

aforsaid, he shall be liable on conviction to a penalty of Two Hundred Dollars for each Chinese unlawfully landed or attempted to be landed; and such passenger landed or attempting to land, shall be liable, on conviction, to a penalty of Fifty Dollars; and the Master of such vessel shall be compelled to re-embark such Chinese as may have unlawfully landed, and upon his neglect or refusal so to do, after notification by the Minister of Foreign Affairs, he shall be liable, on conviction, to a penalty of Two Hundred Dollars or to imprisonment for a term not exceeding thirty days.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 13. An Act entitled "An Act to regulate

the landing of passengers arriving at the different ports in this Kingdom," approved August 1st, 1878, being Chapter 20 of the Session Laws of 1878, and all Laws or parts of laws in conflict with the provisions of this Act, and all "Regulations for the control of Chinese immigration," heretofore issued by the Minister of Foreign Affairs, by virtue of the authority conferred upon him by a Resolution of His Majesty in Cabinet Council, passed on the 13th day of July, 1883, and all amendments thereto are hereby repealed.

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

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

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

AN ACT

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

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

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

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

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

SECTION 1. The Minister of Finance with the concurrence of all the members of the Cabinet, is hereby authorized to enter into a contract with the Honorable Audley Coote, of Tasmania, his associates and assigns, or with any other persons or corporations for the construction and laying of a submarine electric cable, from and between some point on the North American Continent and some point upon one of the Islands of this Kingdom, and for the construction and laying of a like cable or cables between the different Islands of this Kingdom, in substance as hereinafter provided.

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

And further provided, that the concession and grant hereinbefore authorized shall not be so construed as to disable, prevent or preclude the Hawaiian Government from consenting to the laying or landing through its waters, or upon its shores, of any submarine telegraph or other electric cable or cables, which, during the period of three years, hereinbefore mentioned shall be constructed or laid; or sought to be constructed or laid, or landed upon Hawaiian shores, by or on behalf of any foreign nation or power.

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

SECTION 4. The grant of any of the rights or privileges, and the payment of any subsidy hereinbefore authorized, shall be conditioned upon the covenants of

said constructors, to be expressed in such contract, that is to say:

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

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

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

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

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

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

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

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

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

SECTION 6. Such Inter-Island cable or cables shall be landed upon such Islands, in such reasonable manner, and at such points as shall be designated by the Cabinet, and when so laid, constructed and landed, shall be delivered to the Minister of the Interior, for and to the use of the Hawaiian Government, at a price not to exceed the actual cost of such cable or cables delivered on board ship at the place of its or their manufacture.

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

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

Approved this 16th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.