

# APPENDIX A

## AN ACT

TO PROHIBIT NATIVES FROM LEAVING THE ISLANDS.<sup>1</sup>

### CONTENTS.

- SECTION
1. No native to leave the island without permission of the governor.
  2. This act does not relate to sailors, &c.
  3. Cases where the natives have previously received permission to leave the islands.

Whereas, by the census of the islands taken in 1849, the population decreased at the rate of 8 per cent; in 1848, and by the census taken in 1850, the population decreased at the rate of  $5 \frac{1}{7}$  per cent in 1849. Whereas, the want of labor is severely felt by planters and other agriculturists, whereby the price of provisions and other produce has been

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1. *Penal Code of the Hawaiian Islands, Passed by the House of Nobles and Representatives on the 21st of June, A. D. 1850; to Which Are Appended the Other Acts Passed by the House of Nobles and Representatives during Their General Session for 1850* (Honolulu, O'ahu: Printed by Henry M. Whitney, Government Press, 1850), 154–55. Capitalization and punctuation have been standardized for clarity.

KALAU PAPA

unprecedentedly enhanced to the great prejudice of the islands. Whereas, many natives have emigrated to California and there died, in great misery, and whereas, it is desirable to prevent such loss to the nation, and such wretchedness to individuals, therefore,

Be it enacted *by the House of Nobles and Representatives of the Hawaiian Islands, in the Legislative council assembled:*

1. That from the day of the publication hereof, no native subject of the King shall be allowed to emigrate to California, or other foreign country, unless for some urgent necessity, connected with his private interests, of which necessity, he or she shall give proof satisfactory to the governor of the island, to which he or she may belong, in which case, it shall be lawful for said governor to grant a letter to such person, stating that such person may obtain a passport to leave the kingdom.

2. Be it enacted, as aforesaid, that nothing in this act shall prevent the governors of islands from granting, as heretofore, under the bonds prescribed by law, permission to native sailors to embark in such foreign ships as may be in distress from want of men to prosecute their voyages, nor shall anything in this act prevent a family leaving the islands, from obtaining permission and a passport to take with them such native nurse or domestic servants as they may urgently require, they giving satisfactory bond for the return of each individual, as required in the case of native sailors embarked in foreign vessels.

3. And be it further enacted, as aforesaid, that in all cases where natives may have obtained permission to leave the islands, prior to the promulgation of this act, or previous to its becoming known on distant islands, and where such natives may have paid for their passages, it shall be lawful, on satisfactory proof thereof, to grant such natives passports allowing them to proceed.

The minister of the interior is charged to publish this act immediately, in Hawaiian and English in the Polynesian, and in Hawaiian in the Elele, and to transmit copies thereof by circular to the governors, collectors of customs, captains of ports and pilots of the respective islands.

Done and passed at the council house in Honolulu, this 2d day of July, A. D. 1850.

KAMEHAMEHA.

KEONI ANA.