

231, §291, 36 Stat. 167; July 9, 1921, ch. 42, §313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to jurisdiction of district court and authority of officers. See sections 81 et seq., 451 et seq., 501 et seq., 531 et seq., and 1331 et seq. of Title 28.

Section 642a, acts Aug. 13, 1940, ch. 662, 54 Stat. 784; Apr. 29, 1948, ch. 241, §1, 62 Stat. 204, related to jurisdiction of cases arising on Midway, Wake, Johnston, etc., Islands. See section 91 of Title 28.

Section 643, acts Apr. 30, 1900, ch. 339, §86, 31 Stat. 158; Mar. 3, 1909, ch. 269, §1, 35 Stat. 838; July 9, 1921, ch. 42, §313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and term of office of judges, district attorney, and marshal. See sections 133, 134, 501, 504, and 541 of Title 28.

Section 644, acts Apr. 30, 1900, ch. 339, §86, 31 Stat. 158; Mar. 3, 1909, ch. 269, §1, 35 Stat. 838; Mar. 4, 1921, ch. 161, §1, 41 Stat. 1412; July 9, 1921, ch. 42, §313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title II, 42 Stat. 1084; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and salaries of clerks, deputy clerks and reporters. See sections 604, 751, and 753 of Title 28.

**§ 644a. Jurisdiction of district court of cases arising on or within Midway, Wake, Johnston, Sand, etc., Islands; laws applicable to jury trials**

The jurisdiction of the United States District Court for the District of Hawaii is extended to all civil and criminal cases arising on or within the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Palmyra Island, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided*, That such extension to Canton and Enderbury Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement. All civil acts and deeds consummated and taking place on any of these islands or in the waters adjacent thereto, and all offenses and crimes committed thereon, or on or in the waters adjacent thereto, shall be deemed to have been consummated or committed on the high seas on board a merchant vessel or other vessel belonging to the United States and shall be adjudicated and determined or adjudged and punished according to the laws of the United States relating to such civil acts or offenses on such ships or vessels on the high seas, which laws for the purpose aforesaid are extended over such islands, rocks, and keys.

The laws of the United States relating to juries and jury trials shall be applicable to the trial of such cases before said district court.

(June 15, 1950, ch. 253, 64 Stat. 217; Pub. L. 86-3, §14(j), Mar. 18, 1959, 73 Stat. 11; Pub. L. 86-624, §19, July 12, 1960, 74 Stat. 416.)

AMENDMENTS

1960—Pub. L. 86-624 struck out Kure Island.  
1959—Pub. L. 86-3 extended jurisdiction to cases arising on or within Palmyra Island.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-3 effective on admission of the State of Hawaii into the Union, see note set out

under section 91 of Title 28, Judiciary and Judicial Procedure. Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 25 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of this title.

CANTON AND ENDERBURY ISLANDS; SOVEREIGNTY OF KIRIBATI

By a treaty of friendship, TIAS 10777, which entered into force Sept. 23, 1983, the United States recognized the sovereignty of Kiribati over Canton Island and Enderbury Island.

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

Section, acts Apr. 30, 1900, ch. 339, §86, 31 Stat. 158; Mar. 3, 1909, ch. 269, §1, 35 Stat. 838; Mar. 11, 1911, ch. 231, §291, 36 Stat. 167; Mar. 4, 1920, ch. 161, §1, 41 Stat. 1412; July 9, 1921, ch. 42, §313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title II, 42 Stat. 1084; Feb. 12, 1925, ch. 220, 43 Stat. 890; Dec. 13, 1926, ch. 6, §1, 44 Stat. 919; Jan. 31, 1928, ch. 14, §1, 45 Stat. 54; July 31, 1946, ch. 704, §1, 60 Stat. 716; June 25, 1948, ch. 646, §§8, 39, 62 Stat. 986, 992, related to removal of causes and appeal. See section 91 of Title 28, Judiciary and Judicial Procedure and notes thereunder.

**§ 646. Repealed. June 25, 1948, ch. 646, §39, 62 Stat. 992**

Section, act Apr. 30, 1900, ch. 339, §86a, as added June 19, 1939, ch. 211, 53 Stat. 841, related to rules in civil actions. See section 2072 of Title 28, Judiciary and Judicial Procedure.

**§ 651. Omitted**

CODIFICATION

Section, acts Apr. 30, 1900, ch. 339, §85, 31 Stat. 158; June 28, 1906, ch. 3582, 34 Stat. 550, which provided for the election of a Delegate to the House of Representatives of the United States to serve during each Congress, was omitted in view of the admission of Hawaii into the Union.

**§§ 661 to 678. Omitted**

CODIFICATION

Sections 661 to 678, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 661, act July 7, 1898, No. 55, §1, 30 Stat. 750, provided that Congress of the United States shall enact special laws for management and disposition of public lands.

Section 662, act Apr. 30, 1900, ch. 339, §99, 31 Stat. 161, which declared to be property of Hawaiian Government portion of public domain known prior to April 30, 1900, as Crown land.

Section 663, acts Apr. 30, 1900, ch. 339, §73(a), (b), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; July 9, 1921, ch. 42, §304, 42 Stat. 116, defined "public lands", "commissioner", "land board", and "person", and incorporated by reference certain other defined terms.

Section 664, acts Apr. 30, 1900, ch. 339, §73(c), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117, declared that laws of Hawaii relating to public lands, settlement of boundaries and issuance of patents on land commission awards, shall continue in force until Congress shall otherwise provide.

Section 664a, act Sept. 26, 1941, ch. 426, §1, 55 Stat. 734, ratified Hawaiian realty transactions consummated on or before November 25, 1941.

Section 664b, act Sept. 26, 1941, ch. 426, §2, 55 Stat. 734, provided that realty transaction so ratified shall be deemed and held to be perfect and valid from day of date thereof.

Section 665, acts Apr. 30, 1900, ch. 339, §73(d), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117; Aug. 28, 1958, Pub. L. 85-803, §1, 72 Stat. 971, prescribed terms and conditions of leases on public lands.

Section 666, acts Apr. 30, 1900, ch. 339, §73(e), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; July 9, 1921, ch. 42, §304, 42 Stat. 117, directed that all funds arising from sale or lease of public lands be appropriated by laws of government of the territory of Hawaii.

Section 667, acts Apr. 30, 1900, ch. 339, §73(f), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117, set out requirements for those who would be entitled to receive any certificate of occupation, right of purchase lease, cash freehold agreement, or special homestead agreement. Section was also classified to section 1509 of this title.

Section 668, acts Apr. 30, 1900, ch. 339, §73(g), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117, prescribed limitations on alienation of public lands for which certificates of occupancy have been issued. Section was also classified to section 1510 of this title.

Section 669, acts Apr. 30, 1900, ch. 339, §73(h), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 445; July 9, 1921, ch. 42, §305, 42 Stat. 118, set out provisions for forfeiture of lands for noncompliance with prior provisions.

Section 670, acts Apr. 30, 1900, ch. 339, §73(i), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 445; July 9, 1921, ch. 42, §305, 42 Stat. 118; July 27, 1939, ch. 383, §1, 53 Stat. 1126; July 9, 1952, ch. 617, 66 Stat. 515; Apr. 6, 1956, ch. 180, §1, 70 Stat. 102; Aug. 1, 1956, ch. 854, 70 Stat. 918, determined persons entitled to take under certificates of occupation, lease or agreement.

Section 671, acts Apr. 30, 1900, ch. 339, §73(j), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 445; July 9, 1921, ch. 42, §306, 42 Stat. 118, gave commissioner, with approval of governor, right to give preferences in purchasing of public lands. Section was also classified to section 1511 of this title.

Section 672, acts Apr. 30, 1900, ch. 339, §73(k), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 445; July 9, 1921, ch. 42, §307, 42 Stat. 118, gave commissioner, with approval of governor, power to issue patents to churches or religious organizations. Section was also classified to section 1512 of this title.

Section 673, acts Apr. 30, 1900, ch. 339, §73(l), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 446; July 9, 1921, ch. 42, §308, 42 Stat. 118; Aug. 7, 1946, ch. 771, 60 Stat. 871; July 9, 1952, ch. 616, §1, 66 Stat. 514; Apr. 6, 1956, ch. 185, §1, 70 Stat. 104; Aug. 21, 1958, Pub. L. 85-718, 72 Stat. 709; Aug. 28, 1958, Pub. L. 85-803, §2, 72 Stat. 971, created board of public lands and set restrictions upon sale and lease of agricultural lands and exchange of lands.

Section 674, acts Apr. 30, 1900, ch. 339, §73(m), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56, May 27, 1910, ch. 258, §5, 36 Stat. 446; July 9, 1921, ch. 42, §309, 42 Stat. 119, opened agricultural lands for settlement.

Section 675, acts Apr. 30, 1900, ch. 339, §73(n), (p), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 446; July 9, 1921, ch. 42, §§310, 311, 42 Stat. 119, provided for survey and opening of homestead entry agricultural lands.

Section 676, acts Apr. 30, 1900, ch. 339, §73(o), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 446; July 9, 1921, ch. 42, §310, 42 Stat. 119, permitted any person under a general lease from Territory, to continue in possession of such land after expiration of lease until such time as homesteader takes actual possession thereof under any form of homestead agreement.

Section 677, acts Apr. 30, 1900, ch. 339, §73(q), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 447; July 9, 1921, ch. 42, §311, 42 Stat. 119; Aug. 21, 1941, ch. 394, §1, 55 Stat. 658; July 18, 1958, Pub. L. 85-534, §1, 72 Stat. 379; Aug. 14, 1958, Pub. L. 85-650,

§2, 72 Stat. 606, improved commissioner with control, management, and disposition of public lands and included within this making of leases by Hawaiian Aeronautics commission.

Section 677-1, act Apr. 30, 1900, ch. 339, §73(r), as added Aug. 1, 1956, ch. 820, §1, 70 Stat. 785, provided for disposition of remnants of public lands.

Section 677a, act Apr. 30, 1900, ch. 339, §73(par.), as added June 12, 1940, ch. 336, §1, 54 Stat. 345, provided for reamortization of indebtedness under homestead agreements.

Section 677b, act Apr. 30, 1900, ch. 339, §73(par.), as added June 12, 1940, ch. 336, §1, 54 Stat. 346, provided for refunds on account of reamortization of homestead agreements.

Section 678, act Apr. 30, 1900, ch. 339, §107, as added July 9, 1921, ch. 42, §315, 42 Stat. 121, cited the Act of April 30, 1900, ch. 339, 31 Stat. 141, as the "Hawaiian Organic Act".

## §§ 691 to 718. Omitted

### CODIFICATION

Sections 691 to 718, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 691, act July 9, 1921, ch. 42, title I, §1, 42 Stat. 108, cited sections 691-704 and 705-716 of this title, as the "Hawaiian Homes Commission Act, 1920".

Section 692, acts July 9, 1921, ch. 42, title II, §201, 42 Stat. 108; June 18, 1954, ch. 321, §2, 68 Stat. 263, defined "Commission", "public lands", "fund", "Territory", "Hawaiian home lands", "tract", "native Hawaiian" and "irrigated pastoral land" as used in "Hawaiian Homes Commission Act, 1920".

Section 693, acts July 9, 1921, ch. 42, title II, §202, 42 Stat. 109; July 26, 1935, ch. 420, §1, 49 Stat. 504; May 31, 1944, ch. 216, §1, 58 Stat. 260; July 9, 1952, ch. 618, §§1, 3, 66 Stat. 515, 516, established Hawaiian Homes Commission.

Section 694, acts July 9, 1921, ch. 42, title II, §222, 42 Stat. 115; Nov. 26, 1941, ch. 544, §7, 55 Stat. 787; June 14, 1948, ch. 646, §8, 62 Stat. 394, empowered commission to make such regulations and with approval of Governor, such expenditures as are necessary to efficient execution of his office.

Section 695, act July 9, 1921, ch. 42, title II, §222, 42 Stat. 115, required commission to make a biennial report to legislature of Territory.

Section 696, act July 9, 1921, ch. 42, title II, §222, 42 Stat. 115, directed that executive officer and secretary give bond for faithful performance of his duties.

Section 697, acts July 9, 1921, ch. 42, title II, §203, 42 Stat. 109; May 16, 1934, ch. 290, §1, 48 Stat. 777; Aug. 29, 1935, ch. 810, §1, 49 Stat. 966; July 10, 1937, ch. 482, 50 Stat. 497; Nov. 26, 1941, ch. 544, §1, 55 Stat. 782; May 31, 1944, ch. 216, §2, 58 Stat. 260; June 3, 1948, ch. 384, 62 Stat. 295; June 3, 1948, ch. 397, 62 Stat. 303; July 9, 1952, ch. 614, §§1, 2, 66 Stat. 511, designated certain lands in Territory as "available land".

Section 698, acts July 9, 1921, ch. 42, title II, §204, 42 Stat. 110; Mar. 7, 1928, ch. 142, §1, 45 Stat. 246; July 10, 1937, ch. 482, 50 Stat. 503; Feb. 20, 1954, ch. 10, §1, 68 Stat. 116; June 18, 1954, ch. 319, §1, 68 Stat. 262, provided that after July 9, 1921, all available lands would assume status of Hawaiian home lands and be under control of Commission.

Section 699, act July 9, 1921, ch. 42, title II, §205, 42 Stat. 110, provided for sale or lease of available lands.

Section 700, act July 9, 1921, ch. 42, title II, §206, 42 Stat. 110, declared that available lands were not subject to disposition by Governor, Commissioner of Public Lands, or Board of Public Lands.

Section 701, acts July 9, 1921, ch. 42, title II, §207, 42 Stat. 110; Feb. 3, 1923, ch. 56, §1, 42 Stat. 1122; May 16, 1934, ch. 290, §2, 48 Stat. 779; July 10, 1937, ch. 482, 50 Stat. 504; May 31, 1944, ch. 216, §§3, 4, 58 Stat. 264; June 14, 1948, ch. 464, §§1, 2, 62 Stat. 390; June 18, 1954, ch. 321, §1, 68 Stat. 263; Aug. 23, 1958, Pub. L. 85-733, 72 Stat. 822, authorized Commission to lease lands to native Hawaiians.