

(5) in a manner compatible with refuge purposes, shall recognize and maintain the historic significance of the Midway Islands consistent with the policy stated in Executive Order 11593 of May 13, 1971 [54 U.S.C. 300101 note].

(b) The Secretary of the Interior shall be responsible for the civil administration of the Midway Islands and all executive and legislative authority necessary for that administration, and all judicial authority respecting the Midway Islands other than the authority contained in 48 U.S.C. 644a.

SEC. 4. Any civil or criminal proceeding that is pending under the Midway Islands Code, 32 CFR Part 762, upon the date of this order, shall remain under the jurisdiction of the Secretary of the Navy. Actions arising after the date of this order are the responsibility of the Secretary of the Interior and shall be administered pursuant to regulations promulgated by the Secretary of the Interior.

SEC. 5. To the extent that any prior Executive order or proclamation is inconsistent with the provisions of this order, this order shall control.

SEC. 6. Nothing in this order shall be deemed to reduce, limit, or otherwise modify the authority or responsibility of the Attorney General of the United States to represent the legal interests of the United States in civil or criminal cases arising under the provisions of 48 U.S.C. 644a.

WILLIAM J. CLINTON.

#### DELEGATION OF FUNCTIONS

Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8447, under which the functions of the President under section 5(e) of the Hawaii Statehood Act of Mar. 18, 1959, [set out above], were delegated to the Director of the Bureau of the Budget [now Director of Office of Management and Budget], was superseded by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out under section 301 of Title 3, The President.

#### §§ 491 to 503. Omitted

##### CODIFICATION

Sections 491 to 503, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 491, act Apr. 30, 1900, ch. 339, §2, 31 Stat. 141, gave name Territory of Hawaii to Hawaiian Islands.

Section 492, act Apr. 30, 1900, ch. 339, §3, 31 Stat. 141, established a Territorial government with its capital at Honolulu.

Section 493, act Apr. 30, 1900, ch. 339, §1, 31 Stat. 141, defined "the laws of Hawaii" as used in this chapter.

Section 494, act Apr. 30, 1900, ch. 339, §4, 31 Stat. 141, granted United States citizenship to citizens of former Republic of Hawaii and Territorial citizenship to United States citizens resident in Territory under certain conditions.

Section 495, acts Apr. 30, 1900, ch. 339, §5, 31 Stat. 141; May 27, 1910, ch. 258, §1, 36 Stat. 443; Apr. 12, 1930, ch. 136, §1(a), 46 Stat. 160; June 6, 1932, ch. 209, §116(b), 47 Stat. 205, made applicable to Territory the United States Constitution and all other laws of the United States including laws carrying general appropriations.

Section 496, act Apr. 30, 1900, ch. 339, §6, 31 Stat. 142, continued in force laws of Hawaii not inconsistent with the Constitution or laws of the United States.

Section 497, act Apr. 30, 1900, ch. 339, §74, 31 Stat. 155, continued in force laws of Hawaii relating to agriculture and forestry subject to modification by Congress or the Legislature.

Section 498, act Apr. 30, 1900, ch. 339, §102, 31 Stat. 161, related to abolishment of laws related to postal savings banks.

Section 499, Joint Res. July 7, 1898, No. 55, §1, 30 Stat. 751, provided for assumption of public debt of Hawaii existing on July 7, 1898, not to exceed \$4,000,000.

Section 500, act Apr. 30, 1900, ch. 339, §9, 31 Stat. 143, amended the laws of Hawaii to read "Governor of the

Territory" or "Territory" as the context required whenever reference was made to "President of the Republic" or "Republic" in the laws.

Section 501, act Apr. 30, 1900, ch. 339, §10, 31 Stat. 143, continued in effect and transferred to Territory of Hawaii prior rights in favor and against the former Republic of Hawaii and preserved all criminal proceedings.

Section 502, act Apr. 30, 1900, ch. 339, §10, 31 Stat. 143, prohibited suits for specific performance of personal labor contracts.

Section 503, act Apr. 30, 1900, ch. 339, §10, 31 Stat. 143, provided that contracts made between Apr. 12, 1898, and Apr. 30, 1900, providing for service for a definite term, should be null and void.

#### § 504. Repealed. June 27, 1952, ch. 477, title IV, § 403(a)(6), 66 Stat. 279

Section, act Apr. 30, 1900, ch. 339, §10, 31 Stat. 143, related to applicability of immigration contract labor law. See section 1151 et seq. of Title 8, Aliens and Nationality.

#### §§ 505 to 518. Omitted

##### CODIFICATION

Sections 505 to 518, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 505, act Apr. 30, 1900, ch. 339, §11, 31 Stat. 144, prescribed the style of process in courts.

Section 506, act Apr. 30, 1900, ch. 339, §§95, 96, 31 Stat. 160, made certain fisheries free to United States citizens subject to vested rights.

Section 507, act Apr. 30, 1900, ch. 339, §96, 31 Stat. 160, provided for condemnation of private fishing rights.

Section 508, acts Apr. 30, 1900, ch. 339, §97, 31 Stat. 160; July 1, 1944, ch. 373, title IX, §913, formerly title VI, §611, 58 Stat. 714, provided that jurisdiction of health laws remain under the control of Territory of Hawaii.

Section 509, act Apr. 30, 1900, ch. 339, §98, 31 Stat. 161, allowed American registry of Hawaiian-registered vessels.

Section 510, acts Apr. 30, 1900, ch. 339, §89, 31 Stat. 159; Aug. 4, 1949, ch. 393, §§1, 20, 63 Stat. 496, 561; June 29, 1954, ch. 418, 68 Stat. 323, placed control of wharves and landings under Territory of Hawaii.

Section 511, acts Apr. 30, 1900, ch. 339, §91, 31 Stat. 159; May 27, 1910, ch. 258, §7, 36 Stat. 447; June 19, 1930, ch. 546, 46 Stat. 789; Aug. 21, 1958, Pub. L. 85-719, §1, 72 Stat. 709, gave to Territory of Hawaii control of public property ceded to United States by Republic of Hawaii and allowed transfer of title to political subdivisions of Territory.

Section 512, act May 26, 1906, ch. 2561, 34 Stat. 204, made provision for sale, lease, or disposal of personal or movable property ceded to the United States.

Section 513, act Jan. 14, 1903, ch. 186, §§1, 2, 32 Stat. 770, called for recoinage of Hawaiian silver coins into subsidiary silver coins of the United States.

Section 514, act Jan. 14, 1903, ch. 186, §3, 32 Stat. 771, allowed any collector of customs or internal revenue to exchange United States coins in his custody for Hawaiian coins under regulations of Secretary of the Treasury.

Section 515, act Jan. 14, 1903, ch. 186, §4, 32 Stat. 771, allowed recoinage of mutilated or abraded Hawaiian coins into subsidiary coinage of the United States by any mint of the United States.

Section 516, act Jan. 14, 1903, ch. 186, §6, 32 Stat. 771, made unlawful circulation as money of any silver certificate issued by government of Hawaiian Islands prior to Jan. 14, 1903.

Section 517, act Jan. 14, 1903, ch. 186, §7, 32 Stat. 771, limited redemption of Hawaiian silver certificates or silver coin to redemption in manner and upon conditions set for recoinage of Hawaiian silver.

Section 518, act Apr. 30, 1900, ch. 339, §105, as added July 9, 1921, ch. 42, §315, 42 Stat. 120, prohibited employ-

ment as a mechanic or laborer on any public work of persons not citizens of the United States or eligible for such citizenship.

**§ 518a. Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449**

Section, act Jan. 2, 1942, ch. 646, 55 Stat. 881, related to employment of nationals of the United States on public works in Hawaii during the national emergency.

**§ 519. Omitted**

CODIFICATION

Section, acts Apr. 30, 1900, ch. 339, §55, 31 Stat. 150; May 27, 1910, ch. 258, §4, 36 Stat. 444; July 9, 1921, ch. 42, §302, 42 Stat. 116; June 6, 1926, ch. 512, §§1, 2, 44 Stat. 710, 711, which required two-year residence for grant of a divorce, was omitted in view of admission of Hawaii into the Union.

**§ 520. Repealed. Mar. 26, 1934, ch. 88, § 1, 48 Stat. 467**

Section, act May 23, 1918, ch. 84, §1, 40 Stat. 560, prohibited manufacture, sale, transport, etc., of intoxicating liquors.

**§§ 531 to 535. Omitted**

CODIFICATION

Sections 531 to 535, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 531, acts Apr. 30, 1900, ch. 339, §66, 31 Stat. 153; July 9, 1921, ch. 42, §303, 42 Stat. 116, vested executive power in a governor and set out his age and residence requirements, appointment, term, and powers in general.

Section 532, act Apr. 30, 1900, ch. 339, §67, 31 Stat. 153, made governor responsible for the execution of all laws and granted him other executive powers.

Section 533, act Apr. 30, 1900, ch. 339, §68, 31 Stat. 153, vested in governor powers and duties of specified former officials.

Section 534, acts Apr. 30, 1900, ch. 339, §69, 31 Stat. 154; July 2, 1932, ch. 389, 47 Stat. 565; Aug. 21, 1958, Pub. L. 85-714, 72 Stat. 707, called for appointment of a Secretary of Hawaii and set out powers and duties of his office.

Section 535, act Apr. 30, 1900, ch. 339, §70, 31 Stat. 154, called for secretary to perform duties of governor in event of governor's death, removal, resignation, or disability.

**§ 536. Repealed. Pub. L. 86-3, § 14(e), Mar. 18, 1959, 73 Stat. 10**

Section, acts Apr. 30, 1900, ch. 339, §92, 31 Stat. 159; May 27, 1910, ch. 258, §8, 36 Stat. 448; July 9, 1921, ch. 42, §314, 42 Stat. 120; Oct. 15, 1949, ch. 695, §5(a), 63 Stat. 680, prescribed salary of governor and secretary of Territory of Hawaii, and specified incidental expenses of governor.

**§§ 537, 538. Omitted**

CODIFICATION

Sections 537 and 538, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 537, act Apr. 30, 1900, ch. 339, §71, 31 Stat. 154, prescribed powers and duties of attorney general of Hawaii.

Section 538, act Apr. 30, 1900, ch. 339, §72, 31 Stat. 154, prescribed powers and duties of treasurer of Hawaii.

**§ 539. Repealed. Pub. L. 86-3, § 14(e), Mar. 18, 1959, 73 Stat. 10**

Section, acts Apr. 30, 1900, ch. 339, §92, 31 Stat. 159; May 27, 1910, ch. 258, §8, 36 Stat. 448; July 9, 1921, ch. 42,

§314, 42 Stat. 120, authorized governor to employ a private secretary at an annual salary of \$3,000.

**§ 540. Omitted**

CODIFICATION

Section, act Apr. 30, 1900, ch. 339, §75, 31 Stat. 155, which prescribed powers and duties of superintendent of public works, was omitted in view of admission of Hawaii into the Union.

**§ 541. Repealed. Pub. L. 96-470, title I, § 110, Oct. 19, 1980, 94 Stat. 2239**

Section, acts Apr. 30, 1900, ch. 339, §76, 31 Stat. 155; Apr. 8, 1904, ch. 948, 33 Stat. 164; Mar. 4, 1913, ch. 141, §3, 37 Stat. 737, prescribed powers and duties of the superintendent of public instruction.

**§§ 542 to 546. Omitted**

CODIFICATION

Sections 542 to 546, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 542, acts Apr. 30, 1900, ch. 339, §77, 31 Stat. 156; Aug. 1, 1956, ch. 862, §1, 70 Stat. 920, created posts of auditor and deputy auditor and prescribed their powers and duties.

Section 542a, act Apr. 30, 1900, ch. 339, §77A, as added Aug. 1, 1956, ch. 862, §2, 70 Stat. 920, created position of post auditor and set out his duties, term, and powers.

Section 543, act Apr. 30, 1900, ch. 339, §78, 31 Stat. 156, prescribed powers and duties of surveyor.

Section 544, act Apr. 30, 1900, ch. 339, §79, 31 Stat. 156, prescribed powers and duties of high sheriff and deputies.

Section 545, act Apr. 30, 1900, ch. 339, §106, as added July 9, 1921, ch. 42, §315, 42 Stat. 121, and amended Aug. 14, 1958, Pub. L. 85-650, §1, 72 Stat. 606, prescribed powers and duties of board of harbor commissioners and called for board supervision of moneys appropriated for harbor improvements.

Section 546, acts Apr. 30, 1900, ch. 339, §80, 31 Stat. 156; Mar. 3, 1905, ch. 1465, §2, 33 Stat. 1035; July 9, 1921, ch. 42, §312, 42 Stat. 119; Aug. 1, 1956, ch. 862, §1, 70 Stat. 920; Aug. 28, 1958, Pub. L. 85-793, §§1, 2, 72 Stat. 957, dealt with nomination and appointment of officers by governor and provided for their terms and salaries.

**§§ 561 to 599. Omitted**

CODIFICATION

Sections 561 to 599, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 561, act Apr. 30, 1900, ch. 339, §12, 31 Stat. 144, called for a bicameral legislature for Territory consisting of a senate and house of representatives.

Section 562, acts Apr. 30, 1900, ch. 339, §55, 31 Stat. 150; May 27, 1910, ch. 258, §4, 36 Stat. 444; July 9, 1921, ch. 42, §302, 42 Stat. 116; June 9, 1926, ch. 512, §§1, 2, 44 Stat. 710, 711; Aug. 1, 1956, ch. 851, §7, 70 Stat. 907; Aug. 20, 1958, Pub. L. 85-691, §3, 72 Stat. 685, described scope of legislative power.

Section 562a, act July 15, 1935, ch. 378, §1, 49 Stat. 479, authorized issuance of revenue bonds by legislature and empowered legislature to authorize issuance of bonds by political or municipal corporations or subdivisions.

Section 562b, act July 15, 1935, ch. 378, §2, 49 Stat. 480, empowered legislature to authorize city and county of Honolulu to issue flood control bonds.

Section 562c, act July 15, 1935, ch. 378, §3, 49 Stat. 480, approved, ratified, and confirmed issuance of revenue bonds which had been authorized by legislature prior to July 15, 1935.

Section 562c-1, act Apr. 3, 1944, ch. 154, 58 Stat. 186, ratified and confirmed legislative action which had extended time within which revenue bonds could be