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Message of Acting President to Legislature 1898 . . .

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Message of the Acting President.

Senators and Representatives:

In the absence of the President, I present to you several matters for your information and consideration.

Exercising the authority conferred upon him by the Constitution and following the spirit of a resolution passed at your last regular session, the President has, with the approval of the Cabinet, made a treaty of political union with the United States of America.

Negotiations were opened early in the month of April, 1897, which resulted in the signing of the Treaty at Washington on the sixteenth day of June, following, by the plenipotentiaries of the two Governments; on behalf of the United States of America by the Hon. John Sherman, Secretary of State, and by Messrs. Francis M. Hatch, Lorrin A. Thurston and William A. Kinney, for the Republic of Hawaii.

Having reviewed the action of our

plenipotentiaries and finding that the Treaty contained in its several articles sufficient provisions for the benefit and protection of the Republic and desiring to ascertain the pleasure of the Senate in regard to its final ratification, the President called a special session of that body which assembled on the eighth day of September, 1897. After mature consideration of the Treaty, the Senate, by an unanimous vote, consented to its ratification on the ninth day of September. The Treaty was signed by the President two days later. The American copy of the Treaty was transmitted by President McKinley to the Senate of that country, on the 16th day of June, 1897, accompanied by a special message recommending its ratification.

Until the final exchange of the ratifications the sovereignty of this country continues. It is therefore necessary for you to consider the biennial and special appropriation bills which will be presented to you by the Minister of Finance, and to enact such wholesome laws as may be required for the well being of the people.

Owing to the intimate relations existing between the Republic and the United States of America, great care should be exercised that no action be taken which might interfere with the scope of the Treaty above referred to,

nor in any way jeopardize the present satisfactory relations, nor hinder the future presentation of the Treaty, should it fail at the present time to receive the approval of the Senate of the United States, where it is now pending.

JAPANESE IMMIGRATION.

During the months of March and April, 1897, several steamships left the ports of Japan for this country, having on board a large number of immigrants. In the course of his investigations in regard to the qualifications of the immigrants to land, the Collector General of Customs found that a large number were unable to conform to the requirements of the laws appertaining to the landing of aliens, and for that reason denied them the privilege. The immigrants were detained at the Quarantine Station until taken back to Japan by the Immigration Companies who had assisted in bringing them to this country. This action on the part of the Collector General drew forth a protest from the Japanese Government, and much correspondence has been exchanged on the subject.

As the correspondence progressed it became evident that it might be difficult to arrive at a satisfactory settle-

ment of the controversy. For this reason it was suggested by this Government that the points of difference be submitted to disinterested arbitrators for decision. The framing of issues upon which the decision of the arbitrators is to be invited is now being proceeded with.

REVENUES OF THE GOVERNMENT.

The receipts from the several revenue producing bureaus show a marked increase over previous periods. The operation of the tax law of 1896 produced in the main satisfactory results, and while it gave rise to litigation, it is now more fully understood, and its administration in the future will undoubtedly meet with but little opposition. For this reason, and also on account of a desire that all legislation should follow conservative lines, the Executive have decided not to introduce any new measure for the purpose of increasing the revenues.

APPROPRIATION BILLS.

The several appropriation bills which will be submitted to you by the Minister of Finance contain the estimates of the funds required for the successful conduct of the various branches of the Government for the present period. The amounts to be paid

from the Current Receipts are within the anticipated revenues of the country, while such of the contemplated improvements as are to be paid for from the Loan Fund have been restricted to the pressing needs of our advancing commonwealth.

CONSOLIDATION OF THE PUBLIC DEBT.

The Minister of Finance will present to you a bill having for its purpose the consolidation of the outstanding public debt. The credit of the Republic is so well established that it is expected that under proper conditions all the indebtedness of the Government authorized by the various Loan Acts may be placed in one Loan, secured by bonds bearing a lower rate of interest than that now being paid.

AMENDMENT OF THE CONSTITUTION.

The amendment to Article 63 of the Constitution, proposed to and acted upon by the Legislature at its first regular session, will be presented to you for your consideration. This amendment to the Constitution in no wise changes or affects any of the vital principles of the fundamental law; but if adopted will render it less like-

ly that some important law may become unconstitutional through a defect in its title.

PUBLIC IMPROVEMENTS.

During the past period most gratifying progress has been made in the way of public improvements. Nearly a hundred miles of roads have been constructed on the Island of Hawaii. The almost impassible trails have been replaced by highways of easy grades with finely finished and firmly made road beds. This system of roads, which has been so well begun should be pushed to a speedy completion. By this means a large area of land which has been heretofore practically inaccessible will be made available for settlement and cultivation.

While the road improvement has not been so great on the Islands of Maui, Oahu and Kauai, important work has been done on all of these Islands. The opening of the Nuuanu Pali road marks the completion of a project that has been before the public for many years.

Extensive improvements of the harbors of Honolulu and Hilo are now under way. The demands of our increasing commerce permit of no cessation of these works.

An important factor in the preser-

vation of the health of Honolulu has been the straightening and improvement of the lower portion of Nuuanu Stream, while the installation of a modern disinfecting plant and other appliances at the Quarantine Station gives assurance that the possible introduction of disease from foreign countries has been reduced to a minimum.

Many new school houses have been built, but a still greater number are needed for the accommodation of our school children, some of whom although several years above school age have never had the benefit of instruction in the public schools.

All the funds necessary for the continuation of the general plan of public improvements should be granted without hesitation, having only in view the sources of revenue at the disposal of the Government.

SEWERAGE.

At your last session an appropriation of $10,000 was made for sewerage investigation. The greater part of this sum has been expended in obtaining plans and specifications for a system of sewerage for Honolulu. Investigation was undertaken by an eminent sanitary engineer, and his report, which included elaborate draw-

ings, together with estimates of cost of construction and maintenance, will be submitted to you by the Minister of the Interior. While the completion of the entire system would require the expenditure of nearly a half million of dollars, a portion of the work may well be commenced, which, when completed, would give that part of the city which is most thickly settled, sewerage facilities.

The protection of the health of Honolulu is not only important to its inhabitants, but to all the group as well, it being the principal distributing point and business center the prevalence of an epidemic would seriously interfere with the general business of the country.

LAND POLICY.

The extent of the undeveloped resources of the country are but just beginning to be understood. The growth of the coffee industry has emphasized this and given rise to a demand for land in small parcels, upon many of which homes are being erected and occupied by a very desirable class of people. The present land policy of the Government has an important bearing upon this subject, and should be continued, but upon a more extensive scale.

The sub-division of public lands suitable for settlement should be carried on with all possible expedition. For this reason the Land Commission should be granted increased facilities for carrying on the work. A step in this direction would be to place the surveying of all lands to be opened by the Commission, under the Bureau of Survey. This would relieve the Commission from many perplexing questions, and give the Land Agent opportunity to attend to other details, thereby enabling him to to push forward the interests of intending settlers with the necessary promptness.

FORESTRY.

The extension and conservation of forests is a matter which is receiving the attention of nearly all civilized nations. Whatever may be the difference in theories in regard to the effect of forests on the amount of rainfall, all admit that many benefits result from the existence of large forest areas.

The protection of the forests has received the attention of the Executive during the last two years.. Through amicable arrangements with those who control large tracts of land many miles of fence have been constructed for the purpose of shutting

out from the forests the herds of wild cattle which infest the mountainous regions.

So much depends upon the correct understanding of the methods to be employed in an undertaking of this nature it is advisable that the work should be in charge of specially trained men. This work if carried out judiciously need not interfere with either established or contemplated industries.

INDUSTRIAL AND REFORM SCHOOLS.

There are a number of our boys and girls who are so incorrigible that their parents cannot keep the necessary control of them, or they are the children of parents who are indifferent to their welfare, and being left to their own resources become in after years an addition to the dissolute and vicious element of our population.

That this error may be corrected, it is recommended that a law be enacted which will enlarge the scope of the present Reform School by giving authority to the Department of Public Instruction to commit such boys and girls as it may consider require discipline and protection, to an industrial school.

Instruction in the ordinary branches may well be coupled with agriculture and manual training in institutions of this kind, and if suitable locations are secured for these schools they may become partially self-supporting.

The criminal classes or those usually committed to the Reform School, may be included in the scope of institutions of this kind, but they should be kept in separate wards so as not to exert an improper influence over those who have not become addicted to vicious habits. The desired end of institutions of this kind would be to give the inmates a rudimentary education as well as training in some useful trade or employment, all of which would tend to give them a better appreciation of the responsibilities of life as well as means of self-sustenance upon their discharge from the school.

APPEALS FROM DISTRICT MAGISTRATES.

The present judiciary law allows appeals from all decisions of District Magistrates in all matters, to the Circuit Courts. This has the effect of hindering the work of the Circuit Courts at their regular terms. The calendar is repeatedly encumbered by

cases on appeal from the District Courts of so trival a nature that the really important cases are often crowded over from one term of Court to another, to the detriment of litigants and unjustifiable expense to the Government. Appeals from District Magistrates to the Circuit Courts should be restricted to cases of importance. The right of appeal to the Supreme Court on questions of law may well be continued, but with a provision that when the appeals shall be found to be frivolous, the Supreme Court may in its discretion impose exemplary costs. The right of appeal in criminal cases might be governed by the amount of fine or imprisonment imposed by the District Magistrate, and in civil actions for debt or assumpsit, by the amount involved in the case.

CABLE COMMUNICATION.

Under the provisions of Act 17 of the Laws of 1895, being an Act to facilitate the construction and maintenance of telegraphic cables in the Pacific, a contract was entered into between the Republic and Mr. Z. S. Spalding, which received the sanction of the Legislature by a joint resolution, approved August 14, 1895. Mr. Spalding was unable, through various reasons, to com-

plete the cable within the term specified in the contract, and a surrender of the contract and the franchise thereby granted was agreed to on the 3rd day of May, 1897, since which time no definite proposition in regard to cable communication, which was considered wise to accept, has been presented.

REGISTRATION OF VESSELS.

The law regulating the registration of foreign built vessels under the Hawaiian flag is not in accord with the policy of the Executive. At present, any owner of a foreign built vessel may have the right to obtain a register by simply transferring the nominal legal title to a citizen of this country. There are many objections to this. The law does not give sufficient protection to domestic enterprises, for a vessel, although in fact owned by foreigners, may enter into direct competition with our own vessels, even in the inter-island trade. It also increases the obligations of the Government to care for Hawaiian seamen abroad.

A law restricting the granting of an Hawaiian register to vessels entirely owned by citizens of the Republic is recommended.

In conclusion I congratulate you

that you meet at a time when friendly relations are being maintained with all foreign powers; the public peace and health are well preserved, and general prosperity prevails throughout the land.

(Sig.) HENRY E. COOPER.

Executive Building, Honolulu, H. I., February 16, A. D. 1898.