i elima kapuai ke kiekie he manaoana o huli ai na holoholona.

PAUKU 10. Ina he hoopaa paa mawaena o ka mea nona ka aina i komo hewa ia, a me ka mea nona ka holoholona a mau holoholona i komo hewa, alaila e hoihoii'ku kona i ka mea holoholona, mawaena o na hora iwakalua kumamaha, mahope o kona lohe, ke haawi aku oia i ka mea aina, a i ka luna pa hele hewa ina ua hoopaa ia iloko o ka palapala hoike a ka Lunakanawai Apana a Lunakanawai Hoomalu paha oia Apana, e hoakaka ana mai ua waiho oia me ua Lunakanawai la i na dala e like ka nui me ke koi ana o ka mea nona ka aina, a e ole ia he palapala hoopaa kupono a me na koina no ka hookolokolo kivila. Ina ua hoopaaia ka holoholona a mau holoholona iloko o ka pa hele hewa aole e uku ka poe mea holoholona i na koina o ka pa.

PAUKU 11. Aia i loa i ka Lunakanawai Apana a Hoomalu paha i na dala i koiia a i oleloia ka palapala hoopaa, a me na koina no ka hookolokolo ana, alaila e hoopuka oia i ka palapala hoike kupono a e kii aku i na aoao elua e hele mai imua ona me na hoike o lakou a mahope o ka hoolohe pono ana e hoololo no ia ma waena o na aoao. Aole e aeia ka hoopii hou ae no ia hoololo ana, ke hanaia mawaho o na la elima mahope mai o ka hookolokolo ana. Ina he hoopii hou ae, e malama no ka Lunakanawai i na dala a palapala hoopaa paha i waiho ia me ia aia kii mai ka aha malua.

PAUKU 12. Ina e hookuu kekahi i ka holoholona paa o kekahi, i komo hewa oia, a ina ma kekahi ano, e hoowalewale i kekahi holoholona, me ka noonoo mua, e komo hewa oia, alaila e hoopaaia oia e uku no ke Aupuni no kela hewa a no keia, i hookahi haneri dala, a i nele i ke dala ole, e hoopaaia oia i ka hana oolea, aole e emi iho i na malama eono, aole hoi e oi aku i na makahiki elua.

PAUKU 13. E hoailonaa na bipi, lio, miula, hoki a pau, e ka mea nona ia holoholona, i ka hao kuni, a i ole ia, i ka hoailona e ae, o hoopaaia oia i ka hookomo wale ia o kona holoholona i kuni ole ia, a hoailona ole ia, maloko o ka pa hele hewa, me kona lohe ole, e like me ka olelo ma ka pauku ehiku o keia kanawai.

E pono i ka mea holoholona i oleloia, ke waiho me ke Kiaaina, kahi e noho ai ua holoholona la, i kope o kona hao ua kuniia, a i olelo hoakaka no kona hoailona, a e loa ia ia mai ke Kiaaina mai he palapala hoike no ia mea, a e loa i ke Kiaaina i hookahi dala no ia palapala, oia kana e uku aku ai i ke Kuhina Waiwai no ka waihona o ke Aupuni.

E kakau ke Kiaaina maloko o ka buke, e hiki ai i na mea a pau ke nana, i ka olelo hoakaka e maopopo ai na hao kuni a me na hoailona a pau i waihoia me ia, aole hoi e haawi oia i elua palapala hoike no

ka hao kuni hookahi a no ka hoailona hookahi, i na mea elua ma ia Mokupuni.

Aole olelo a keia pauku e pili ana i na keiki holoholona malalo o ka makahiki hookahi.

PAUKU 14. Ina e hoonalo kekahi i ka hao o kekahi ua kuniia ma kekahi holoholona, ma kona kuni ana i hao e ae malaila, a ma kekahi hana e ae paha e nalowale ai ke kuni ana, a i ku ka hewa imua o kekahi Lunakanawai Apana a Hoomalu paha, e hoopai ia oia i na dala aole e oi aku o ka iwakalua.

PAUKU 15. E hoopauia ka Haawina elima, Mokuna ekolu, o ka Apana akahi o ke Kanawai i hoonohonoho i na oihana i haawi ia i na Kuhina, a o na kanawai a me na hapa kanawai e ae e kue ana i keia ua pau, a ma keia kanawai ua hoopauia no.

E lilo keia i kanawai ma ka pau ano o na la he kanaono ma ka la aku o ka hooholo ana.

Ua aponoia i keia la 15 o Sepatemaba, M. H. 1858.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI

E HOOLOLI AE I KEKAHI KANAWAI I KAPAIA "HE KANAWAI E HOOPONOPONO ANA I KA UKU O NA LUNAAUHOU, A E HOONONO ANA I MAU LUNA HELU E HELU I KANAKA A ME NA HOLOHOLONA I KU I KA AUHAU IA I KEIA WA."

E HOOLOLOIA e ke *Alii*, me na *'Lii* a me ka *Poikohoia* o ko *Hawaii Pae Aina* i akoakoa iloko o ka *Ahaolelo kau kanawai*:

PAUKU 1. E hoololiia a ma keia ua hoololiia no ka Pauku VII, ma ka holo ana i na huaolelo "i kona wa i halihali mai ai i ka papa auhau o kona apana i hoopau pono ia," a me na huaolelo "o kona apana, e like me na dala i hoike ia ae e ia ma kona papa auhau," a me ka hookomoia ana ma kahi o keia mau huaolelo hope iho nei i keia mau huaolelo "i ohi ia a i uku ia e ka Luna Auhau i ke kiaaina o kona moku, e like me kana papa helu," i heluhelu ka pauku me ia i hoololiia'i menei: "E ukua ka Lunahelu i hana i kana oihana me ka pololei a me ka hahai mahope o ke kanawai, e ke kiaaina o kona moku, ma ka palapala kikoo o ke kiaaina i ka waihana waiwai o ke aupuni, e like ka nui me na keneta elima iloko o kela dala keia dala i ohiia a i ukua e ka Lunaauhau i ke kiaaina o kona moku e like me kana papa helu."

PAUKU 2. E hoololi ia ka Pauku X a ma keia ua hoololiia no, ma ka holo ana i na huaolelo "iloko o na la he iwakalua mai ka la i waiho ia ai na palapala nei," a ma ka-hookomo ana i keia mau huaolelo, "i ka la hope o Novemaba, a mamua ae paha," i heluhelu ia kela pauku me ia i hoololi ia'i meneia:

"E hele kela Lunaauhau keia Lunaauhau i kona wa e lawe ai i kana oihana i ka hale noho, a i ole ia, i ka hale hana o kela kanaka keia kanaka, i ku i ka auhau ia iloko o na malama o Sepatemaba, Okatoba, a o Novemaba paha, mahope o ka loa ana mai o ka papa

helu, a e kikoo aku e hookaa ia mai na auhau i kakau ia maloko o ka papa helu i oleloia mamua iho nei. Ina ua hele kekahi kanaka i ku i ka auhau ia i ka wa e hele aku ai ka Lunaauhau i kona wahi e noho mau ai, a i kona hale hana paha, e waiho aku ka Lunaauhau i kekahi palapala i kakau lima ia a i paaia paha, me kekahi mea e noho ana ma ka hale me ka hai aku iloko o ua palapala nei, ua hele mai kela e ohi i na auhau o ua kanaka nei, e hai aku ana hoi i ka nui o na dala i ku ia aku ai, a me ka hai aku no hoi, ina aole e hookaaia mai ua mau dala nei o ka auhau, i ka la hope o Novemaba, a mamua ae paha, alaila, e ohi ana ia e like me ke kanawai."

PAUKU 3. Ma keia ua hoololiiia ka Pauku XI, ma ka hookui ana malale i keia mau huaolelo, "a ma ia mau hookolokolo ana a pau e hiki pono no i ka Lunaauhau ke hoolilo ia i hoike," a peneia ka helu-helu ana i kela pauku me ia i hoololi ia'i:

"Ina i hookaa ole mai kekahi i kona auhau, a hoole paha i ka uku mai i ka wa i ohi ai ka Lunaauhau, a hala ka la hope o Novemaba oia makahiki, e hiki no mahope olaila i ka Lunaauhau ke hoopii ae imua o kekahi lunakanawai apana o ia wahi e uku mai oia i ua auhau nei ke kupono ka hoopii, a e uku oia i hookahi dala no ke koina, a no ke aupuni hoi ia dala, e hiki no nae ke hoopii hou ae, ke hooalahala oia i ka olelo hooholo a ua lunakanawai la, a ma ia mau hookolokolo ana a pau e hiki pono no i ka Lunaauhau ke hoolilo ia i hoike."

PAUKU 4. E hoololi ia ka Pauku XII a ma keia hoololiiia no ma ka holoia ia ana o kela huaolelo "mua" ma ka lalani akolu, ma ka hookomo ma kona wahi i ka huaolelo "hope," a ma ka holoia ia i ka huaolelo "Ianuari" ma ka pau ana o ka pauku, me ka hookomo ma kona wahi i ka huaolelo "Feberuari," i heluhelu ia ka pauku me ia i hoololiiia'i penei:

"Ua kauoha ia na Lunaauhau a pau e lawe aku i ke kiaaina o kona moku i na dala auhau a pau loa i loaia ia i ka la hope o Dekemaba, a mamua ae paha, o kela makahiki keia makahiki, a o ka Lunaauhau i lawe ole mai i na dala auhau o kona apana ia la, a iloko hoi o na la he umi mahope o ia la, e nele ia i kana uku o na keneta umi iloko o ua dala a pau i hookaawale ia nona ma kana oihana lunaauhau, e like me ka manao o ke kiaaina; a e pono no hoi i ke Kuhina Waiwai e hoopii i ka palapala hoopaa o ia Lunaauhau, ia Lunaauhau aku, i hai ole mai imua o ke kiaaina o kona moku, i na dala auhau a pau o kona apana ma ka la mua o Feberuari, a mamua ae paha."

PAUKU 5. E holoia loa ia a ma keia ua holoia loa ia no ka Pauku XV, a e hookomoia keia mau olelo ma kona hakahaka:

"Na kela Lunaauhau keia Lunaauhau e hoihoi aku i na Luna Puuku Kula i na dala o ka auhau kula i ohi ia e lakou ma ko lakou mau apana iho, (kaawale nae ka auhau kula haole ma Honolulu,) a e lawe, mai ka lima mai o na Luna Puuku Kula, i mau palapala hookaa elua no na dala i hoihoi ia'ku pela, a o kekahi o ia mau palapala hookaa e houna koke ia e ka Lunaauhau i ka Peresidena o ka Papa Hoonaa-ao, a e hoolilo ia na dala auhau kula a pau i kakau ia ma ka papa helu e ke lakou mau apana, i sie e kau ana maluna o na Lunaauhau,

i ole lakou e waiho me na Luna Puuku Kula o ko lakou mau apana i kekahi papa i hooiki ia ka oiaio e lakou, a malaila e kakauia ai na inoa me kahi i noho ai, a me ka nui o ka aie i ka auhau kula o kela mea keia mea iloko o ka apana i hookaa ole mai i ka Lunaauhau i kona auhau kula; a ma keia ua ae ia na Luna Puuku Kula e unuhi ae i na dala o ka auhau kula iloko o ka papa a ka Lunaauhau i hooiki ai, a o ke koena wale no ka ka Lunaauhau e uku ai. E loa no hoi i ka Lunaauhau, mai ka lima mai o ka Luna Puuku Kula, i uku no kona ohi ana i ka auhau kula, e like ka nui me ka uku i haawiia ma ke kanawai no ka ohi ana i na auhau e ae."

Aponoia i keia la 30 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### HE KANAWAI

E HOOLOLI ANA I KA OLELO AE LIKE E PILI ANA I KA PAPU O LAHAINA.

E HOHOLOIA e ke Alii, me na 'Lii a me ka Poikohoia o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai:

PAUKU 1. Ma keia ke kauoha ia nei ke Kuhina Kalaiaina, e hiki ia ia ke hoolimalima aku i kekahi apana o ke kahua i ku ai ka papu ma Lahaina, aole nae kahi i hookaawaleia no ka hale dute, a me ka makeke ma Lahaina.

PAUKU 2. E lilo keia i kanawai ma ka la aku o ka hooholo loa ana. Ua aponoia i keia la 30 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

### NA PAUKU.

HOOLOLI I KE KUMUKANAWAI O KEIA PAE AINA, I HOOMAKAIA A I HOHOLOIA E LIKE ME KA PAUKU 105, O KE KUMUKANAWAI E NOHO NEL.

PAUKU 1. Ua hoololii a ke hoololii nei ka pauku 27, ma ka olelo Hawaii wale no, me ke kapae ana i ka huaolelo "Alihikaua," a me ka hookomo ana malaila i na huaolelo "Ka Luna Nui," i heluheluaia ua pauku la penei:

"O ke Alii ka Luna Nui maluna o na koa a me na manawa, a me na mea kaua e ae ma ka moana a ma ka aina; a nana ka mana ma ona iho a ma o kekahi Luna Koa, a mau Luna pahu ana e koho ai, e ao a e hooponopono i ua mau mea kaua nei, mamuli o kona manao e pono, a e malu ai ke Aupuni. Aka, aole e pono ia ia ka hapai i ke kaua, me ka ae ole o kona Ahakukakukamalu."

PAUKU 2. Ua hoololii, a ke hoololii nei ka pauku 29, me ke kapae ana i na huaolelo "o ka halawai o kela makahiki ae," a me ka hookomo ana malaila, i na huaolelo, "o na makahiki elua," a penei e heluheluaia i ua pauku la:

"Na ke Alii e kukakuka pu ana me kona Ahakukakukamalu e ho-

koakoa i na Hale elua o ka Ahaolelo ma kahi e noho ai na 'Lii, a ma kahi e paha ke pilikia ia wahi no kekahi enemi, a no kekahi mai ina paha; a ina i kua na Hale elua kekahi i kekahi, a i ke Alii paha, nana no e hoopanee, a hoopau a hookuu aku paha i ka Ahaolelo, aole nae mawaho o na makahiki elua, ina hoi he pilikia e hiki no ia ia ke hoakoakoa i ka Ahaolelo a i kekahi o na Hale elua paha no ia wa pilikia."

PAUKU 3. Ua hoololiia a ke hoololiia nei ka pauku 32, me ke kapae ana i na huaolelo "e koho," a me na huaolelo "ia lakou," a penei ka heluhelu ana o ua pauku la :

"Nana no e kukakuka pu ana me kona Aha Kuhina, a me kona Ahakukakukamalu, e hoopau i kekahi o na poo, a i kekahi mau poo paha o na oihana hooko e like me kona manao; pono no hoi ia ia ke kauoha aku i na luna a pau ma na oihana hooko, e hoike imua ona ma ka palapala i na mea i pili i ka lakou oihana."

PAUKU 4. Ua hoololiia a ke hoololiia nei ka pauku 43 me ke kapae ana i na huaolelo "o kona inoa oihana o ka Mea Kiekie," a me ka hookomo ana malaila i na huaolelo "o kona inoa, oia ka inoa hanauna, a o kekahi inoa e ae paha a ka Moi e haawi ia ia, a penei e heluhelua'i ua pauku la :

"Na ka Moi no e koho kekahi alii hanohano a me ka makaukau, e noho i Kuhina Nui, a e kapaia oia o ke Kuhina o ko Hawaii Pae Aina, a o kona inoa, oia ka inoa hanauna a o kekahi inoa e ae paha a ka Moi e haawi ai ia ia."

PAUKU 5. Ua hoololiia a ke hoololiia nei ka pauku 54, me ke kapae ana i na huaolelo "i kela makahiki keia makahiki," a me na huaolelo "o Ianuari mamua iho," a me ka hookomo ana malaila i na huaolelo "o ka makahiki helu dala," a penei e heluhelua'i ua palapala la :

"E hoike kela mea keia mea o lakou imua o ka Ahaolelo, a hiki i ka la mua o ka makahiki helu dala i ka hana a kana oihana iloko o ka makahiki i hala aku, iloko o ka hebedoma hookahi mahope iho o ka akoakoa ana o ka Ahaolelo."

PAUKU 6. Ua hoololiia a ke hoololiia nei ka pauku 61, me ke kapae ana i ka huaolelo "i kela makahiki keia makahiki," a me ka hookomo ana malaila i na huaolelo "i kela makahiki elua, keia makahiki elua," a me ke kapae ana i na huaolelo "i kela hebedoma mua o Aperila," a me na huaolelo "e ae," a penei ka heluhelua'i ua pauku la :

"E akoakoa ka Ahaolelo i kela makahiki elua, keia makahiki elua, e kukakuka no na mea e pono ai ke aupuni, i ka manawa, a ma kahi hoi a ka Moi i manao he pono. E kapaia keia poe, o ka Ahaolelo o ko Hawaii pae aina."

PAUKU 7. Ua hoololiia a ke hoololiia nei ka pauku 100, penei ka heluhelu ana :

"Na ka Ahaolelo e hoooho i ka Bila Haawina no na makahiki elua, mahope nae o ka noonoo pono ana i ka palapala a ke Kuhina Waiwai e hoike aku ai imua o lakou, e hoakaka ana i ka loa mai a

me ka lilo aku no na makahiki elua i hala, a me na makahiki elua e hiki mai ana."

PAUKU 8. Ua hoololiia a ke hoololiia nei ka pauku 72, me ka hoo-komo ana i na huaolelo "ke haalele ole iho nae lakou," mahope iho o na huaolelo, "a pau ko lakou ola," a penei e heluhelua'i ua pauku la :

"Na ke Alii no e koho i ka poe o ka Hale Ahaolele Alii, a e noho lakou ma ia oihana a pau ko lakou ola, ke haalele ole iho nae lakou, e like me ka pauku 67, aole nae e oi aku ko lakou nui mamua o ke kanakolu."

Aponoia i keia la 15 o Sepetemaba, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

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OLELO AE KIKE.

HOOHOLELOIA, no ka mea, he pono ke houluulu ia ma kahi hookahi na Kanawai Kivila e noho nei, nolaila, e kohoia ka Mea Kiekie L. Kamehameha, ka Mea Hanohano W. L. Lee, a me ka Mea Hanohano G. M. Robertson, Kokua Lunakanawai Kiekie, i mau Komite nana e hoomakaukau i kanawai kivila, e pono ai kela hana kivila, keia hana kivila, me na hua kuhikuhi i na olelo hooholo i hooholoia e ka aha a i pili i ua mau kanawai la, ma ko lakou ike ana he pono; a na ua mau Komite nei no e hoike no ka lakou hana ana imua o ka Ahaolelo o 1858, a i papa kuhikuhi kupono e loa koke ai na kanawai, ke pau lakou i ka paia kekahi mea a lakou e hoomakaukau ai.

Aponoia i keia la 30 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

---

OLELO AE LIKE.

E HOOHOLELOIA e ke Alii me na 'Lii, a me ka Poaikohoa o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai:

E haawiia e ke Kuhina Kalaiaina i kanahikukumamahiku dala no ka aie o ke Aupuni i ka Luna Alanui o ka Apana o Kohala Hema, Mokupuni o Hawaii, i ka M. H. 1854, ke kikoo ia iloko o ka Waiho-na Dala o ka Moi.

Ua aponoia i keia la 30 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

---

OLELO AE LIKE.

E HOOPAU AI I KEKAHI PALAPALA HOOPAA I HAAWI IA I KA LUNA DUTE NO KA HOOKAA PONO ANA I KE DUTE MALUNA O NA MEA KAHIKO I KA HALE ALII I LAWE IA MAI MAI KA AINA E MAI.

E HOOHOLELOIA e ke Alii, me na 'Lii a me ka Poaikohoa o ko Hawaii Pae Aina i akoakoa iloko o ka Ahaolelo kau kanawai:

E ae ia ka Luna Dute Nui e hoopau a e hookuu aku i kekahi pa-

Japala hoopaa i kakau ia ma ka la 22 o Feberuari, M. H. 1856, no na dala §282 42, a me ka uku hoopanee a W. C. Parke a me Wm. Webster, a i haawiia i mea hoopaa no ka hookaa pono ana'ku o na dute maluna o na mea kahiko no ka Hale Alii i laweia mai, mai ka aina e mai.

Ua aponoia i keia la 22 o Iune, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

---

OLELO AE LIKE.

E HOOHOLEIA e ke Alii, me na 'Lii a me ka Poaikohoia o ko Hawaii Pa-  
Aina i akoakoa iloko o ka ahaolelo kau kanawai:

E hookaawale ia i Ekolu Kausani Dala mai loko ne o ka Waihona o ke Aupuni ma ko ke Kuhina Waiwai la o ka Moi i puu dala e pono ai na Hale Ahaolelo elua no ka makahiki 1856.

Ua aponoia i keia la 17 o Aperila, M. H. 1856.

KAMEHAMEHA.

KAAHUMANU.

---

OLELO AE LIKE.

E HOOHOLEIA e ke Alii, me na 'Lii a me ka Poaikohoia o ko Hawaii Pa-  
Aina i akoakoa iloko o ka Ahaolelo kau kanawai:

E ae ia a ma keia ua ae ia i ke Kuhina Waiwai e hookaa aku i ka Luna O Lima o ka mokupuni o Hawaii, i na dala he kanaonokuma-  
maono, a me na keneta he kanaonokumamaono, oia ke koena o kona uku makahiki no ka makahiki i pau aku i ka la 31 o Maraki, 1856.

Ua aponoia i keia la 15 o Sepetemaba, M. H. 1856.

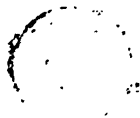
KAMEHAMEHA.

KAAHUMANU.

# PAPA KUHIKUHI.

	AOAO.
He Kanawai e ae ana i ke Kaomi Waina, - - - - -	3
“ “ e pili ana i na Hihia Kaulike, - - - - -	4
“ “ “ i ka Aha Hookolokolo Kaapuni, Apana Aha, - - -	4
“ “ no na hoopii mai na Aha H. haahaa a i na Aha H. maluna ae, -	5
“ “ e pili ana no ka hoolako i ka poe i hoopaiia ma na hoopii Kivila -	5
“ “ e holo ai ka Ohi ana o na Aie, - - - - -	6
“ “ e pili i ka Poe Aie Kaa ole, - - - - -	8
“ “ “ i na Lawehala a Hale Paahao, - - - - -	9
“ “ no ka Mare hou o ka poe i Oki ia, - - - - -	10
“ “ no na Komisina no na Alaliliii, - - - - -	10
“ “ no ka hana i ka papa inoa o na Iure, - - - - -	11
“ “ e hoololi i ke Kanawai no ke koho Lunamakaainana, - - -	11
“ “ no ka hoomaikai i ke Awa o Honolulu, - - - - -	12
“ “ e Kivai ai i na Kulenna ma ke Awa o Honolulu, - - - - -	12
“ “ e hoololi ke Kanawai no ke kipa Luina Haole, - - - - -	18
“ “ i pili i ka Pepehi Bipi ma Honolulu a me Lahaina, - - -	14
“ “ e hoopau ana i ke Kanawai hoomahuahua dute, makahiki 1858, -	15
“ “ no ke kuai Mokuahi, - - - - -	15
“ “ no ke kanu ana i ke Awa, - - - - -	16
“ “ i pili i ke kuai Opiuma, - - - - -	17
“ “ no ka Oihana Kinai Ahi, - - - - -	18
“ “ no na Aha Hoohui, - - - - -	19
“ “ e hoololi i ke Kanawai no na Aha Hoohui, - - - - -	23
“ “ pili i ka Mea Paipalapala o ke Aupuni, - - - - -	24
“ “ no ka Auhau hana Alanui, - - - - -	24
“ “ no na Ljo Kea, - - - - -	27
“ “ no na Holoholona a Pa Hele Hewa, - - - - -	28
“ “ e hoololi ana i ke Kanawai no na Lunahelu, - - - - -	31
“ “ i pili i ka Papu o Lahaina, - - - - -	33
<b>Mau Pauku Hoololi Kumukanawai, - - - - -</b>	<b>33</b>
<b>Olelo Ae Like no ke Kanawai Kivila, - - - - -</b>	<b>35</b>
“ “ no ka aie i ka Luna Alanui ma Kohala, - - - - -	35
“ “ no ke Dute maluna o na mea kahiko no Hale Alii, - - - - -	35
“ “ hookaawale Dala no ka Ahaolelo, - - - - -	36
“ “ no ka aie i ka Luna O Lima ma Hawaii, - - - - -	36





**L A W S**

**O F**

**HIS MAJESTY KAMEHAMEHA IV,**

**KING OF THE HAWAIIAN ISLANDS,**

**PASSED BY THE**

**NOBLES AND REPRESENTATIVES,**

**AT THEIR SESSION,**

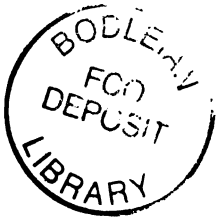
**1856.**



**HONOLULU:**

**PRINTED BY ORDER OF THE GOVERNMENT.**

**1856.**



# SESSION LAWS, 1856.

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## AN ACT

### PERMITTING THE MANUFACTURE OF WINE.

**WHEREAS**, It is believed that the manufacture of wine would add much to the wealth of the Kingdom and tend to diminish the use of deleterious drinks:

*Therefore, BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

**SECTION 1.** The Minister of the Interior is hereby authorized to grant Licenses for the manufacture of Wine, provided the applicant for such license shall first file with said Minister a Bond in the following form, with one good and sufficient surety:

Know all men by these presents, that we — —, principal, and — —, surety, residing at — —, in the Island of — —, Hawaiian Islands, are held and firmly bound unto — —, Minister of the Interior, and to his successors in office, in the penal sum of five hundred dollars, to be levied of our respective joint and several property, in case the condition herein set forth shall be violated. For the faithful payment of which we hereby pledge ourselves, our heirs, executors, administrators and assigns.

Signed with our hands and sealed with our seals, this — day of — —, A. D. 18—.

The condition of this obligation is, that whereas the said — —, principal, has this day obtained a license to manufacture wine out of grapes of Hawaiian growth, for the term of ten years from this date; now if he shall not, at any time during the continuance of said license, sell or furnish any such wine to any native of this Kingdom;

if he shall not manufacture wine out of grapes grown in any foreign country; if he shall not manufacture any brandy, rum, or other spirituous liquors; if he shall, on or before the last day in December in each year, furnish the Minister of the Interior with a correct statement, in writing, of the quantity of wine manufactured by him during the past year, and of the quantity sold, and still on hand, then this obligation to be void; otherwise, upon proof being made to the satisfaction of any Police or District Justice, of the violation of any or all of the above conditions, then the penalty mentioned in the above bond shall be forfeited for the benefit of the Royal Exchequer.

L. S.

— — —, Principal,

L. S.

— — —, Surety.

**SECTION 2.** Before granting such license the Minister of the Interior shall demand and receive at the hands of the applicant, for the benefit of the Royal Exchequer, the sum of *Fifty Dollars*, besides the customary charges for blanks and stamps.

**SECTION 3.** Whoever shall manufacture wine for sale without first obtaining a license as prescribed in this Act, shall, on conviction thereof before any Police or District Justice, be liable to the fines and penalties prescribed in the 2nd Section of the 42nd Chapter of the Penal Code.

**SECTION 4.** This Act shall take effect from and after the day of its passage.

Approved by his Majesty the King, this 13th day of December, 1855.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

## RELATING TO SUITS IN EQUITY.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That so much of Section tenth of Article third, Chapter fourth, of the "Act to organize the Judiciary Department," as requires a complainant in proceedings before the Chancellor, to append to his petition a list of witnesses, be and the same is hereby repealed.

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

Approved this 17th day of April, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

RELATING TO THE CIRCUIT COURT FOR THE FOURTH JUDICIAL DISTRICT.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That hereafter the Annual Term of the Circuit Court for the Fourth Judicial District shall commence on the first Monday in the month of June, instead of the first Monday in February, as heretofore.

SECTION 2. The first Term of said Court, to be held under the provisions of this Act, shall commence on the first Monday of June, A. D. 1857.

Approved this 17th day of April, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO AMEND THE LAW RELATING TO APPEALS FROM THE INFERIOR COURTS TO THE CIRCUIT AND SUPREME COURTS.

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

SECTION 1. That Section second, Chapter fifty-third, of the Penal Code, be and the same is hereby amended to read as follows, viz.:

In all the preceding cases, and in all other cases tried before a Police or District Justice, the Defendant, by giving notice of appeal within five days after trial, and within ten days after such trial paying the costs accrued and depositing a good and sufficient bond in the penal sum of one hundred dollars, conditioned for the payment of the costs further to accrue in case he is found guilty or defeated in the Court above, may take an appeal to the Supreme or Circuit Court and have a trial by jury.

SECTION 2. Every such defendant so appealing from the decision of any Police or District Justice, in any criminal or penal prosecution, shall remain in the custody of the Marshal or Sheriff until the Term of the Supreme or Circuit Court to which said defendant has appealed, unless he deposit with the Marshal or Sheriff a good and sufficient bond in a penal sum equal to the fine or penalty imposed upon such defendant in the Court below, conditioned for his appearance for trial at the Supreme or Circuit Court as aforesaid. And in all cases where the punishment adjudged by the Police or District Justice is both fine and imprisonment, or imprisonment only, the Marshal or Sheriff shall exact from the defendant a bond, conditioned as aforesaid, in the penal sum of not less than one hundred, nor more than two hundred, dollars.

SECTION 3. This Act shall take effect from and after the day of its passage.

Approved this 2nd day of May, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.



AN ACT  
TO PROVIDE FOR THE SUPPORT OF PERSONS ARRESTED ON  
CIVIL PROCESS.

BE IT ENACTED by the King, the Nobles and Representatives of the  
*Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That whenever any Defendant, in one or more civil  
actions, is arrested and imprisoned as a fraudulent debtor, the ex-  
pense of supporting such defendant during his imprisonment, shall be  
borne by the party or parties at whose suit he has been arrested.

SECTION 2. For this purpose, the party or parties at whose suit  
the defendant has been arrested, shall pay to the officer having him  
in custody the sum of fifty cents per diem; and in case the allowance  
for the defendant's support is unpaid at any time for more than ten  
days, the officer having the defendant in custody shall release him  
from imprisonment.

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

Approved this 2nd day of May, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

## TO FACILITATE THE COLLECTION OF DEBTS.

WHEREAS, Many complaints have arisen that creditors are defrauded of just debts by the assignment of their property to third persons by debtors, to remove the same from liability to attachment and execution; and whereas no remedy exists, save by long and expensive and imperfect process in chancery, whereby the ends of justice are defeated:

*Now therefore, BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. Whenever the goods or effects of a debtor are concealed in the hands of his attorney, agent, factor or trustee, so that they cannot be found to be attached or levied upon, or where debts are due from any person to a debtor, any creditor may bring his action against such debtor, and upon giving bond in a sum to be approved by the Court, conditioned to answer all costs and damages sustained by such attorney, agent, trustee or factor, in case the Plaintiff shall fail to sustain his suit and to recover therein, in his petition for process may request the Court to insert therein a direction to the officer serving the same, to leave a true and attested copy thereof with such attorney, agent, factor or trustee, or at the place of his or their usual place of abode, and to summon such attorney, agent, factor or trustee, to appear upon the day or term mentioned and appointed in said process for hearing the said cause, and then and there on oath to disclose whether he has or, at the time said copy was served, had any of the goods or effects of the Defendant in his hands, and if so, the nature, amount and value of the same, or is indebted to him, and the nature and amount of such debt; which summons and direction shall be signed by the presiding Judge and issued in the manner now practised in the Courts of this Kingdom, and shall be served by the officer according to such direction; and from the time of leaving such copy, all the goods and effects in the

hands of such attorney, agent, factor or trustee, and every debt due from such debtor to the Defendant, shall be secured in his hands to pay such judgment as the Plaintiff shall recover, and may not be otherwise disposed of by such attorney, agent, factor or trustee, and such notice shall be sufficient notice to the Defendant to enable the Plaintiff to bring his action to trial, unless the Defendant be an inhabitant of these Islands, or has some time resided thereon, and then a like copy shall be served personally upon him or left at his last and usual place of abode.

**SECTION 2.** Such attorney, agent, factor or trustee, upon his desire, shall be admitted to defend his principal in such suit, and if judgment be rendered in favor of the Plaintiff, all the goods and effects in the hands of such attorney, agent, factor or trustee, and the debt due from such debtor, or such part thereof as may be sufficient for that purpose, shall be liable to pay the same, and the Plaintiff, on praying out Execution, may direct the officer serving the same to make demand of such attorney, agent, factor or trustee, of the goods and effects of the Defendant in his hands, whose duty it will be to expose the same to be taken on the execution, and also to make demand of such debtor for any debt, or such part thereof as may satisfy said judgment as may be due to the Defendant, and it shall be the duty of the said debtor to pay the same; and if such attorney, agent, factor or trustee, shall have in any manner disposed of the goods and effects of his principal which were in his hands when the copy of the writ was left with him, and shall not expose and subject them to be taken on execution, or if such debtor shall not pay to the officer, when demanded, the debt due to the Defendant at the time the copy of the writ was left with him, such attorney, agent, factor, trustee or debtor, shall be liable to satisfy such judgment out of his own estate, as his proper debt, if the goods, or effects, or debt, be of sufficient value or amount; if not, then to the value of such goods or effects, or to the amount of such debt.

**SECTION 3.** If the said attorney, agent, factor, trustee or debtor, fail to appear upon the day and hour of hearing named in the summons or writ above mentioned, or, if having appeared, he refuse to

disclose upon oath whether he has goods or effects of the Defendant in his hands, and their nature and value, or whether a debt is due from him to the Debtor, and its amount, the case shall proceed to trial; and if the Plaintiff recover a judgment, execution shall issue, at his request, against the estate of such contumacious attorney, agent, factor, trustee or debtor, for the amount of such judgment as his own proper debt, and the lawful costs, provided that if it appear on the trial that the goods and effects are of less value and the debt of less amount than the judgment recovered against the Debtor, judgment shall be rendered against the Garnishees to the value of the goods or the amount of the debt. And if it appears that the Garnishee has no goods or effects of such debtor in his hands, or is not indebted to him, then he shall recover his lawful costs. But if he appear, and on oath disclose fully whether he has in his hands the goods or effects of, or is indebted to, the Defendant, and it appears to the Court that he has no such goods or effects, or is not so indebted, then judgment shall be given for him, and he shall recover his lawful costs.

**SECTION 4.** If upon disclosure made on oath by such Debtor, it appear that such Garnishee is indebted to the Defendant, but that such debt is not payable, and become due until some future time, then such judgment as the Plaintiff may recover shall constitute a lien upon such debt, until and at the time it shall fall due and payable.

**SECTION 5.** The taking of any goods or effects of any debtor, or of any debt due him as aforesaid by process and judgment of law, out of the hands of his attorney, agent, factor, trustee or debtor, by any of his creditors, shall forever discharge him or them from any suit or demand for the same.

**SECTION 6.** The provisions of this Act, and the powers conferred therein, shall extend to all the Common Law Courts of this Kingdom, according to their jurisdiction as at present or in future organized.

**SECTION 7.** This Act shall take effect from and after the date of its approval by the King.

Approved this 30th day of June, A. D. 1856.

KAAHUMANU.

KAMEHAMEHA.

## AN ACT

## TO AMEND THE LAW RELATING TO BANKRUPTCY.

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

SECTION 1. That Section fourth of "An Act relating to Bankruptcy," passed in the year 1848, be and the same is hereby amended, by striking out the words "merchants if possible."

SECTION 2. That Section fifth of said Act be and the same is hereby amended, by striking out the word "ten," and inserting in lieu thereof the word "five."

SECTION 3. That Section eighth of said Act be and the same is hereby amended, to read as follows, viz.: "Whenever any person shall declare himself a bankrupt, as prescribed in the first Section of this Act, or shall be adjudged a bankrupt by the Commissioners, notice of such bankruptcy shall be given in the *Polynesian* newspaper, and notice shall also be given by the Commissioners for three consecutive weeks, in the same newspaper, calling upon all creditors of the debtor to appear before the Commissioners, at such time or times as they may appoint, to prove their debts."

SECTION 4. That Section twelfth of the said Act be and the same is hereby amended, by striking out the word "thirty" and inserting in lieu thereof the word "twenty."

SECTION 5. That section thirteenth of said Act be and the same is hereby amended, by striking out the words "thirty days" and inserting in lieu thereof the words "two consecutive weeks."

SECTION 6. That the following proviso be and the same is hereby added to the twenty-first Section of said Act, viz.: "Provided nevertheless, that such bankrupt may be arrested and imprisoned as a fraudulent debtor, by order of the Chief Justice of the Supreme

Court, upon the sworn petition of any of his creditors setting forth sufficient cause for such arrest and imprisonment."

SECTION 7. That Section twenty-fourth of said Act be and the same is hereby amended, by striking out the words "two thirds" and inserting in lieu thereof the words "a majority."

SECTION 8. The Commissioners shall, in each case, keep a record of all their proceedings, which record, or a duly certified transcript of any part thereof, may be received as evidence in any Court of this Kingdom in all matters relating to that particular case.

SECTION 9. Any bankrupt who shall have been imprisoned as a fraudulent debtor, may be discharged from such imprisonment by order of the Chief Justice of the Supreme Court, either at or before the final settlement of the estate, if it shall appear to the satisfaction of the Chief Justice that the bankrupt has surrendered, discovered, and delivered over to the assignees chosen by his creditor, all his property, personal and real, and in other respects conformed to the main provisions of the law relating to Bankruptcy.

SECTION 10. This Act shall take effect from and after the date of its publication in the *Polynesian* newspaper, but shall not affect any proceeding begun or pending at or before that date.

Approved this 30th day of May, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

AN ACT  
RELATING TO PRISONERS AND PRISONS.

WHEREAS, many of the provisions of the Act relating to Prisons, approved by the King August 4th, 1851, are at present impracticable; and whereas said law has not been for that reason carried into effect:

*Therefore, BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That the Minister of the Interior shall have power to make such rules for the management of prisons, the preservation of prison discipline, and the promotion of industry, good morals and education among prisoners, as may be approved by His Majesty and Privy Council.

SECTION 2. This Act shall go into effect from and after the date of its passage; and all laws and parts of laws in conflict with this, shall be and the same are hereby repealed.

Approved this 30th day of June, A. D. 1856.

KAAHUMANU.

KAMEHAMEHA.

## AN ACT

TO ALLOW CERTAIN DIVORCED PERSONS TO MARRY AGAIN.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. Power and authority is hereby vested in the several Justices of the Supreme Court, to grant permission to persons who have been, or may hereafter be divorced, to marry again.

SECTION 2. Said Justices shall in no case grant such permission to marry again, unless it shall appear to their satisfaction that five years or more have elapsed since the date at which the applicant for such permission was divorced, and the party has not during that period been guilty of the offences for which a divorce may be decreed.

SECTION 3. This Act shall take effect from and after the date of its approval by the King.

Approved this 22d day of June, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.



## AN ACT

TO PROVIDE FOR THE APPOINTMENT OF COMMISSIONERS OF PRIVATE WAYS.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. There shall be appointed, by the Minister of the Interior, in each Election District throughout the Kingdom, three suitable persons to act as Commissioners of Private Ways.

SECTION 2. It shall be the duty of such Commissioners, within their respective Districts, to hear and determine all controversies respecting rights of way, between private individuals, or between private individuals and the Government.

SECTION 3. In settling such controversies, the Commissioners shall give such decision as may in each particular case appear to them to be just and equitable between the parties interested.

SECTION 4. Any party deeming himself aggrieved by the decision of the Commissioners, may appeal therefrom to the Circuit Court of the Island, or if the controversy is on the island of Oahu, to the Supreme Court, which Circuit or Supreme Court shall hear and determine the case in *banco*; provided, however, that any party desirous of so appealing shall give notice of the same to the Commissioners within five days after the rendition of their decision.

SECTION 5. Whenever any party shall appeal from the decision of the Commissioners, as provided in the last preceding Section, it shall be the duty of the Commissioners to send up a statement of the case, together with a copy of their decision, to the Court to which the appeal has been taken.

SECTION 6. The Commissioners shall receive the sum of five dollars each, as a compensation for their services in settling any such controversy; which compensation shall be paid by either of the par-

ties alone, or by all the parties interested, in such proportions as the Commissioners may adjudge. In case of appeal the compensation of the Commissioners, as well as the additional costs, shall abide the judgment of the appellate court.

SECTION 7. The Commissioners provided for by this Act shall be removable from office, at the pleasure of the Minister of the Interior, who shall also have power to fill all vacancies which may occur in their number.

SECTION 8. This Act shall take effect from and after the date of its passage.

Approved this 2d day of May, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO REGULATE THE PREPARATION OF A LIST OF JURORS.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That from and after the date of the passage of this Act it shall not be necessary for any of the Representatives of the People to assist in preparing, or to sign the lists of persons competent to serve as jurors, but such lists shall be prepared by the respective Governors and some judge of a Court of Record, at the time and manner prescribed by law.

SECTION 2. That so much of Sections First and Third of Article Fourth, Chapter Fourth, of the "Act to organize the Judiciary Department," as is in conflict with the provisions of this Act be, and the same is hereby repealed.

Approved this 15th day of September, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO AMEND AN ACT TO REGULATE THE ELECTION OF REPRESENTATIVES OF THE PEOPLE PASSED IN 1850.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That Section First of the Act to regulate the election of Representatives of the people, be and is hereby amended by striking out the words "every year" and by substituting therefor the words "every second year."

The first Section shall read as follows :

The elections for Representatives of the people to sit in the Legislative council, shall be held in all the Districts throughout the Kingdom, on the first Monday of the month of January, every second year, at such places as shall be designated by the sheriffs of the respective Islands.

SECTION 2. The first election under this Act shall take place on the first Monday in January, 1858; Provided however, that, if His Majesty the King shall deem it necessary to convene the Legislature during the year 1857, he shall order a special election of Representatives of the people to serve for that year.

Approved this 30th. day of May, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

## FOR THE IMPROVEMENT OF HONOLULU HARBOR.

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :*

**SECTION 1.** The Minister of Finance shall be, and is hereby authorised to pay, out of money in the Treasury, until the passage of the general Appropriation Bill, a sum not exceeding six thousand dollars, for expenses for the improvement of Honolulu harbor.

**SECTION 2.** This Act shall take effect from the day of its passage.

Approved this 6th day of May, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

## AN ACT

TO EXTINGUISH PRIVATE TITLES IN PORTIONS OF THE HARBOR,  
AND IN THE REEFS AND LANDS BOUNDING THE HARBOR OF  
HONOLULU.

WHEREAS, the existence of private rights in the harbor of Honolulu, and in the reefs and lands forming the boundaries thereof is incompatible with the exercise of the King's power and authority on and over the same, and with the improvement and fortification of the same as may hereafter be found necessary : Therefore,

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. The Minister of the Interior, acting with the advice and consent of the King and his Cabinet, is hereby authorized to buy back all portions of the harbor of Honolulu and the reefs and lands forming the boundaries thereof, available for the construction of wharves, storehouses, forts or lighthouses, so as to extinguish forever the now existing right and title of all private persons therein, for such price and consideration as may be agreed upon between said Minister and such private parties, or as may be determined by appraisers mutually chosen.

SECTION 2. The Minister of Finance is hereby authorized to pay, with the advice and consent of the King and his Cabinet, to the order of the Minister of the Interior, in cash, exchequer bills, or treasury bonds, bearing not more than twelve per cent. interest per annum, such sums as may be necessary to complete the purchases provided for in Section First.

SECTION 3. The power given by this Act is to be understood in a permissive sense only, and shall be exercised only in such circumstances as may, in the opinion of the King and his Cabinet, render such exercise clearly for the public good.

**SECTION 4.** This Act shall take effect from and after the date of its approval by the King.

Approved this 15th day of September, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

## AN ACT

TO AMEND AN ACT ENTITLED AN ACT TO REGULATE THE SHIPPING OF FOREIGN SEAMEN, IN THE PORTS OF HONOLULU AND LAHAINA.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That Section Second of an Act entitled "An Act to regulate the shipping of Foreign Seamen in the ports of Honolulu and Lahaina," passed the 23d day of July, 1855, be, and the same is hereby amended by striking out the word "and" in the English version and substituting therefor the word "or," and striking out also the words "has failed to sail on board their vessel," and substituting therefor the words "whom he may have failed to deliver on board their vessel at the time required by said Captain or Agent." So that the Section as amended will read as follows :

Before granting a license to keep a Shipping Office the said Governors shall receive at the hands of the applicant the sum of forty dollars for the use of the Royal Exchequer, as license money, and they shall receive at the hands of the applicant a Bond with at least two good and sufficient sureties, to be approved by the said Governors in the penal sum of two thousand dollars, which bond shall be in the following form, and upon the following conditions :

Know all men by these presents, that we ———, principal, and ———, sureties, residing at ———, in the Island of ———, Hawaiian Islands, are held and firmly bound unto His Excellency, ———, Governor of ——— for the use of the Hawaiian Government in the penal sum of two thousand dollars lawful money, to be levied of our respective joint and several property in case the condition herein set forth shall be violated, for the just and full payment of which, we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this ———, day of ———, 18—.



The condition of the above obligation is, that whereas the above bounden principal, has this day obtained a license to keep a Shipping Office for Foreign Seamen for the term of one year from the date hereof ; now if he shall not during the continuance of his said license demand or receive more than three dollars as a shipping fee nor more than ten per cent. of the amount advanced as a surety fee from any sailor shipped at his office; and if he shall at no time make default in repaying to any and every Captain or Agent the amount advanced by them on account of any sailor he may have failed to deliver on board their vessel at the time required by said Captain or Agent and for whom he may have become surety; and if he shall in no instance ship a sailor who has not a permit from the Harbor Master, then this obligation to be void, otherwise, upon proof being made to a Police Justice, without the intervention of a jury, as prescribed in the "Act to organize the Judiciary Department," the penalty mentioned in the above bond shall be forfeited and the license upon which it is predicated revoked.

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

Approved this 30th day of June, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

## AN ACT

TO REGULATE THE SLAUGHTER AND SALE OF BEEF IN THE TOWNS OF HONOLULU AND LAHAINA.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. The Minister of the Interior may at any time license for the term of one year any applicant to open a slaughter house and keep a butcher shop within the respective towns for which they receive their licenses.

SECTION 2. Before granting any license to open a butcher shop and slaughter house, the Minister of the Interior shall receive at the hands of the applicant the sum of two dollars, and he shall in all cases exact at the hand of the applicant a bond in the penalty of two hundred dollars, with two good and sufficient sureties, to be approved by the said Minister, in the following form and upon the following conditions :

## BOND.

Know all men by these presents that we ———, principal, and ———, sureties, residing at ———, in the Island of ———, Hawaiian Islands, are held and firmly bound unto His Excellency ———, Minister of the Interior, for the use of the Hawaiian Government, in the penal sum of two hundred dollars, lawful money, to be levied of our respective joint and several property in case the condition herein set forth shall be violated. For the just and full payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this — day of ———, 18 —.

The condition of the above obligation is, that whereas, the above bounden principal has this day made application for a license to keep a butcher shop and to open a slaughter house in ———, Island of ———:

Now if he shall not fail in any instance to make a full and accu-

rate register of the brands of every animal which he shall kill in his slaughter house, or sell in his butcher shop, together with the name of the owner, and the name of the person, or persons who delivers the animal at the slaughter house, with the day of the month and the year, when delivered and when killed, together with any remarks which the circumstances of the case may suggest, according to the form of the following schedule :

Date when received.	Owner.	Delivered by.	Brand.	Date when killed.	Remarks.

And if he shall at all times keep open this register for the information and inspection of the proper authorities and of all who may desire to search therein, then this obligation to be void: Otherwise upon proof being made to the satisfaction of a police justice, without the intervention of a jury, the penalty mentioned in the above bond shall be forfeited and the license on which it is predicated revoked.

**SECTION 3.** Any person slaughtering and selling beef either in a shop or through the streets of the towns of Honolulu and Lahaina, other than as in this act provided, shall on conviction before a police magistrate forfeit and pay to the government for each offense a sum not less than five dollars nor more than twenty-five, in the discretion of the court.

**SECTION 4.** This Act shall take effect at the expiration of thirty days after its passage.

Approved this 30th day of June, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

## AN ACT

TO REPEAL AN ACT ENTITLED "AN ACT TO INCREASE THE IMPORT DUTIES ON CERTAIN KINDS OF MERCHANDISE," PASSED IN 1853.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That the Act entitled "An Act to increase the import duties of certain kinds of merchandise," passed by the Legislature in 1853, shall be and the same is hereby repealed.

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

Approved this 6th day of August, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO AUTHORIZE THE PURCHASE OR CONSTRUCTION OF AN INTER-ISLAND STEAMER.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

SECTION 1. The Minister of the Interior is hereby authorized by and with the advice and consent of the King and Cabinet, to purchase, or contract for the construction of a steam-boat for inter-island trade, with all necessary furniture and equipment, and deliver the same at the port of Honolulu, at a cost not exceeding the sum of sixty thousand dollars.

SECTION 2. The Minister of Finance is hereby authorized on the order of the Minister of the Interior, for the purpose aforesaid, to issue exchequer bills, payable to said Minister or his order, for a sum not exceeding sixty thousand dollars, payable at such time and rate of interest as His Majesty and Cabinet may determine; provided, however, should it be found necessary to pay cash in part in lieu of exchequer bills for the same amount, the Minister of the Interior is hereby authorized to draw on the Treasury for a sum not exceeding twenty thousand dollars to be paid out of any monies not otherwise appropriated; and provided further that said Minister of the Interior may at his discretion permit private parties to take a proportionate interest in said steamer.

SECTION 3. No charges of harbor dues of any kind or for customs on any article imported for the use of said steamer shall be made.

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

Approved this 2d day of May, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO AMEND THE JOINT RESOLUTION RELATING TO AWA, PASSED  
AUGUST 6TH, 1846.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That after the passage of this Act it shall be lawful for any person to cultivate awa within this kingdom.

SECTION 2. The governors are hereby authorized, with the approval of the Minister of the Interior, to appoint agents for the purchase and sale of awa to persons allowed by this Act.

SECTION 3. All persons excepting those who have received certificates from duly authorized physicians, specifying the kind of disease and the quantity of awa necessary to cure it, are hereby prohibited from drinking awa under a penalty of five dollars.

SECTION 4. It shall be lawful for the agents for the sale of awa to sell it as an article of trade, or otherwise, to all persons intending to send it abroad, and to all licensed physicians and surgeons. The proceeds of the awa sold shall be shared thus: two-thirds to the owner of the awa, and one-third to the government.

SECTION 5. The agents for the sale of awa shall be paid twenty-five cents in each dollar of the government third, and the balance shall be handed over to the governors and by them forwarded to the Minister of the Interior, and deposited with the Minister of Finance for the benefit of the King's Treasury.

SECTION 6. Any person selling awa in contravention of this Act shall be liable to a penalty of ten dollars for each offense.

SECTION 7. This Act shall take effect from and after the date of its passage, and all laws in conflict with this shall be and are hereby repealed.

Approved this 15th day of September, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO REGULATE THE IMPORTATION AND SALE OF OPIUM AND OTHER POISONOUS DRUGS.

WHEREAS, suicides and serious riots are of frequent occurrence from the use and abuse of opium and other poisonous drugs; and whereas, there is danger of the pernicious habit of using opium being acquired by his Majesty's native born subjects from the example of the Chinese, Therefore,

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. Any person who shall be convicted before any magistrate of importing, selling, vending or furnishing opium or any preparation thereof, shall be fined a sum not less than fifty dollars nor more than five hundred dollars, in the discretion of the court; provided always, that nothing in this Section shall prevent the importation and sale of opium as medicine by duly qualified physicians and surgeons, licensed as such by the Minister of the Interior.

SECTION 2. It is herein further provided that it shall not be lawful for the parties licensed by the Minister of the Interior according to the provisions of this Act to sell, vend or furnish opium to any person excepting for the purpose herein prescribed, and in the exercise of their functions as medical men.

All physicians and surgeons acting in contravention of this shall be liable to the fine provided for in the first section of this Act.

SECTION 3. The Minister of the Interior is hereby authorized to grant a license to any physician or surgeon who shall prove satisfactorily that he is duly qualified and shall pay into the Interior department the sum of forty dollars.

SECTION 4. If any person, not licensed as provided in Section third shall sell, vend or furnish any poisonous drugs, he shall on conviction be liable to a penalty of not less than twenty-five nor more than two hundred dollars.

**SECTION 5.** This Act shall take effect at the expiration of three months from the date of its passage.

Approved this 30th day of May, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**



## AN ACT

## RELATING TO THE FIRE DEPARTMENT OF HONOLULU.

**BE IT ENACTED** *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council Assembled:*

**SECTION 1.** That the Act entitled "An Act to amend an Act to organize a Fire Department in the city of Honolulu," passed on the 24th day of June, 1852, be, and the same is hereby repealed.

**SECTION 2.** That Section first of Article first of the Act to organize a Fire Department for the city of Honolulu, passed May 8th, 1851, be, and the same is hereby amended to read as follows, viz :

The Fire Department of the city of Honolulu shall consist of a Chief Engineer, two Assistant Engineers, four Fire Wardens and as many Firemen as may be approved of by the Representatives of the Department. All said officers and firemen shall, during their term of service as such, be exempt from all personal taxes except the school tax.

**SECTION 3.** That Section second of the same Article be, and the same is hereby amended to read as follows:

The Chief Engineer and two Assistant Engineers, shall be elected annually, on the first Monday of June, by the certificate members of the department.

**SECTION 4.** That Section third of the same article be, and the same is hereby amended to read as follows :

The four Fire Wardens shall be elected annually by the Representatives of the department.

**SECTION 5.** That Section first of Article second of said Act, be, and the same is hereby amended by striking out the words "Fire Warden," and inserting in lieu thereof the words "Assistant Engineers," and by striking out all after the word "repaired."

**SECTION 6.** That Section second of said Article be, and the same is hereby amended to read as follows, viz :

In case the Chief Engineer shall be absent from a fire, the first

Assistant shall assume his duties, and in case the Chief Engineer and first Assistant shall both be absent, then their duties shall devolve upon the second Assistant Engineer.

SECTION 7. That Sections first and fourth of Article third of said Act be, and the same are hereby repealed.

SECTION 8. It shall be the duty of the fire Wardens to prosecute all persons guilty of any violation of the laws relating to the Fire Department before the Police Court of Honolulu, for which they shall be entitled to retain twenty per cent. of all fines collected, paying over the residue to the Treasurer of the Fire Department.

SECTION 9. That Section first of Article fourth of the said Act be, and the same is hereby amended by striking out the words, "well washed and cleaned."

SECTION 10. That Section second of the same Article be, and the same is hereby amended to read as follows, viz :

The representatives of the Department shall have authority, whenever a Company has for six months so few members as to render it inefficient, to disband the same, and assign the members thereof, with their assent, to any other Company, provided it is done with the legal assent of the Company to which they are assigned.

SECTION 11. That Article fifth of the said Act be, and the same is hereby repealed.

SECTION 12. That Section first of Article sixth of the said Act be, and the same is hereby amended by striking out the words "Fire Wardens," wherever they occur in said Section, and inserting in lieu thereof the words "Assistant Engineers."

SECTION 13. That Section sixth of Article seventh of the said Act be, and the same is hereby amended to read as follows, viz:

All male residents of Honolulu going to a fire, are required to obey the orders of the Chief Engineer and Assistant Engineers, under a penalty of five dollars.

SECTION 14. That Section eight of the same Article be, and the

same is hereby amended by striking out the words " Fire Wardens," and inserting in lieu thereof the words " Assistant Engineers."

SECTION 15. That Article eight of the said Act be, and the same is hereby repealed.

SECTION 16. This Act shall take effect from and after the date of its passage.

Approved this 30th day of June, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

AN ACT  
RELATING TO CORPORATIONS.

BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

SECTION 1. Every Corporation created or to be created in this kingdom shall have power; 1st, To have succession by its corporate name for the period limited in its charter, and when no period is limited, perpetually; 2d, To sue and be sued in any court; 3d, To make and use a common seal, and alter the same at its pleasure; 4th, To hold, purchase and convey such real and personal estate, and no other, not exceeding the amount limited by its charter, as the purposes of the corporation shall require; 5th, To appoint such subordinate officers and agents as the business of the corporation shall require; 6th, To make by-laws not inconsistent with any existing law, for the management of its property, the election and removal of its officers, the regulation of its affairs, and the transfer of its stock.

SECTION 2. In addition to the powers enumerated in the preceding Section, no corporation created under the provisions of this Act, shall possess or exercise any corporate powers, except such as shall be necessary to the exercise of the powers so enumerated and of such subordinate powers as shall be expressly given in the charter granted as herein after provided.

SECTION 3. No corporation shall be deemed to possess the power of discounting bills, notes or other evidences of debt, or receiving deposits, of buying gold, silver, bullion or foreign coin, buying and selling exchange or issuing notes or other evidences of debt, except so far as the exigencies of the particular business for which it was incorporated shall require. Nor shall any corporation unless authorized by express enactments of the Legislature issue bills or other evidences of debt for circulation as money.

SECTION 4. At any meeting of any corporation it shall be lawful

for the members in the transaction of business to vote either in person or by proxy; provided, that nothing in this Section shall be construed to restrain the power of every corporation to prescribe by its by-laws the mode of voting at meetings of its trustees, directors or board of managers.

SECTION 5. When all the members of any corporation shall be present, either in person or by proxy, at any meeting however called or notified, and shall sign a written consent thereto on the record of such meeting, the doings of such meeting shall be valid.

SECTION 6. The members of such corporation so assembled, may elect officers to fill all vacancies then existing, and may act upon such other business as might lawfully be transacted at regular meetings of the corporation.

SECTION 7. Whenever by reason of the death, absence or other legal impediment of the officers of any corporation, there shall be no person duly authorized to call or preside at a legal meeting thereof, any circuit judge of the island where such corporation is established may, on written application of four or more of the members thereof, issue an order to either of the said members, directing him to call a meeting of the corporation by giving such notice as shall be required by the by-laws of the corporation, and the said judge may in the same order direct one of the said members to preside at the meeting, and the proceedings of such meeting shall be valid.

SECTION 8. Whenever the capital stock of any corporation is divided into shares, and the certificates thereof are issued, transfer of the shares may be made by endorsement and delivery of the certificate. The endorsee shall be entitled to a new certificate upon surrendering the old one. And no such transfer shall be valid except between the parties thereto, until such new certificate shall have been obtained, or the transfer shall have been made on the books of the corporation so as to show the date of the transfer, the parties thereto, their places of abode and the number and description of the shares transferred.

SECTION 9. The directors or managers of any incorporated com-

pany shall not make dividends, except from the profits arising from the business of the corporation, nor may they divide, withdraw, or in any way pay away, to the stockholders or to any of them, any part of the capital stock of the company, or reduce the said capital stock without the consent either of the power granting the charter, or of the legislature. In case of any violation of the provisions of this Section, the trustees, managers or directors under whose administration the same may have taken place, shall in their individual and private capacities, be jointly and severally liable to the corporation and creditors thereof, in the event of its dissolution, to the full amount so divided, withdrawn, paid out or reduced; provided, that nothing in this Section contained shall prevent a distribution and division of the balance of the capital stock remaining after payment of all its debts on dissolution of the company or expiration of its charter.

**SECTION 10.** Where the whole capital of a corporation shall not have been paid in, and the capital paid shall be insufficient to satisfy the claims of its creditors, each stockholder shall be bound to pay on each share held by him, the sum necessary to complete the amount of such share as fixed by the charter of the company, or such proportion of that sum as shall be required to satisfy the debts of the company.

**SECTION 11.** The members of every corporation created under the provisions of this Act, shall be liable for the debts of the corporation in proportion to the amount of stock held by each; and the liability of each shall be limited to the amount of stock held by each, or extend beyond that amount, as the power granting the charter shall in each charter provide.

**SECTION 12.** The amount of debts which any corporation shall owe, shall at no time exceed the amount of its capital stock.

**SECTION 13.** In every joint stock company incorporated under the provisions of this Act, it shall be the duty of the trustees, managers or directors of such company to cause a book to be kept for registering the names of all persons who are, or shall become stockholders of the corporation, and showing the number of shares of stock held

by them respectively, and the time when they respectively became the owners of such shares; which book during the usual business hours of the day, on every day, except Sundays and national holidays, shall be open for the inspection of the stockholders and creditors; and it shall be the duty of the clerk or other person having the charge thereof, to give a certified transcript of anything therein contained to any stockholder or creditor of the corporation applying therefor; such transcript shall be legal evidence of the facts therein set forth, in any suit by or against the corporation.

**SECTION 14.** Any corporation wishing to dissolve and disincorporate itself before the expiration of its charter, may present a petition to the Minister of the Interior, together with a certificate setting forth that at a meeting of the stockholders, or members called for that purpose, it was decided by a vote of three-fourths of the members or stockholders to dissolve and disincorporate the corporation, which certificate shall be signed by the presiding officer and secretary of such meeting. The Minister shall enter such petition and certificate of record in his office, and after sixty days notice by publication in Hawaiian and English, in such manner as he shall deem most effectual, shall proceed to consider the same, and when satisfied that the vote certified to has been truly taken, and that all claims against the corporation are discharged, shall declare such corporation dissolved.

**SECTION 15.** Upon the annulment of the charter of any corporation, or upon its dissolution by expiration of its charter, or otherwise, unless other persons shall be appointed by the legislature, the Minister of the Interior, or by some court of competent authority, the directors or managers of the corporation, by whatever name known in law, shall be trustees for the creditors and stockholders, with full powers to settle the affairs of the corporation. Under the name of trustees of such corporation, they may by suit or otherwise, collect and pay the outstanding debts, and divide among the stockholders the moneys and other properties that shall remain, after payment of the debts and necessary expenses. And they shall be jointly and severally liable to the creditors and to the stockholders to the extent of the corporation property which shall come into their hands.

**SECTION 16.** Every corporation not eleemosynary, religious, literary, or educational, shall annually present a full and accurate exhibit of the state of its affairs to the Minister of the Interior, at such times as the Minister shall direct. The said Minister shall have power, either himself or by one or more commissioners appointed by him, to call for the production of the books and papers of the corporation, and to examine its officers, members and others touching its affairs under oath. The annual reports above mentioned, and the results of such examination, the Minister may in his discretion lay before the King in privy council, and also publish. In case any such corporation shall refuse to produce its books and papers upon the request of the Minister of the Interior or the commissioners appointed by him, or in case any of the officers or members of such corporation shall refuse to be examined on oath, touching the affairs of the corporation, then the Minister of the Interior or the commissioners may apply to the court of chancery for an order to compel the production of the books and papers, or the examination of such officers or members of the corporation, obedience to which order may be enforced by said court in like manner with its ordinary decrees and orders.

**SECTION 17.** The Minister of the Interior shall have power, subject to the provisions and conditions of this Act, in his discretion, by and with the advice and consent of the King in privy council, to grant charters of incorporation for agricultural, commercial and manufacturing purposes, as well as to charter other incorporations either aggregate or sole, ecclesiastical or lay; banking and municipal corporations alone excepted, which shall be chartered only by the legislature.

**SECTION 18.** The Minister of the Interior with the consent of the King in privy council, shall also have power on the expiration of any charter, to renew the same, on application to him for that purpose by two-thirds of the stockholders of such company, and a satisfactory explanation to him of the state of its affairs.

**SECTION 19.** Nothing in this Act contained shall be construed to authorize the Minister of the Interior as before provided, without the authority of the legislature to grant any charter which shall in terms



institute a monopoly for a longer term than five years, of any business or occupation; nor may he grant perpetual charters without such authority to any corporations except to those for eleemosynary, literary, educational, or ecclesiastical purposes.

SECTION 20. Application to the Minister of the Interior for any charter of incorporation shall be made by written petition accompanied by proofs that three-fourths of the shares have been subscribed for; and in the case of joint stock companies, there shall in addition to such petition be also filed at the same time in the office of the Minister, a certificate, setting forth a location of the proposed company; the object of the incorporation; the amount of stock proposed, and, if the privilege of subsequent extension of the capital stock is asked for, the limit of that extension; the proposed duration of the company; the time within which it is to organize; whether the liability of the stockholders is proposed to be limited to the amount of their stock or otherwise; and also whether the whole or any part of the capital stock is to be paid in before commencing operations, and if part, what part.

SECTION 21. This Act shall take effect from the day of its passage, and Section second of General Provisions, of Part first of volume first of the Statute Laws, relating to charters of incorporation, and all other laws and parts of laws in conflict with this, shall be, and hereby are repealed.

Approved this 17th day of April, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT RELATING TO CORPORATIONS."

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That Section 11th of an Act entitled "An Act relating to corporations" passed on the 17th of April, A. D. 1856, shall be and is hereby amended to read as follows, viz: All the property of any corporation which may be created in virtue of this Act, shall be liable for the just debts thereof, but no stockholder shall be liable for the debts of the corporation beyond the amount of what may be due upon the share or shares held or owned by him.

SECTION 2. This Act shall take effect and become a law from and after the day of its passage.

Approved this 24th day of April, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO AMEND THE LAW RELATING TO THE GOVERNMENT PRESS.

WHEREAS, The existing law relating to the government press is liable to a construction nullifying the usefulness of the "Polynesian" as a paper of general information, contrary to its original intent on, and to the third Article of the Constitution; Therefore,

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. Section VI., Article I., Chapter 1, Part 1, of the second Act of Kamehameha III., of the 27th April, 1846, is hereby repealed.

SECTION 2. The editor of the "Polynesian" shall conduct his paper free and independent of all government influence and responsibility, except only in regard to the publication of notices and communications by authority of the government, or of any of the departments thereof.

SECTION 3. This Act shall take effect from the date of the sanction of the King.

Approved this 30th day of June, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

AN ACT  
RELATING TO THE ROAD TAX.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That the road labor-tax shall be six days' labor annually; Provided, that eight hours labor shall be considered a full day's work.

SECTION 2. Every male inhabitant of the kingdom between the ages of sixteen and fifty years, shall be and is hereby declared to be liable to the road labor-tax.

SECTION 3. The following persons alone shall be exempt from the road-tax, viz: His Majesty the King; all Diplomatic and Consular agents of foreign powers, and school teachers actually employed; all firemen legally organized; all insane persons and cripples; all persons incapable of labor by reason of long sickness.

SECTION 4. The Minister of the Interior is hereby authorized to appoint road supervisors throughout the kingdom, not less than one for each taxation district.

SECTION 5. The road supervisors within their respective districts, shall have the direction of the public labor on roads, bridges, and all public highways, under general instructions from the Minister of the Interior.

SECTION 6. The tax enumerators for each taxation district shall make an enumeration of all persons liable to the road-tax, without extra pay for the same in their report to the governors of their respective islands.

SECTION 7. It shall be in the option of any person liable to the road tax to commute for the same in advance when called upon by the tax collector or his deputy, by paying him the sum of two dollars.

And if any person does not so commute when called upon by the tax collector, he shall not be entitled to commute at all, but shall work out the full number of days required by law, or procure a substitute to work for him.

**SECTION 8.** The tax collectors shall, on or before the last day of November of each year, collect from all those persons willing to commute for the road tax the sum of two dollars, and they shall, on or before the first day of December of each year, pay to the governors of the islands in which their districts are situated, all moneys so collected by them, and also deposit a correct list of the names of all parties who have not paid the road tax as assessed by the enumerator.

**SECTION 9.** The governors shall pay over to the road supervisors of each district of their respective islands the amount of road tax collected by the tax collector in the same district, and shall also furnish the supervisors with a copy of the tax collector's list of all the people who have not paid the tax in money.

**SECTION 10.** The said supervisors shall disburse all road taxes within their respective districts, and account to the Minister of the Interior through the governor of the island in which their districts are situated, for all moneys expended by them on the repairs of roads, by properly certified vouchers.

**SECTION 11.** All moneys appropriated by the legislature for the roads and bridges shall be drawn from the treasury by the Minister of the Interior, and expended under his general direction by the road supervisors, and the road supervisors shall account for all monies so expended in the manner provided in Section tenth.

**SECTION 12.** The road supervisors may appoint deputies for their respective districts, not exceeding one for every fifty taxable persons in the district, whose only compensation shall be exemption from the road labor tax.

**SECTION 13.** Every road supervisor shall on the 31st day of December of each year, render to the Minister of the Interior in writing, a detailed report of his transactions during the year preceding, stat-

ing the number of persons liable to the road tax in his district, the number of days worked by them, the amount of cash received from the governors, the amount of cash on hand at the commencement of the year; the amount expended, and the amount on hand at the date of the report; the number and condition of government tools on hand, and the number of days of his own personal service.

**SECTION 14.** The road supervisor upon rendering such report shall receive such compensation as the Minister of the Interior may deem just, out of the monies appropriated by the legislature for that purpose.

**SECTION 15.** Any road supervisor who shall receive as commutation for the road tax from any tax payer, or, who shall not cause the persons liable to the road tax to work the full number of days and hours prescribed in this Act, shall, on conviction thereof before any district justice, be fined five dollars for each such offense; all such fines to be expended as part of the road tax of such district.

**SECTION 16.** It shall not be lawful for any road supervisor to compel the people of any neighborhood to go more than five miles beyond their residence to labor on any road, unless by a vote of the people of the district expressed in a public meeting called for that purpose by the road supervisor.

**SECTION 17.** The road supervisors in case of indolence, disorderly or mutinous conduct on the part of the workmen, shall have power to authorize and require any constable to apprehend any delinquent and take him before any district justice, who shall, unless good cause be shown to the contrary, sentence such delinquent to hard labor for not more than five days.

**SECTION 18.** It shall be lawful for the several supervisors to commute for the labor tax on roads with the employers of all persons hired and employed by the month or year, either to complete a certain amount of work on the roads, or to work by the day with carts, plows or other implements as may be agreed on.

**SECTION 19.** It shall be the duty of each road supervisor to sur-

render to his successor in office all accounts and other papers relating to the office, and all moneys he may have on hand belonging to the district, together with all implements belonging to the government which may be in his possession.

**SECTION 20.** Upon a written complaint being brought before the Minister of the Interior, signed by at least twelve of the inhabitants of any district, setting forth that their road supervisor is guilty of a breach of this law, specifying the particular charges against such supervisor, it shall be the duty of the said Minister of the Interior to give such complaint a hearing, and upon proper cause being shown, to dismiss said supervisor from office, and to appoint another person to his place.

**SECTION 21.** It shall be the duty of every man liable to the labor tax for the roads to appear punctually at the time appointed, with suitable implements for the work, and to work diligently, as directed by the supervisor, otherwise he shall be liable to the penalty hereinbefore provided in Section seventeenth.

**SECTION 22.** Every person who is liable to the road tax shall be liable to the labor tax on roads, in the district where he is staying on the labor day appointed by the road supervisor for that district, unless he be provided with a certificate from some road supervisor that he has already performed his labor, or paid his commutation for the current year in some other district.

**SECTION 23.** On a request being made by fifty or more poll tax payers of any district to the governor of the island in which the said district is situated, that a new road be opened, or that an old road be shut up in that district, it shall be lawful for the governor to appoint a jury of twelve competent persons to decide on the propriety of the measure proposed, and their decision shall be acted upon by the road supervisor.

**SECTION 24.** In laying out any new road as provided in Section twenty-third, respect shall be had to the private vested rights of property which any individual may have in the land over which said road shall be intended to pass. It shall be the duty of the road supervisors,

immediately after such new road has been determined upon, as in Section twenty-third, to cause notices to be posted along the line of such new road, advertising the fact, and summoning all parties interested therein to bring forward their claims to the nearest circuit judge, and it shall be the duty of the said circuit judge to forward a list of all such claims to the Minister of the Interior.

**SECTION 25.** It shall be lawful for the Minister of the Interior to appoint a commission of three disinterested persons to assess the value of the private property so required for the public use, and also the damages, if any, likely to be sustained by the owner, whose decision shall determine the price to be given by the government for such private property; provided the owner shall have the right of appeal from the decision of said committee to a jury of twelve men (with the usual right of objection for cause) to be empaneled after the manner of the circuit courts by the governor of the island, who shall send a certified copy of the decision of such jury to the Minister of the Interior, and give a certificate also to the party so appealing.

**SECTION 26.** Upon delivery of said certificate to the owner of the land, the property assessed shall revert to the public use intended, without further conveyance, and the holder of such certificate shall present the same to the Minister of the Interior for adjustment pursuant to the provisions of the succeeding Section.

**SECTION 27.** The Minister of the Interior shall have power to compound with the holder of any such certificate in any way he may deem most advantageous to the government by the substitution of other land in lieu of that appropriated for the public good: And he shall also present to the legislature biennially a report of such certificates as he may not have been able to cancel in the manner above described.

**SECTION 28.** This Act shall take effect on and after the first day of January, A. D. 1857, and all laws and parts of laws that conflict herewith are hereby repealed.

Approved this 30th day of June, A. D. 1856.

**KAMEHAMEHA.**

**KAHUMANU.**



## AN ACT

## RELATING TO STALLIONS.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council Assembled:*

SECTION 1. All entire horses two years old and upwards, shall be taxed yearly the sum of ten dollars each, excepting only entire horses licensed as such under the law relating to stallions passed on the 22nd day of June, A. D. 1852.

SECTION 2. Should the owner of any unlicensed entire horse conceal the same in making his return to the tax enumerator of his district, he shall on conviction be liable to double the tax specified in Section first; one half to be paid to the party giving the information to the enumerator or tax collector.

SECTION 3. This Act shall take effect sixty days from and after the date of its passage.

Approved this 30th day of May, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

AN ACT  
RELATING TO ESTRAYS AND POUNDS.

*BE IT ENACTED by the King, the Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled:*

**SECTION 1.** It shall be the duty of the governors, under the direction of the Minister of the Interior, to set apart or build, if appropriation is made for that purpose by the legislature, a proper enclosure or enclosures in each district, giving due notice thereof, on their respective islands, for the purpose of impounding estrays as hereinafter provided.

**SECTION 2.** The governors shall appoint pound masters, and shall have power to remove them on sufficient cause being shown.

**SECTION 3.** The pound masters shall be liable for the safe keeping and good usage of any estray committed to their charge, and shall receive for their services fifty cents per day, from the owner of said estray, in the districts of Honolulu, Oahu; and Lahaina, Maui, in all the other districts the rate shall be twenty-five cents per day, excepting for sheep and goats, which shall be six cents per day. It being understood that the pound masters shall give the estrays a reasonable quantity of food and water, and if any pound master shall starve any estray committed to his charge, then he shall not be entitled to receive any fees for such estrays so starved, and shall also be liable to the owner of the estray.

It shall also be the duty of the pound master to keep an accurate account of the business done at the pound, in a book open to public inspection, and he shall make quarterly returns to the governor of the Island, showing receipts and disbursements.

No pound master shall receive into his pound any animal seized for committing trespass in any other district, if there is a pound established in such other district.

**SECTION 4.** It shall be the duty of the pound master to publish in a newspaper, or post written notice weekly in three public places in

in his district, also to proclaim *viva voce* weekly, an account of all estrays in the pound, and if the owners do not claim the estrays and pay the pound fees within thirty days from the date of impounding, then it shall be lawful for the pound master to sell the said estrays at public auction, to deduct the amount of pound fees and expenses of sale, pay over to the party impounding his claim for damage done, and the balance, if any there be, shall be held by the pound master and paid over to the owners of such estrays when claimed by them.

**SECTION 5.** If any horse, mule, ass, hog, or neat cattle, commit a trespass on any cultivated ground, the owner of said animal or animals shall forfeit and pay to the owner of the ground the sum of fifty cents for the trespass of each animal, excepting sheep and goats, which shall be six cents; and if any productions of the land be destroyed or other damage done by the animal or animals, the owner thereof shall further pay to the loser the full amount of such damage or loss: Provided, however, that if in any particular case this law have an onerous and unjust bearing owing to the number of animals trespassing, the judges shall have power to diminish the forfeiture.

**SECTION 6.** If any of the animals enumerated in the last preceding section commit a trespass on any uncultivated ground, the owner of such animal or animals shall forfeit and pay to the owner of the ground twelve and a half cents for the trespass of each animal, excepting for sheep and goats, for which he shall pay six cents per head, and if any damage be done by the animal or animals, the owner thereof shall further pay to the loser the full amount of such damage: Provided, however, that if in any particular case this law have an onerous and unjust bearing, owing to the number of animals trespassing, the judge shall have power to diminish the forfeiture.

**SECTION 7.** If the owner of any animal or animals trespassing be not known to the owner of the land, or if he refuse to pay just and lawful damages and penalties as set forth in this Act, then it shall be lawful for the owner of the land trespassed upon, after giving notice to the owner of such animal or animals when known, or without such notice when the owner is not known, to impound the same forthwith.

**SECTION 8.** The owner of any horse, mule, ass, neat cattle, swine, sheep or goat trespassing upon land enclosed by a lawful fence, shall forfeit and pay to the owner of such land, if cultivated, twice the penalty prescribed in section fifth; and if the land is uncultivated, the owner of the animal or animals shall forfeit and pay twice the penalty prescribed in section sixth, and shall also in each case pay the full amount of damage done by such animal or animals.

**SECTION 9.** Every enclosure shall be deemed a lawful fence which is four feet high, if made of stone, and if made of wood, iron wire, or an artificial pali, five feet high; if made upon an embankment of a ditch three feet deep, or upon an artificial or natural pali three feet high, then the fence must be two feet high, said fence to be substantial, reasonably strong and close, made to turn stock. If the fence be a ditch only, then it shall be nine feet wide at the top and four feet deep, and if a hedge, five feet high, thick and high to turn stock.

**SECTION 10.** Whenever any dispute shall arise between the owner of the land trespassed upon, and the owner of the animal or animals trespassing, the latter may have the animal or animals returned to him within twenty-four hours from the time of his receiving notice, upon his delivering to the owner of the land or to the pound keeper, if the animal or animals have been impounded, a certificate from the district justice or police justice of the district, setting forth that he has deposited with such justice the amount claimed by the owner of the land, or a good and sufficient bond for that amount, together with the costs of civil suit. If the animal or animals have been impounded, the owner shall pay no pound fees.

**SECTION 11.** The district or police justice shall, upon receiving the amount claimed, or a bond for the amount, and the costs of suit, issue the required certificate and summon the parties to appear before him with their witnesses, and after a fair hearing shall decide between them. No appeal shall be allowed from such decision, unless taken within five days after it is delivered. In case of appeal being taken, the justice shall retain the amount or bond deposited with him, subject to the order of the court above.

**SECTION 12.** If any person shall set the confined animal of another

at liberty in order that it may trespass on cultivated ground, or shall by any means designedly decoy any animal to commit a trespass, he shall forfeit and pay to the Royal Exchequer, for every such offense, the sum of one hundred dollars, or in default thereof shall be imprisoned at hard labor not less than six months nor more than two years.

SECTION 13. Every owner of cattle, horses, mules or asses, shall mark the same by branding or otherwise on pain of having his unbranded or unmarked animals impounded for trespass without notice, as set forth in section seventh of this Act. It shall be the duty of such owner to deposit with the governor of the Island on which his animals may be, an impression of his brand, or description of his mark, and he shall receive from the governor a certificate of such deposit, for which certificate the governor shall be entitled to receive the sum of one dollar, for the benefit of the Royal Exchequer, to be paid over to the Minister of Finance.

The governors shall enter in a book, open to public inspection, a description of all brands or marks so deposited with them, and they shall not grant two certificates for the same mark or brand to different persons on the same Island.

Nothing in this section shall be construed to include the young of animals under the age of one year.

SECTION 14. Any person who shall obliterate any brand on any animal by placing another brand over it or otherwise, shall on conviction before any police or district justice be punished by a fine not exceeding twenty dollars.

SECTION 15. That article fifth, chapter third, part first, of the "Act to organize the Executive Departments," and all existing laws or parts of laws that conflict herewith, be and the same are hereby repealed.

This Act shall take effect at the expiration of sixty days from the date of its passage.

Approved this 15th day of September, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE PAY OF TAX COLLECTORS, AND TO PROVIDE FOR AN ENUMERATION OF ALL PERSONS AND ANIMALS LIABLE TO TAXATION."

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

SECTION 1. That section 7 be and hereby is amended, by striking out the words "on presenting his tax list completed to the governor of the Island in which his district is located," and also the words "for his district as shown by the tax list so made out and delivered as aforesaid," and insert in lieu of the last words, the words "which shall be collected and paid over by the tax collector to the governor of the Island in which his district is located, in conformity with the enumerator's list," so that the section as amended will read as follows:

"Each enumerator who shall have faithfully discharged the duties of his office according to law, shall be paid by the governor's draft on the Hawaiian Treasury a compensation for his services equal to five per centum of the amount of taxes which shall be collected and paid over by the tax collector to the governor of the island in which his district is located, in conformity with the enumerator's list."

SECTION 2. That section 10 shall be, and the same is hereby amended by striking out the words "within twenty days from the date of said notice," and inserting the words "on or before the last day of November," so that the section as amended will read as follows:

"Each tax collector, in the discharge of his duties, shall call on each tax payer at his residence or usual place of business in the months of September, October or November, after the tax list has been delivered to him, and demand payment of the taxes made out against said tax payer, in the list aforesaid; and if any tax payer cannot be found when so called upon, the collector shall leave with some person at his usual place of business or residence, a written or printed notice, that he has called to collect the taxes of said tax pay-

er, in which he shall state the amount of the same, and date of the time of his calling aforesaid, and that, unless said taxes are paid on or before the last day of November, he will proceed to collect the same according to law."

**SECTION 3.** Section 11 is hereby amended by adding at the close of said section the words, "in all of which cases the tax collector shall be a competent witness;" so that the section as amended shall read as follows:

"If any person shall neglect to pay his taxes, or refuse when called upon by the tax collector, until the last day of November of each year shall have elapsed, then the tax collector is authorized to sue him before the district justice of that district, and if the suit is sustained he shall pay the taxes sued for, and one dollar besides for costs for the benefit of the Royal exchequer; but he can appeal from the decision of the district justice, in all of which cases the tax collector shall be a competent witness."

**SECTION 4.** Section 12 shall be, and the same is hereby amended by striking out the word "first," in the second line and inserting the word "last," and by striking out in the last line the word "January" and inserting the word "February," so that the section as amended will read as follows:

"It shall be the duty of each tax collector on or before the last day of December in each year, to pay over to the governor of the Island in which his district is located, the amount of taxes by him collected, and any tax collector who shall have failed to do so at the specified time, or within ten days of said time, shall be liable to forfeit ten per cent. of the amount of compensation hereinafter provided for his services as collector, which forfeiture shall be at the discretion of the governor aforesaid; and it shall be the duty of the Minister of Finance to prosecute the bond of any tax collector who shall have failed to pay over to the governor of the Island in which his district is located, the amount of taxes by him collected, on or before the first day of February."

**SECTION 5.** Section 15 shall be, and the same is hereby stricken out, and in lieu thereof the following shall be substituted:

“It shall be the duty of the tax collectors to pay over to the school treasurers, the amount of school taxes collected by them in their respective districts (the Honolulu foreign school tax excepted,) and to take from the school treasurers duplicate receipts for the amount paid them, one of which receipts shall be immediately forwarded by the collector to the president of the board of education; and the collectors shall be responsible for the full amount of school taxes specified in their several tax lists, unless they shall file with the school treasurer a sworn list containing the names, places of residence, and amount of school tax due from each person in their district from whom they have not been able to collect the school tax, in which case the school treasurers are hereby authorised to deduct the amount of the taxes in the list so sworn to, and the collector shall be responsible only for the balance.

The collector shall be entitled to receive from the school treasurer a compensation for collecting the school tax at the same rate as is provided by law for collection of other taxes.

Approved this 30th day of June, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.



## AN ACT

TO AMEND THE JOINT RESOLUTION RELATING TO THE FORT AT LAHAINA.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :*

SECTION 1. That it shall be lawful for the Minister of the Interior to lease such part of the site of the old fort at Lahaina as will not be required for the site of the new custom house and market house at Lahaina.

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

Approved this 30th day of June, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

## ARTICLES

OF AMENDMENT OF THE CONSTITUTION OF THE KINGDOM PROPOSED AND AGREED TO, PURSUANT TO THE 105<sup>TH</sup> ARTICLE OF THE ORIGINAL CONSTITUTION.

**ARTICLE 1.** Article 27 is hereby amended in the native version only, by striking out the words "Alihikaua," and by inserting the words "Ka Luna Nui," so that the article as amended will read as follows :

"O ke Alii ka luna nui, maluna o na koa a me na manuwa a me na mea kua e ae ma ka moana a me ka aina; a nona ka mana ma ona iho, a ma o kekahi Luna Koa, a mau luna paha ana e koho ai, a ao a e hooponopono i ua mau mea kua nei mamuli o kona mana e pono a e malu ai ke Aupuni. Aka, aole e pono ia ia ka hapai i ke kua me ka ae ole o kona Ahakukakukamalu."

**ARTICLE 2.** Article 29th is hereby amended by striking out the words "session of next year," and inserting in the same article, "term of two years," so that the article as amended will read as follows:

"The King, by and with the advice of His Privy Council, convenes both Houses of the Legislature at the seat of government, or any different place, if that should become dangerous from an enemy or any dangerous disorder; and in case of disagreement between the two Houses, or between His Majesty and them, He adjourns, prorogues or dissolves them, but not beyond the term of two years; under any great emergency, He may convene both or either of them to extraordinary sessions."

**ARTICLE 3.** Article 32nd is hereby amended by striking out the words "appoint and," so that the article as amended will read as follows :

"He has the power by and with the advice of His Cabinet, and the approval of His Privy Council, to remove at His pleasure, any of the several heads of the Executive Departments, and he may require

information in writing from any of the officers in the Executive Departments, upon any subject relating to the duties of their respective offices."

ARTICLE 4. Article 43d is hereby amended by striking out the words "whose titles shall be Highness," and inserting the words "shall be addressed by the birth title, or such title as may have been conferred by His Majesty," so that the article as amended will read as follows :

"The King appoints some chief of rank and ability to be His Kuhina Nui, who shall be styled the Kuhina Nui of the Hawaiian Islands, and shall be addressed by the birth title, or such title as may have been conferred by His Majesty."

ARTICLE 5. Article 54th is hereby amended by striking out the words "an annual," and also the words "of January next preceding," and inserting the words "day of the fiscal year," so that the article as amended will read as follows:

"Each of them shall make a report to the Legislature, made up to the first day of the fiscal year, of the transactions and business of his department, within one week after the opening of the Legislature."

ARTICLE 7. Article 61st is hereby amended by striking out the word "annually," and inserting the word "biennially," and by striking out the words "in the first week in April, and," and also the word "other," so that the article as amended will read as follows:

"The Legislative Body shall assemble biennially, for the purpose of seeking the welfare of the nation, at such time, and in the place that the King may judge necessary. This body shall be styled the Legislature of the Hawaiian Islands."

ARTICLE 6. Article 100 is hereby amended so as to read as follows:

"The Legislature votes the appropriations biennially after due consideration of the revenue and expenditure for the two preceding years, and of the estimates of the revenue and expenditure of the two succeeding years, which shall be submitted to them by the Minister of Finance."

ARTICLE 8. Article 72 is hereby amended by inserting after the

words "during life," the following, "unless in case of resignation," so that the article as amended will read as follows:

"The King appoints the members of the House of Nobles, who hold their seats during life, unless in case of resignation, subject to the provisions of Article 67, but their number shall not exceed thirty."

Approved this 15th day of September, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## JOINT RESOLUTION.

**RESOLVED**, That whereas, it is desirable to codify our existing laws, His Royal Highness, Prince Kamehameha, the Honorable W. L. Lee, Chief Justice, and the Honorable George M. Robertson, Associate Judge of the Supreme Court, are appointed a committee to prepare a complete civil code, adding notes with reference to important decisions of court under the laws, wherever they may think necessary, and to report the same for the sanction of the Legislature of 1858, with an appropriate index for facility of reference.

Approved this 30th day of June, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

## JOINT RESOLUTION.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That the Minister of Finance be and he is hereby authorized to pay to the draft of the Minister of the Interior, the sum of seventy-seven dollars, being the balance due the Road Supervisor of South Kohala, Hawaii, for the year 1854.

Approved this 30th day of June, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.

## JOINT RESOLUTION

TO CANCEL A CUSTOM HOUSE BOND, GIVEN AS SECURITY FOR THE PAYMENT OF DUTY ON FURNITURE, &c., IMPORTED FOR THE PALACE.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

That the Collector General of Customs is hereby authorized to cancel a certain bond dated 22d February, 1856, for \$282 42, with interest, signed by W. C. Parke and Wm. Webster, and given as security for the payment of duties on certain furniture, &c. imported for the Palace.

Approved this 22nd day of June, A. D. 1856.

KAMEHAMEHA

KAAHUMANU.

## JOINT RESOLUTION.

BE IT ENACTED *by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:*

There shall be set apart the sum of three thousand dollars out of the Treasury by His Majesty's Minister of Finance, as a fund for the use of both Houses of the Legislature, for the year 1856.

Approved this 17th day of April, A. D. 1856.

KAMEHAMEHA.

KAAHUMANU.



## JOINT RESOLUTION.

**BE IT ENACTED** by the King, the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:

That the Minister of Finance be and he is hereby authorised to pay to the Vaccinating Officer of Hawaii, the sum of sixty-six dollars and sixty-six cents, balance of his salary for the year ending 31st of March, 1856.

Approved this 15th day of September, A. D. 1856.

**KAMEHAMEHA.**

**KAAHUMANU.**

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