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Issued Tuesdays and Fridays.

## BY AUTHORITY.

### ACT 47.

AN ACT RELATING TO THE DESCENT OF PROPERTY; AMENDING SECTION 1448 OF THE CIVIL CODE, AND REPEALING CHAPTER 1 OF THE SESSION LAWS OF 1872, RELATING THERETO.

Be it enacted by the Legislature of the Republic of Hawaii:

SECTION 1. Section 1448 of the Civil Code is hereby amended so as to read as follows:

"Section 1448. The property shall be divided equally among the intestate's children, and the issue of any deceased child by right of representation, and if there is no child of the intestate living at his death, his estate shall descend to all his other lineal descendants; and if all the said descendants are in the same degree of kindred to the intestate, they shall share the estate per capita, that is, equally; otherwise they shall inherit per stirpes, that is, by each of their children taking a share, and the grandchildren, the children of a deceased child taking a share, to be afterwards divided among themselves:

"If the intestate shall leave no issue, his estate shall descend one-half to his widow, and the other half to his father and mother as tenants in common; and if he leave no widow, nor issue, the whole shall descend to his father and mother, or to either of them if only one be alive.

"If he shall leave no issue, nor father, nor mother, his estate shall descend one-half to his widow, and the other half to his brothers and sisters, and to the children of any deceased brother or sister by right of representation:

"If the intestate be a woman, and leave no issue, her estate shall descend one-half to her husband, and the other half to her father and mother as tenants in common, and if she leave no husband nor issue, the whole shall descend to her father and mother, or to either of them if only one be alive; if she shall leave no issue, nor father, nor mother, her estate shall descend one-half to her husband and the other half to her brothers and sisters, and to the children of any brother or sister by right of representation:

"If the intestate shall leave no issue nor father, mother, brother or sister, nor descendants of any deceased brother or sister, the estate shall descend to the intestate's widow, if any; or in case the intestate be a woman, to her husband, if any:

"If the intestate shall leave none of the said relatives surviving, nor widow, nor husband, the estate shall descend in equal shares to the next of kin in equal degree, but no person shall be entitled, by right of representation to the shares of such next of kin who shall have died. Provided, however, that if the estate come through either parent of the deceased intestate, the brothers and sisters of that parent and their respective heirs shall be preferred to those of the other parent."

SECTION 2. Chapter 1 of the Session Laws of 1872 is hereby repealed.

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

Approved this 21st day of June, A. D. 1898.

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

### ACT 48.

AN ACT TO AMEND SECTION 2 OF ACT 17 OF THE SESSION LAWS (SPECIAL SESSION) OF 1895, ENTITLED, "AN ACT TO FACILITATE THE CONSTRUCTION AND MAINTENANCE OF TELEGRAPH CABLES IN THE PACIFIC," APPROVED AUGUST 12, 1895.

Be it enacted by the Legislature of the Republic of Hawaii:

SECTION 1. Section 2 of Act 17 of the Session Laws (Special Session), of 1895, is hereby amended by adding at the end of said section the following paragraph:

To grant an exclusive right and privilege to lay, construct, land, maintain and operate for the term of Twenty Years, telegraphic and magnetic lines or cables from and beyond the Hawaiian Islands to Japan and any Island or places necessary for stations for such cables between the Hawaiian Islands and Japan that lie north of the tenth degree or parallel of North latitude in the North Pacific Ocean.

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

Approved this 21st day of June, A. D. 1898.

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

### ACT 49.

AN ACT TO FURTHER PROVIDE FOR THE PAYMENT OF CURRENT ACCOUNTS.

WHEREAS, It is expedient that authority should be given to the Minister of Finance to secure funds temporarily on loan by way of a bank overdraft; now therefore:

Be it enacted by the Legislature of the Republic of Hawaii:

SECTION 1. The Minister of Finance, with the approval of the Executive Council, is authorized during each biennial period to open a bank account or bank accounts in the name of the Government of the Republic of Hawaii, with any bank or banks of financial institution carrying on business in Honolulu, and from time to time, during each such period, to receive on loan by way of overdraft on such account or accounts, such sums of money not to exceed in the aggregate \$150,000 at any one time, as the said Minister and the said Council may deem necessary to meet the current expenses of the said Government.

SECTION 2. The moneys borrowed by authority of this Act shall be repayable by the Minister of Finance upon his tender of the same, together with interest not exceeding six per cent. per annum in Gold Coin of the United States of America.

SECTION 3. No money shall be obtained on such account or accounts except against Departmental drafts or orders on the Treasury of an equal amount duly accepted by the Minister of Finance.

SECTION 4. All moneys received under the authority of this Act shall be paid out and used only for the current expenses under appropriations made by the Legislature, as aforesaid, of the Government, and such moneys shall be repayable, and the interest thereon shall be paid out of the current revenue of the Government as provided by the Legislature.

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

Approved this 21st day of June, A. D. 1898.

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

### ACT 50.

AN ACT TO ESTABLISH A MARINE PARK ON THE EAST SIDE OF HONOLULU HARBOR.

Be it enacted by the Legislature of the Republic of Hawaii:

SECTION 1. The Minister of the Interior is hereby authorized to reserve that portion of the reef lying southeasterly from the entrance channel of the harbor of the port of Honolulu, hereinafter described in Section 3, as a free, public marine park, and to add to such reservation from time to time such other adjoining reef land as may be conveyed to the Government for such purpose by the trustees of the Estate of Bernice Pauahi Bishop, or others.

SECTION 2. The Minister of the Interior is hereby further authorized to enter into an agreement with the trustees of the Bernice Pauahi Bishop Museum, whereby they shall be authorized to establish and maintain within the said marine park, a free public marine aquarium and a marine zoological laboratory, with the privilege, under the direction of the Minister of the Interior, of erecting and maintaining the necessary structures, appliances and apparatus therefor, including a wharf for watercraft to be used in connection with such aquarium and laboratory.

SECTION 3. From the Government survey Station "Channel A" on the sea-wall, from which point "Punchbowl A" bears N. 51° 18' E. true, the boundary runs by true meridian:

N. 39° 00' E. 600 feet along the outer edge of the sea-wall;

S. 46° 45' E. 850 feet along Government property across the reef;

S. 62° 43' W. 750 feet along the outer edge of the sea-wall to the Government Survey Station, "Sea-wall A."

N. 51° 00' W. 400 feet along the upper edge of the sea-wall to beginning of curve;

Thence by a curve to the right of radius 150 feet, following the outer edge of the sea-wall to the initial point; including an area of 11 54-100 acres.

SECTION 4. This Act shall take effect upon its publication. Approved this 21st day of June, A. D. 1898.

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

### ACT 51.

AN ACT TO AMEND SECTIONS 13 AND 15, TO REPEAL SECTION 14, AND TO ADD A NEW SECTION TO BE CALLED SECTION 17A OF CHAPTER 65 OF THE PENAL CODE RELATING TO WEIGHTS AND MEASURES.

Be it enacted by the Legislature of the Republic of Hawaii:

SECTION 1. Section 13 of Chapter 65 of the Penal Code is hereby amended to read as follows:

"Section 13. It shall be the duty of the Minister of the Interior to procure a standard set of weights and measures; and he shall annually (or oftener in his discretion) cause all beams, weights and measures in this Republic, used by persons selling any goods, wares, merchandise, fruits, vegetables or other commodity, to be tested, at the place where used, by such standard weights or measures, and to seal such as shall be found true with the capital letters R. H. He shall in like manner cause to be tested all beams, weights and measures which shall be brought to him to be tested."

SECTION 2. Section 14 of Chapter 65 of the Penal Code is hereby repealed.

SECTION 3. Section 15 of Chapter 65 of the Penal Code is hereby amended so as to read as follows:

"Section 15. The charge for testing any beam, weight or measure, shall be as follows: For sealing and marking every beam, fifty cents; for sealing and marking every measure of extension, twenty-five cents; for sealing and marking every weight, ten cents; for sealing and marking every liquid or dry measure, ten cents; and a reasonable compensation for making such weights and measures conform to the standard. Provided however, that no charge shall be made for more than two inspections of the same beam, weight or measure, in one year. All fees collected under this Section shall be paid into the Treasury as Government Realizations."

SECTION 4. After Section 17, add a new Section to be called Section 17A.

"Section 17A. Any person who shall wilfully and fraudulently change any beam, weight or measure after the same shall have been tested and sealed, shall be liable on conviction in any District Court, to pay a fine not to exceed Fifty Dollars for each such offense."

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

Approved this 21st day of June, A. D. 1898.

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

## J. M. MONSARRAT.

Attorney-at-Law, Real Estate and Financial Agent.

SEARCHER OF RECORDS AND NOTARY PUBLIC.

COMMISSIONER OF DEEDS FOR THE STATES OF NEW YORK

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