

ACT 32.

AN ACT TO AMEND SECTIONS 630, 631 AND 636 OF THE CIVIL CODE RELATING TO THE REGISTRY OF VESSELS.

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

SECTION 1. Section 630 of the Civil Code is hereby amended so as to read as follows:

"Section 630. No vessel shall be entitled to be registered as a vessel of the Republic of Hawaii or to be deemed an Hawaiian vessel or entitled to the privileges appertaining thereto unless said vessel shall be wholly owned by a citizen or citizens of the Republic or by an Hawaiian Corporation having had an office or place of business and carried on such business within the Republic for the two years immediately preceding such application for registry of such vessel."

SECTION 2. Section 631 of the Civil Code is hereby amended so as to read as follows:

"Section 631. Upon a written application being made to the Collector-General of Customs, pursuant to the terms of the last preceding Section, which shall include the oath of the owner of the vessel sought to be registered, setting forth the name and description of the vessel, whether the same is domestic or foreign built, and if foreign built how acquired; that the affiant is a citizen of the Republic, and that there is no citizen or subject of any foreign Prince or State directly or indirectly by way of trust, confidence or otherwise interested in such vessel or in the profits or issues thereof. And in case the vessel is owned by an Hawaiian Corporation the oath of the President, Secretary or Treasurer, thereof, setting forth the same facts as in the case of a single owner, and that no citizens or subjects of any foreign Prince or State except those who may be owners of such Capital Stock are directly or indirectly by way of trust, confidence or otherwise interested in such vessel or in the profits or issues thereof.

The Collector-General of Customs shall cause such vessel to be measured and her tonnage ascertained according to the mode hereinafter prescribed. Said application in case the vessel is foreign built shall be accompanied by the evidences of title. And the Collector-General shall not accept the evidence of title of any ship or vessel until the stamp duty thereon shall have been paid."

SECTION 3. Section 636 of the Civil Code is hereby amended so as to read as follows:

"Section 636. Upon the registration of any vessel, as provided in the last preceding Section, said Collector-General shall exact from the party applying for such registry, a bond with good and sufficient surety, to be approved by the Collector-General, in the penal sum of not less than Two Hundred Dollars, nor more than Two Thousand Dollars, as shall be graduated by the Collector-General in proportion to the tonnage of the vessel, conditioned that the certificate of such registry shall be solely used for the vessel for which it is granted, and shall not be sold, lent or otherwise disposed of, to any person whomsoever; and that in case said vessel shall become either wholly or in part, the property of any alien foreigner or foreigners, or if the subject or citizen of any foreign Prince or State shall become directly or indirectly by way of trust, confidence or otherwise interested in such vessel or the profits or issues thereof, except as limited by Section 631 in respect to corporations, then said vessel shall cease to be a Hawaiian vessel or in case she shall be lost, taken by an enemy, burnt or broken up, the said certificate of registry shall be returned to the said Collector-General within six months after such change of ownership, loss, capture, burning or breaking up. Provided, however, that in case of capture, burning or loss, the obligers in such bond shall be exonerated from liability thereon, upon satisfactory proof to the Collector-General that such certificate of registry could not be preserved."

SECTION 4. This Act shall not affect the register of any vessel heretofore admitted to Hawaiian registry.

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

Approved this 16th day of May, A. D. 1898.

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

ACT 33.

AN ACT AUTHORIZING THE ISSUING OF LICENSES TO ERECT, MAINTAIN AND OPERATE STEAM LAUNDRIES IN THE DISTRICT OF KONA, ISLAND OF OAHU.

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

SECTION 1. The Minister of Interior with the approval of the Executive Council may issue to any person, partnership or corporation a License to erect, maintain and operate a Steam Laundry within the District of Kona, Island of Oahu,

upon such conditions as to location and otherwise as shall be set forth in the License.

SECTION 2. Said License shall not be issued except upon the Certificate of the Board of Health, setting forth that an agent of said Board has examined the location at which it is proposed to operate said Steam Laundry, and that the same is suitable for the purpose.

SECTION 3. The annual fee for said license shall be Fifty Dollars.

SECTION 4. Said Steam Laundries shall be subject to such regulations as to sanitation as may be prescribed from time to time by the Board of Health.

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

Approved this 16th day of May, A. D. 1898.

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

ACT 34.

AN ACT TO PROVIDE AGAINST THE ADULTERATION OF FOOD AND DRUGS.

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

SECTION 1. That no person shall, within the Republic of Hawaii, manufacture, offer for sale, or sell any drug or article of food which is adulterated, within the meaning of this Act.

SECTION 2. The term "drug," as used in this Act, shall include all drugs, medicines or medicinal preparations for internal or external use, antiseptics, antiseptic dressings, disinfectants and cosmetics. The term "food," as used herein, shall include all articles used for food or drink by man, whether simple, mixed or compound.

SECTION 3. An article shall be deemed to be adulterated within the meaning of this Act:

(a) In the case of drugs:

(1) If, when sold under or by a name recognized in the United States Pharmacopoeia, it differs from the standard of strength, quality or purity laid down therein; (2) If, when sold under or by a name not recognized in the United States Pharmacopoeia, but which is found in some other Pharmacopoeia, or other standard work on *materia medica*, it differs materially from the standard or strength, quality or purity laid down in such work; (3) If its strength, quality or purity falls below the professed standard under which it is sold; (4) If it contain any substance inimical or dangerous to life without the same being duly stated on the label or wrapper.

(b) In the case of food:

(1) If any substance or substances have been mixed with it, so as to lower or depreciate, or injuriously affect its quality, strength or purity; (2) If any inferior or cheaper substance or substances have been substituted, wholly or in part, for it; (3) If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; (4) If it is an imitation of, or is sold under the name of another article; (5) If it consists, wholly or in part, of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not—or, in the case of milk, if it is the produce of a diseased animal; (6) If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means, it is made to appear better or of greater value than it really is; (7) If it contains any added substance or ingredient which is poisonous or injurious to health, or any deleterious substance not a necessary ingredient in its manufacture: Provided that the provisions of this Act shall not apply to mixtures or compounds recognized as ordinary articles of food, if the same be distinctly labeled as mixtures or compounds, and are not injurious to health, and contain no ingredient not necessary to the preparation of a genuine article of such mixtures or compounds, and from which no necessary ingredient in its preparation is eliminated.

SECTION 4. Every person manufacturing, offering or exposing for sale, or delivering to a purchaser, any drug or article of food, included in the provisions of this Act, shall furnish to the duly appointed Food Commissioner, upon demand, either personal or in writing, a sample sufficient for the analysis of any such drug or article of food which is in his possession.

SECTION 5. Whoever refuses to comply, upon demand, with the requirements of Section 4, and whoever violates any of the provisions of this Act, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not exceeding one hundred, nor less than twenty-five dollars, or imprisoned at hard labor not exceeding one hundred nor less than thirty days, or both. And any person found guilty under the provisions of this Act, of manufacturing, offering for sale or selling an adulterated article of food, or drug, shall be adjudged to pay,

in addition to the penalties hereinbefore provided for, all the necessary expenses incurred in inspecting and analyzing such adulterated articles, of which said person may have been found guilty of manufacturing, selling or offering for sale.

SECTION 6. To carry out the provisions of this Act, the Board of Health shall appoint a duly qualified Food Commissioner and analyst, who shall receive such a salary as the Legislature shall from time to time appropriate and who shall furnish good and sufficient bonds of not less than Two Thousand Dollars, (\$2,000.00) for the proper and unprejudiced performance of his duties and who shall be provided by the Board of Health with the necessary chemical and micro-chemical apparatus, together with a proper office and laboratory for work.

SECTION 7. It shall be the duty of the Food Commissioner to carefully inquire into the quality of the several articles, which are foods or the necessary constituents of foods, manufactured or for sale, or sold or exposed for sale within the Republic of Hawaii, and he may in a lawful manner procure samples thereof, subject the same to careful examination and report the result of such analysis of all or any of such food and drink products, as are adulterated, impure or unwholesome, in contravention of the laws of the Republic of Hawaii, to the Board of Health, and it shall be the duty of the Food Commissioner, with the consent of said Board of Health, to make complaint, with the necessary evidence, through the proper authorities against such manufacturer or vendor.

SECTION 8. The Food Commissioner, with the consent and sanction of the Board of Health, shall have power in the performance of his duties, to enter into any creamery, factory, store, salesroom, storageroom, drug store or laboratory, or any place where he has reason to believe food or drink are made, prepared, sold or offered for sale, and to open any cask, tub, jar, tin, bottle, case or package containing or supposed to contain any article of food or drink and examine or cause to be examined the contents thereof, and take therefrom samples for analysis.

SECTION 9. The Food Commissioner shall make a monthly report in writing to the President of the Board of Health containing the results of inspection and analysis in detail; and upon the request of the said Board he shall furnish for publication a popular explanation of the same covering any month or period, together with any such other information, as may come to him in his official capacity relating to the adulteration of drugs and food and drink products, so far as the same may be deemed by said Board of Health to be of benefit and advantage to the public.

SECTION 10. The Food Commissioner shall investigate complaints on the information of any person, who shall lay before him satisfactory evidence of the same.

SECTION 11. Jurisdiction is hereby conferred upon all District Magistrates to hear and determine all cases arising under this Act.

SECTION 12. This Act shall take effect and be in force from and after its publication.

Approved this 16th day of May, A. D. 1898.

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

ACT 35.

AN ACT TO PROHIBIT THE IMPORTATION, SALE, GIVING OR FURNISHING OF FOREIGN GOODS, WARES OR MERCHANDISE STAMPED, MARKED, BRANDED, WRAPPED OR BOXED IN SUCH MANNER AS TO INDUCE ANY PERSON TO BELIEVE THAT THE SAME WERE GROWN, PRODUCED OR MANUFACTURED IN WHOLE OR IN PART IN THE REPUBLIC OF HAWAII.

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

SECTION 1. The importation into the Republic of Hawaii of any foreign goods, wares or merchandise, stamped, marked, branded, wrapped or boxed in such manner as to induce any person to believe that such goods, wares or merchandise were grown, produced or manufactured in whole or in part in the Republic of Hawaii, is hereby strictly prohibited; and whoever shall import, sell, give or furnish or cause to be imported, sold, given or furnished any foreign goods, wares or merchandise, stamped, marked, branded, wrapped or boxed in such manner as to induce any person to believe that such goods, wares or merchandise were grown, produced or manufactured in whole or in part in the Republic of Hawaii, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not more than Five Hundred Dollars, or