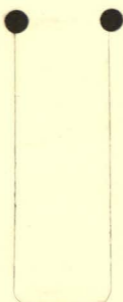


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LATIVE ACTIONS OF
THE GOVERNOR

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Acts of the Provi-
sional Government,
1893-1894

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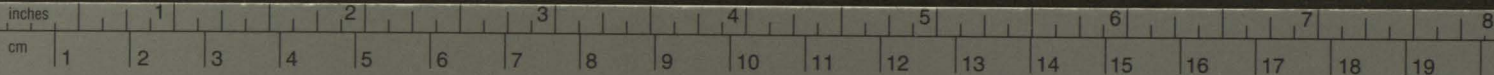


Kodak Gray Scale



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A 1 2 3 4 5 6 **M** 8 9 10 11 12 13 14 15 **B** 17 18 19



Kodak Color Control Patches

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Blue Cyan Green Yellow Red Magenta White 3/Color Black



ACTS
— OF THE —
PROVISIONAL GOVERNMENT
— OF THE —
HAWAIIAN ISLANDS,
PASSED BY THE
EXECUTIVE AND ADVISORY COUNCILS.

Nos. 1 to 86.
ORIGINAL COPY.

AN ACT TO PROVIDE FOR A CONSTITUTIONAL CONVENTION.

Be it enacted by the Executive and Advisory Councils of the Provisional Government of the Hawaiian Islands:

Section 1. There shall convene at the call of the President a convention to frame a constitution. Said convention shall consist of the President, the Executive and Advisory Councils and eighteen delegates to be elected as herein provided.

Section 2. The election shall take place on such day as shall be proclaimed by the Minister of the Interior.

Section 3. For the purposes of this election there shall be four electoral divisions, viz: (1) the Island of Oahu from which shall be elected six delegates, (2) the Island of Hawaii from which shall be elected five delegates, (3) the Islands of Maui, Molokai and Lanai from which shall be elected four delegates, (4) the Islands of Kauai and Niihau from which shall be elected three delegates.

Qualifications of Electors.

Section 4. Every male resident of the Hawaiian Islands, of Hawaiian, American or European birth or descent, who shall have taken the oath by this Act provided; who shall have paid his taxes for the year 1893, unless exempted by law from paying taxes; who shall have attained the age of twenty years; who shall have been domiciled in the Hawaiian Islands

for one year and shall have caused his name to be entered on the list of voters of the precinct in which he resides, and who is not insane or an idiot, or who shall not have been convicted of a felony, unless pardoned, shall be entitled to a vote for the delegates to be elected from the Island on which such voter resides.

Provided that the payment of taxes for the year 1893 and residence for one year shall not apply to any person otherwise qualified who, on offering to register, may produce a certificate from the Colonel of the National Guard of Hawaii or the Marshal of the Hawaiian Islands setting forth that the person was duly enrolled as a member of one of the lawfully organized bodies of the military or police force prior to January 1st, 1894.

Section 5. Each voter for delegates may cast as many votes as there are delegates to be elected from the division in which he resides; and may cast one vote for each delegate, or cast them all for one delegate, or may otherwise divide his votes among the several delegates.

The required number of candidates receiving the highest number of votes in the respective divisions shall be the delegates for such divisions.

Section 6. The election shall be by ballot. The ballots shall be printed by the Minister of the Interior at government expense, and shall conform in size, quality and general form to the ballots required for nobles under the election law of 1890. No other form of ballot shall be received. Each voter shall place a figure after the name

of the candidate or candidates for whom he votes showing how many votes he casts for each candidate. Any ballot containing more votes than the total number of delegates apportioned for the electoral division in which said ballot is cast shall be rejected.

Inspectors of Election.

Section 7. The Minister of the Interior shall appoint three inspectors of elections for each polling place heretofore established by law for the election of representatives. Any two of such inspectors may act, and in the case of disability of two of such members, or their refusal to act, the remaining inspector may fill the vacancies, in case it occurs so near the date of the election that the Minister of the Interior can not make an appointment. The inspectors of elections shall hold at least two meetings in their respective precincts for the purpose of enrollment of voters, not less than ten nor more than twenty days prior to the date fixed for said election, and shall give notice of the same by a posted notice or by a publication in a newspaper. The inspectors shall prepare a list of all persons who have registered and are entitled to vote and shall post a copy of the same in their respective precincts not less than six days prior to such election. At least two meetings shall be held for the purpose of correcting errors in such lists, but not for considering new applications; the last meeting to be held not less than twenty-four hours before the time of election. No person shall be entitled to vote for delegates unless his name is on such list.

Provided however that the registration of voters in

the five Districts of Honolulu shall take place at one central office, to be designated by the Minister of the Interior, before a commission of three persons to be appointed by the Minister of the Interior, who shall perform all the duties of the inspectors with regard to registration, one of whom shall be appointed chairman and one of whom shall act as clerk. The inspectors for the polling places in Honolulu shall perform all the duties prescribed by law on the day of the election not inconsistent with the foregoing provision.

The said commission shall furnish a corrected list of persons entitled to vote in the precincts of Honolulu to the inspectors for each precinct, who shall publish the same as above provided. Said commission shall be in session daily from the date of their appointment to the tenth day prior to the election and shall give public notice thereof.

Said inspectors and commissioners shall each receive for their services the sum of Five Dollars per day for every day's attendance in the performance of their duties.

Section 8. The inspectors of such election shall have all the powers in regard to the general conduct of the election as were vested by the election law of 1890 in inspectors of elections, excepting as herein provided to the contrary. The inspectors, or any one of them and the commissioners of registration for Honolulu appointed under this Act, shall administer the oath by this Act required. No person shall be registered until he shall have taken and subscribed to such oath.

Qualifications of Delegates.

Section 9. No person shall be eligible as a delegate unless he be a male resident of the Hawaiian Islands who shall have attained the age of twenty-five years; who shall know how to read and write either the Hawaiian, English or some European language; who shall have been domiciled in the Hawaiian Islands for not less than three years, and who shall have taken the oath by this Act prescribed.

Section 10. No person shall be permitted to stand as a candidate for election as a delegate unless he shall be so requested in writing signed by not less than twenty-five tax payers of the Island or Division in which he proposes to stand; nor unless such request shall be deposited with the Minister of the Interior not less than fourteen days before the day of election, except on the Island of Oahu, where such request shall be deposited not less than seven days before the election.

Section 11. The general provisions governing the conduct of elections under the election law of 1890 shall apply to and govern the election for delegates under this Act except as herein provided.

None of the provisions of said Act in relation to the time of holding elections, the time of publishing proclamations, the number and qualification of inspectors of elections or in relation to candidates shall apply to the election of said delegates.

Section 12. Returns shall be made by the inspectors to the Marshal or to the Sheriffs of their respective divisions and certificates issued as in the case of elections for nobles.

Section 13. Each delegate shall receive the sum of one hundred dollars as full compensation for his services.

Section 14. The chairman of the Executive and Advisory Councils shall be chairman of the convention. Such other officers may be chosen as the convention shall decide upon.

Section 15. A majority of the whole number of delegates and members of the Councils shall constitute a quorum.

Section 16. The convention shall be governed by the ordinary rules of parliamentary procedure, unless otherwise provided by rules which it shall adopt.

Section 17. The convention shall be the sole judge of the qualifications of delegates. Unfaithfulness to the oath required by this Act shall be sufficient cause for the rejection or expulsion of a delegate.

Section 18. Form of Oath.

No-----

Hawaiian Islands)

Island of-----)

) ss
)

District of -----)

I ----- aged ----- years,
a native of ----- residing at
----- in said District, do solemnly
swear in the presence of Almighty God, that I will support
and bear true allegiance to the Provisional Government of the
Hawaiian Islands, and will oppose any attempt to re-establish
monarchical government in any form in the Hawaiian Islands.

Section 19. This Act shall take effect upon its
publication.

Approved this 15th day of March A.D. 1894.

Lawford B. De

President of the Provisional

Government of the Hawaiian Islands.

J. A. King

Minister of the Interior.

Passed March 15th 1894. Published March 17th 1894.

Charles T. Rodgers

Secretary Executive and Advisory Councils.