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The Hawaiian Legislature
Session 1884.

Thirtieth Day, June 10th, 1884.

The Assembly convened at 10 a. m. pursuant to adjournment from the previous day. Prayer by chaplain and reading of minutes by the Secretary. The following petitions were presented and referred:

Representative Kanakaole, from Hakalau, praying that a certain road in the district of Makawao, within is now closed, be opened. Public Lands, etc.

Also, by same member, a petition, containing many prayers relating to tax collectors and tax appeals. Committee on Miscellaneous Subjects.

Representative Isaacson, from Honolulu, containing 200 signatures, praying that bill relating to the construction of a horse railroad in Honolulu be indefinitely postponed. Laid on table to be considered with the bill.

Representative Dole, from the Judiciary Committee, reported on the bill relating to the appointment of a Circuit Judge, asked of Oahu, presenting a new bill and recommending its passage. Report was received and bill ordered to print.

Hon. P. Isenberg from the Committee on Education reported relating to several petitions, recommending reference to the Board of Education. Also, that the petition praying for an appropriation of $6,000 for High boarding school be laid on the table and considered with the Appropriation Bill. Report received and bill on table.

The same committee, on petitions relating to building a schoolhouse at Kalihi, and a girls boarding school at Hana, Maui, recommended that they also be referred to the Board of Education. Also that the Government boarding schools, and boarding schools in general be abolished, and petitions numbered 1 to lay on the table, were received and to be laid on table. Report adopted.

Representative Dole presented a minority report from the Currency Committee relating to regulating the currency. Ordered to be translated.

At 12:45 the Assembly took a recess until 2 p. m.

The Assembly met again, at 1 p. m., and, before the transaction of any business President Rhodes stated that the Hawaiian Jockey Club had extended an invitation to the Legislature to attend the races. Accepted.

Representative Cecil Brown from a special committee reported on the Gun bill. The committee recommending several amendments.

On the motion of Representative Kaua the report and bill were made the special order of the day for Thursday next, and to be considered in Committee of the Whole.

Representative Hitchcock read for the first time a bill relating to the construction of telegraph and telephone lines on the Island of Hawaii. Read a second time by title, and referred to Committee on Public Lands and Internal Improvements.

Representative Kaumakaiwa gave notice of a bill to amend Sec. 1076 Comp. XXI of the Civil Code. Rules suspended, and bill read for the first time. Read second time by title, ordered to be engrossed and to third reading on Thursday next.

Representative Kalua under the suspension of the rules presented a petition from residents of Lahaina that the Circuit Court on Maui be continued to be held at Lahaina.

Representative Dole called upon His Majesty's Chamberlain to furnish the information required by a resolution, on the subject of Crown Lands. The official informant said he had nothing to offer.

Representative Dole then offered a resolution, requesting the Justices of the Supreme Court to state whether the Assembly had a legal right to dispose of the Crown Lands. He considered it necessary that the Assembly should know what were the Crown Land receipts, for several reasons.

Representative Smith favored the resolution and thought the opinion, if obtained, would settle the matter once for all. If left unsettled it would be a source of difficulty.

Hon. J. O. Dominis said he was the only one who had reported on the Crown Lands receipts, and he then did it by command of the King. He did not think the Assembly had anything to do with the Crown Lands, so far as the receipts and expenditures were concerned. Therefore he was opposed to the resolution.

Representative Kaulukou moved the indefinite postponement of the resolution.

The Attorney General said that he hoped after an adjournment of a week there would be better feeling existing. The resolution offered was one that should be indefinitely postponed, for the various reasons: One—that the law of 1861 gave the King the power to appoint the three Commissioners, who were not the stewards of the nation, but of the King, and they are absolutely the servants of the King. Another, it was not proper for the House to ask the Supreme Court to direct the King of his royal prerogative. He did not presume to think for a moment that that body would act in any but an unprejudiced manner.

Representative Widemann could add to the arguments made against the resolutions with simply opinions, which might be right. This question did not touch the prerogative of the Crown. Has the Attorney General come over 2,000 miles to tell us what the prerogative of the Crown is? All that gentleman knows about this question is what he has learned in the short time he has been here. In point of fact known nothing about it. The speaker said that the Crown lands were for the benefit of the first Alii, and not for the benefit of the Government. They were also for the benefit of the heir Apparent, if he was in his prerogative, and he thought the King would have no opposition to it, because it was for his own benefit.

On motion the ayes and noes were taken on the indefinite postponement of the resolution, resulting as follows:

Ayes—The Ministry (4), Dominis, Kaheleula, Judd, Kaae, Kanoa, Walker, Kaulukou, Kaua, Lilikalani, Baker, F. Brown, Amara, C. Brown, Kaulia, Aholo, Kamakela, Nahinu, Kaumakaiwa—22.

Noes—Bishop, Clapham, Isenberg, Kalua, Richardson, Kaunamano, Smith, Hitchcock, Keawiki, Kaeha, Dole, Rowell, Palakiko—13.

Hon. J. O. Dominis presented a resolution that the Crown Land Commissioners be requested to ask His Majesty to consent to a report be made on the conditions and prospects of the Crown Lands. Indefinitely postponed—25 to 10.

On motion, the "Order of the Day" was taken up and the following bills were read.

Second reading of a bill to amend Chapter XXXII, Session Laws of 1882, relating to carrying of passengers between the islands of the Kingdom. Passed to engrossment and ordered to third reading on Monday next.

Second reading of a bill to repeal Sections 17 and 18, Chapter LV of the Penal Code, relating to carrying of passengers between the islands. To engrossment. Third reading on Monday next.

Second reading of a bill to repeal Sections 6, 7 and 8 to regulate the carrying of passengers between the islands of the Kingdom. Passed to engrossment and ordered to third reading on Monday next.

Representative Kaunamano introduced a resolution that the Sergeant-at-Arms be instructed to provide carriages for the conveyance of members to Park in the Hale of Aina. Approved.

At 5:40 p. m. the House adjourned until 10 a. m. on the 12th inst.

Thirty-First Day, June 12, 1884.

Assembly convened at 10 a.m. President Rhodes in the chair. Prayer by chaplain and reading of minutes by Secretary.

Representative Richardson, from the special committee having in charge the bill relating to Road Supervisors, asked for further time. Granted.

Representative Hitchcock offered a resolution that $20,000 be appropriated for the purpose of building and maintaining an industrial school. To Committee on Education.

Representative Kalua, from the Committee on Miscellaneous Petitions, reported on the petition referred to them, relative to the appointment of a mail carrier between Waikiki and Waikapu and recommended reference of same to the Minister of Interior and Postmaster-General. Approved.

Representative Kaulukou gave notice of intention to introduce a bill to amend Section 480 of the Civil Code relating to the poll tax.

Representative Kaulukou introduced a resolution that $6,000 for road improvements, $500 for building a new wharf, and $1,000 for building a reservoir, all in the district of Ewa, be inserted in the Appropriation Bill. To Committee on Public Lands.

Representative Kaauilii introduced a resolution that $130 for payment of a mail carrier between Waikiki and Waikapu be inserted in the Appropriation Bill. Referred to the Minister of Interior.

On the Order of the Day being moved and carried, the second reading of the bill, to grant a license to Geo. Lonoa, W. G. Ellmore and W. W. Hall, for the manufacturing of and supplying the city with gas, came up, and the Assembly resolved itself into Committee of the Whole, for its discussion. Hon. J. S. Walker in the chair.

On motion it was decided not to act upon the sections of the bill, and the first section was read.

Representative Abolo moved the passage of the section.

Hon. H. A. Widemann moved the indefinite postponement. In support of his motion he said that the bill granted a monopoly. He was opposed to monopolies and especially to the bill, because the introducers want to get the bill passed and then sell to somebody else.

Representative Hitchcock was not in favor of monopolies either. He would, however, favor this project if the bill were amended.

Recess was taken at 12:20 until 1 p. m. at which latter hour the Assembly again convened, Representative Hitchcock taking the floor and the discussion of the 1st section of the Gas Bill was continued.

Representatives Filipo, Abolo, Smith and Baker spoke in favor of the passage of the section, but were in favor of a bill in its amended form. Hon. C. R. Bishop, Hon. H. A. Widemann and Representative Nawahi favored the indefinite postponement.

On motion of Representative Smith the Committee, at 2:40 arose and Hon. J. S. Walker reported to the Assembly that the first section had been approved. Report adopted.

On motion of Representative Abolo the report of the Committee on the bill was laid on the table and the bill was referred to the Printing Committee for the addition of the proposed amendments.

Under suspension of the rules Representative Kalua introduced a resolution that, in consequence of a change in the Deputy Sheriffs of Waianae, the committee on Police and Prisons be instructed to cause the condition of certain women prisoners, confined in Oahu Prison on long terms, to be examined into. In support of his resolution, he introduced the case of the wife of a man, who, it was alleged, had been reported in the paper, if she had time to investigate. He had heard a number of stories coming directly in the management of Oahu Prison.

The Minister of the Interior said that he did not desire to be understood as wishing to prevent the passage of the resolution, but desired to make an explanation. The same rumor as this published in the newspaper had come to the ears of the proper authorities and steps had been taken to have an examination made by physicians. A full and complete report will be made, ready for presentation at the next sitting.

Representative Filipo objected to the passage of the resolution; he didn't remember that it belonged to the Assembly to send a committee to investigate rumors.

Representative Kaauilii thought that some action should be taken. The reports affect the standing of a public institution, and should be investigated. He was in favor of the delay of action until the promised report of the Minister of the Interior had been received.

Representative Dole was in favor of the resolution. The prisoners confined in the jails were entitled to protection. The state of affairs said to exist at Oahu Prison could not be so unless by the connivance of the officers of the prison. He moved that the resolution be laid on the table for the present.

Representative Palohau was in favor of the resolution passing immediately. Even if the Minister of the Interior was investigating, it would do the Assembly no harm to have an investigation of their own.

Hon. H. A. Widemann opposed the passage of the resolution, but used such unusual and indelicate language during his remarks, as to be unreportable.

On motion the resolution was laid on the table per 10a.

Hon. Paul Isenberg moved a suspension of the rules to enable him to present a report.

Hon. H. A. Widemann rather excitedly moved an adjournment. (Laughter.)

Hon. Mr. Isenberg's motion prevailed and he presented the following report from the Committee on Commerce, on petitions referred to them. 1. That small kinahuna be grouped together in one lot. 2. That licenses be allowed liquor licenses at $100 per annum; 3. Relating to importation of immigrants from India; 4. That keepers of certain boarding houses in the city of Honolulu be compelled to pay $200 license; 5. That the Reciprocity Treaty be continued; recommended that 1, 2 and 4 be laid on the table, 3 be referred to the bureau of Immigration, 5 action indefinitely postponed. Approved.

The same member from the same Committee, reported on the following bills:

1. Introduced by Representative Palohau, relative to granting holidays to laborers; 2. By same introducer, relative to prohibiting employers who have paid taxes of employees, from holding the tax receipts; 3. Introduced by Representative Kaulukou, that the Government be abolished, and boarding schools in general be taken, were received and to be laid on table. Report adopted.

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