

REVISED LAWS

—OF—

HAWAII.

Comprising the Statutes of the Territory,
consolidated, revised and annotated.



PUBLISHED BY AUTHORITY.

HONOLULU, T. H.
HAWAIIAN GAZETTE CO., LTD.
1905.

when taken with the said original capital stock, represent only the actual cost of the property of the railway, and not over twenty-five per cent. of such cost in addition thereto; such cost may include all expense, of laying tracks and equipping the road for public use, and may also include all subsequent extensions, but no such increase shall be authorized for extensions until they shall be determined upon and authorized by a vote of the corporation. [L. 1898, c. 69, s. 37.]

CHAPTER 67.*

ELECTRIC LIGHT AND POWER, HONOLULU.

Sec. 872. Definitions. The following words and phrases, where-

*This c. is L. 1903, c. 48, as am. and approved by act of congress of April 21, 1904, congressional approval of a Territorial grant of a special franchise being required by Org. Act, s. 55. S. 2 of said act of congress provides "that congress or the legislature of the Territory of Hawaii with the approval of congress, may at any time alter, amend, or repeal this act." The former act, referred to in the following preamble, the franchise granted by which has expired, is L. 1892, c. 107; C. L. ss. 606-621. The portion of the act of congress which precedes the portion included in this c. is as follows:

"Whereas the legislature of the Territory of Hawaii did, by an act duly passed at the nineteen hundred and three session thereof, grant to the Hawaiian Electric Company, Limited, a special franchise and special privileges for the purpose of maintaining and operating an electric light and power system on the island and Territory aforesaid; and

Whereas the governor of said Territory did approve said act on the twenty-eighth day of April, nineteen hundred and three; and

Whereas the Act to provide a government for the Territory of Hawaii, duly passed by the Congress of the United States on the twenty-seventh day of April, nineteen hundred, and approved on the thirtieth day of April, nineteen hundred, provides that the legislature of the Territory of Hawaii shall not grant to any corporation, association, or individual any special privilege or franchise without the approval of the congress of the United States: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States of America does hereby ratify, approve, confirm, and amend that certain act, duly enacted by the legislature of the Territory of Hawaii at the nineteen hundred and three session thereof, known and designated as Act Numbered Forty-eight of the laws of the Territory of Hawaii, session of nineteen hundred and three, the said act last mentioned being an act entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii," and that the said act last mentioned be modified, and so modified is hereby ratified, approved, and confirmed, so as to read as follows:

'ACT NUMBERED FORTY-EIGHT.

'An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power in the district of Honolulu, island of Oahu, Territory of Hawaii.

'Whereas, pursuant to a franchise granted by the government of the Hawaiian Islands, the Hawaiian Electric Company, Limited, has constructed and developed an electric light and power system on the island of Oahu, Territory of Hawaii; and

'Whereas said company is at the present time supplying light and power to the inhabitants of the said district of Honolulu, island of Oahu; and

'Whereas said franchise expires on the third day of May, nineteen hundred and three; Now, therefore,

'Be it enacted by the legislature of the Territory of Hawaii: ''

The Territory furnishes electric light to Honolulu Library free of charge: s. 560.

Ch. 67.

2 ever they are used or appear in this chapter, shall, unless the same
 3 be clearly inconsistent with the context, be construed to mean and
 4 be held to have the force and effect as follows:

5 (a) The "company" shall mean, include, and represent the Ha-
 6 waiian Electric Company, Limited, and its successors and assigns.

7 (b) "Honolulu," or "district of Honolulu," shall refer to, in-
 8 clude, and mean all that portion of the island of Oahu included in
 9 the taxation, educational, and judicial district now defined by law
 10 as "Honolulu district," or the "district of Honolulu." [L. 1903,
 11 c. 48, s. 1; am. by Congress.]

For taxation, etc. district of Honolulu, see s. 125.

1 **Sec. 873. Electric power, manufacture, sale, etc.** The right is
 2 hereby granted to the Hawaiian Electric Company, Limited, as a
 3 body corporate under that or such other name as the said company
 4 may hereafter adopt, and its successors and assigns, to manufacture,
 5 sell, furnish, and supply electric light, electric current, or electric
 6 power in the district of Honolulu, on the island of Oahu, Territory
 7 of Hawaii, for lighting the streets, roads, public or private build-
 8 ings, or for motive power, or for any other purpose which it or they
 9 may deem advisable, and from time to time, for the purposes above
 10 mentioned, to construct, maintain, and operate suitable poles, lines,
 11 wires, cables, lamps, lamp-posts, conductors, conduits, and such
 12 other appliances and appurtenances as may from time to time be
 13 necessary for the transmission, distribution, or supply of electricity
 14 to the consumers thereof, under, along, upon, and over the streets,
 15 sidewalks, roads, squares, bridges, alleys, and lanes in said district
 16 of Honolulu, and to connect the said lines, wires, and conductors
 17 with any manufactory, private or public buildings, lamp, lamp-posts,
 18 or other structure or object with the place of supply. [L. 1903, c.
 19 48, s. 2; am. by Congress.]

For erection of poles, etc. in streets, see also cc. 49, 69.

1 **Sec. 874. Power houses, etc.** Said company shall also have the
 2 right to maintain and operate its present light and power station
 3 on the corner of Halekauwila and Alakea streets, in said Honolulu,
 4 and also to construct, maintain, and operate, at such points as may
 5 from time to time be necessary, light and power stations or houses,