The following is quoted from [www.freehawaii.org](http://www.freehawaii.org):

**History 1 - The Beginning to Pa`ao**

All quotes, unless otherwise noted, are taken from Daniel Kikawa’s excellent book, *Perpetuated in Righteousness*.

The language of the Polynesian peoples is basically one language, the missionary translators who first assigned a written spelling for the different island groups, heard the words differently and represented these sounds that they heard with different letters. For instance the Hawaiian word for ‘woman’ is wahine (vah-hee-nee), the Tongan word for ‘woman’ is fahine (fah-hee-nee). Much like the differences between American English and British English - there is understanding but differences in accents and idioms. So, the oral traditions of the Polynesian peoples, with minor differences, give a remarkably similar account of their history and beliefs. There are Polynesians today, who can recite their lineage back to one common ancestor. Here are some excerpts from those accounts. Note that these predate the coming of the missionaries and were not influenced by Biblical record. These legends include stories from Hawaii, Tahiti, Samoa, Tonga, Marquesa and the Maori of New Zealand.

... Fornander (leading foreign source of Hawaiian history) said, “...I learned that the ancient Hawaiians at one time worshipped one god, comprised of three beings, and respectively called Kane, Ku and Lono, equal in nature, but distinctive in attributes...” This Polynesian god had many titles, but one name, too holy to be mentioned in casual conversation and this name was `Io.

... The first group of Proto-polynesians probably left the middle east around BC 2300, about the time of the tower of Babel heading toward Sumatra. The second leaving around 1400 BC, going to India' with the first group making it to Fiji a hundred years later (1300 BC).

The Marquesans first settled in 100 AD and the Marquesans reaching Hawaii, the most geographically remote archipelago in the world, around 400 AD. The Maori landing in New Zealand in 700 AD and the Tahitians beginning to arrive in Hawaii between 1100-1200 AD. The conquering war chief, Pa`ao from Tahiti around 1300 AD.

Pa`ao to Kamehameha I

In the period of 100 years, 1300-1400 AD, an unknown number of warlike Tahitians arrived on the peaceful islands of Hawaii. At some point the warrior/priest Pa`ao came to Hawaii and found that the religion (that of the Tahitians) was at a ‘low ebb’. He was disturbed that the people lived in peace and that the “...kapus were few and the ceremonies were easy: that human sacrifices were not practiced, and cannibalism was unknown; and that the government was more patriarchal than regal in nature.” (Fornander, *An Account of the Polynesian Race*, Vol.1,p 209) To him, it seemed that the previous invasions from Tahiti, had failed.
There being no real class distinctions and the newcomers being assimilated into the culture was with typical Hawaiian Aloha. This could not be tolerated. He went back to Tahiti and then returned with warriors, priests (kahuna) and royalty (ali‘i) of much mana (spiritual power). With this force, he invaded the peaceful land. He killed the priests of ‘Io and changed the attributes of Ku, Lono and Kane, from detesting human death, to demanding it. He brought bloody stones from a human sacrificial site in Tahiti and used them to desecrate the primary heiau (temple) of ‘Io on the "Big Island" and then built his luakini (human sacrificial) heiau on top of it. A few of the priests of ‘Io escaped to New Zealand, before Pa‘ao had the great voyaging canoes burnt, his own included. I don’t know if the great Hawaiian navigators were put to death with the destruction of their vessels, or their escape so infuriated the invader that he burnt the remaining canoes as retaliation, but Hawaii had very little contact with the outside world for the next 100 years.

Pa‘ao is credited with, not only the destruction of the peaceful culture of the Hawaiians and the perversion of the worship of Ku, but with the introduction of many elemental spirits (like Pele - one chant mentions 400,000 lesser ‘gods’), but also of the cruel ‘kapu’ system. This forbid many things and demanded many more, with any infraction being punishable by death. The laws were strict and always favored the kahuna and the ali‘i.

... 

British explorer Captain James Cook’s arrival in Hawai‘i in 1778 was the beginning of a close relationship between the British and the Hawaiian ali‘i (the ruling class - Kings, Queens, Chiefs, Chiefesses). A few Chinese men and at least one German man arrived with Captain Cook. Ships arriving after Captain Cook’s arrival and prior to 1800 brought more Chinese men and a few German and Portuguese men to Hawai‘i.

When Captain Cook arrived in Hawai‘i, the population of Hawai‘i was about 300,000. Over the course of time, a substantial decrease in the Hawaiian population was caused (1) by the Hawaiian vs. Hawaiian military battles and (2) diseases new to Hawai‘i such as sexually transmitted diseases (syphilis, gonorrhea, etc.), leprosy, measles, smallpox, Asiatic cholera, whooping cough, scarlet fever, diphtheria, influenza, bubonic plague, dysentery and Hansen’s disease.

When Captain Cook arrived in Hawai‘i, some of the inhabited islands had multiple Chiefs, one for each geographically defined part of the island. Other inhabited islands had one Chief for the entire island.

In A Cultural History of Three Traditional Hawaiian Sites on the West Coast of Hawai‘i Island (1993), Diane Lee Rhodes described pre-1778 Hawaiian society as follows:

Chapter I: BEFORE THE WRITTEN RECORD

...
E. Major Aspects of Traditional Hawaiian Culture

1. Social Organization

a) Stratification

During the period from about A.D. 1400 to European contact, Hawaiian society underwent a systematic transformation from its ancestral Polynesian descent-group system to a state-like society. The stratification that came to characterize Hawaiian society — consisting of a highly cultivated upper class with territorial control supported by a substructure of an underprivileged lower class — was somewhat reminiscent of ancient Mediterranean and Asian civilizations as well as of medieval Europe, and indeed has been referred to as feudal in nature.

The ali'i attained high social rank in several ways: by heredity, by appointment to political office, by marriage, or by right of conquest. The first was determined at birth, the others by the outcomes of war and political intrigue. At the time of European contact in 1778, Hawaiian society comprised four levels: the ali'i, the ruling class of chiefs and nobles (kings, high chiefs, low chiefs) considered to be of divine origin; the kahuna, the priests and master craftsmen (experts in medicine, religion, technology, natural resource management, and similar areas), who ranked near the top of the social scale; the maka'ainana, those who lived on the land, the commoners — primarily laborers, cultivators, fishermen, house and canoe builders, bird catchers who collected feathers for capes, cloaks, and helmets, and the like; and the kauwa, social outcasts! "untouchables" — possibly lawbreakers or war captives, who were considered "unclean" or kapu, that is, ritually polluting to aristocrats. Their position was hereditary, and they were attached to "masters" in some sort of servitude status.

b) Rights and Duties of Each Class

Earlier it was stated that the ali'i are thought to have arrived in the Hawaiian Islands after initial colonization had occurred. According to E.S. Craighill Handy, the origin and cultural heritage of the ali'i, who had earlier invaded and conquered aboriginal populations in central Polynesia, distinguished them from the older Hawaiian population. Historically and socially different, they maintained the purity of their blood and the integrity of their cultural heritage through barriers of kapu that isolated them from the lower echelons. Varying degrees of sanctity existed among the ali'i, the highest kapu belonging to an ali'i born to an ali'i of supreme rank and his full sister. In his/her presence, commoners prostrated themselves. The Hawaiian Islands are the only place in Polynesia where this type of extreme inbreeding was sanctioned, although only among the chiefly class, and the only place where the prostration kapu (kapu moe) was imposed.

Recognized degrees of superior sacredness demanded special deference. All nobles of lesser rank had to observe prescribed forms of obeisance to those of the several sacred ranks and avoid their persons and personal property. Death resulted from failure to observe the proper form of homage. Lesser nobles occupied degrees of rank that were significant in connection with marriage and offspring but not in relation to the entire community. The
mass of the people, the maka‘ainana, probably descended from the aboriginal Hawaiian population. They performed many duties for their social superiors, producing food, supplying items for clothing and home furnishings, and laboring on community projects such as roads, water courses, taro patches, fortifications, and temples.

A division existed not only between classes but also between the duties of commoner men and women. While men engaged in farming, deep sea fishing, manufacturing tools and weapons, building houses, and conducting religious rituals, women raised the children, helped in some agricultural tasks and in-shore fishing, collected wild foods, and made barkcloth, mats, and baskets.

c) Role of the Kapu System

The Hawaiian concept of the universe embodied the interrelationship of the gods, man, and nature. The former, although the ultimate controlling influence in this system, granted their direct descendants — the nobility — secular control over the land, the sea, and their resources:

The aristocracy fiefed these resources to commoners, and commoners allowed the pariah to attach themselves to their households in domestic servitude. In return, pariah served commoner directly with his labor; commoner exploited the resources and delivered tribute to the aristocracy; the aristocracy served the gods with lavish religious observances in their honor; the gods communicated their satisfaction, or dissatisfaction, through the forces of nature and by influencing the outcomes of human affairs.

Power and prestige, and thus class divisions, were defined in terms of mana. Although the gods were the full embodiment of this sacredness, the nobility possessed it to a high degree because of their close genealogical ties to those deities. The priests ratified this relationship by conducting ceremonies of propitiation and dedication on behalf of the chiefs, which also provided ideological security for the commoners who believed the gods were the power behind natural forces. Commoners possessed little mana and were therefore prohibited from entering any of the holy places where nobles and gods communicated, such as the heiau in which the aristocrats honored their gods. Pariah, with no mana, could interact with commoners but not approach aristocrats.

Mana was the central concept underlying the elaborate kapu system of Hawai‘i, the major social control perpetuating rigid class distinctions and conserving natural resources. As Handy states:

It is evident that kapu determined and regulated the three castes. For the ali‘i, the kapu of sanctity was at once a wall of protection and the source of prestige and authority. The same
kapu determined for the commoners their social and economic relationship to, and their reverential attitude towards their overlords. As for the kauwa, their segregation and exclusion from the social organism was due to a kapu of defilement.

4. Political Organization

a) High Chiefs and their Advisors

The pre-contact political hierarchy of the Hawaiian Islands was rigidly organized, with a variable number of high chiefs controlling different parts of an island, a whole island, or several islands. Although historically there were several attempts by chiefs to expand their domain over other islands, none was successful until Kamehameha, who, in addition to possessing great intelligence and a strong personality, was aided by the weaponry and military expertise of European advisors. By the time of Captain Cook's arrival, four high chiefs ruled the eight main islands of Hawai'i. One kingdom included Maui, Moloka‘i, Lana‘i, and Kahoolawe, while a second comprised Kaua‘i and Ni‘ihau. O‘ahu and Hawai‘i each had its own chief.

These independent chiefdoms were each ruled by a supreme chief, or ali‘i-‘ai-moku (chief possessing an island or district); at times he was referred to simply as ke ali‘i or ke ali‘i-nui (the chief, or the great chief) to distinguish him from lesser chiefs. Ideally the ali‘i-‘ai-moku was also the person of highest rank among the nobility. Therefore he was sometimes referred to as the king or Moi (mo‘i, supreme male ali‘i). Although individuals usually attained this position on the basis of genealogical inheritance, a junior collateral relative could also gain it by force or because he had the personal qualifications to make himself leader.

The ali‘i-nui had complete control over his lands and its products, over the lives of his subjects, and over their personal property. He derived these rights from his close genealogical ties with the Hawaiian gods and was considered one himself. Generally the will of the ruling chief was the law of the land, but there also existed a large body of traditional or customary law relating to such things as water rights, fishing rights, and land usage.

Two high officers assisted the ali‘i-nui with governmental functions. The kahuna-nui (chief priest) conducted important religious ceremonies, observed and interpreted natural phenomena, consulted the auspices for favorable omens, and advised the king on how to remain in favor with the gods. Although the king sometimes consulted his lesser chiefs on important matters, he relied mainly on his kal‘ai-moku, a counselor who served as prime
minister and chief administrative officer, advising the king on the distribution of lands and positions and on military strategy. This position was highly important because the judicious assignment of lands to chiefs and the maintenance of control over them was the key to successful governing. Larger districts, for example, were never assigned to the higher chiefs, thus preventing them from accruing enough power to rebel. The tie between these two counselors and the high chief was the strongest in the government in pre-European times. (With the collapse of the ancient religion in 1819, however, the power of the priests was broken and the position of kahuna-nui abolished.) The kahuna, occupational specialists, fit into this political structure at points depending on their genealogical ranking and specialty. Each ali'i-nui also maintained a court of advisors, religious specialists, and personal servants, which followed its leader from place to place within the kingdom.

b) Lower Levels of Government

After the ali'i-nui had gained power, either through orderly succession or victory in battle, he took the lands he wanted and divided the rest among his chiefs, who in turn rewarded their retainers, thus establishing a sort of feudal relationship. No system of permanent land tenure existed under the ancient system, because upon the accession of every new supreme chief, ahupua'a could be reapportioned among the high chiefs and 'ili (smaller land divisions) among lower chiefs and supporters. It was to a new chief's advantage, however, to maintain some stability relative to tenancy among the commoners to ensure a steady supply of food and goods. The chiefs below him to which the ali'i-nui allocated portions of his kingdom did not acquire title to the land but could use it, its products, its people, and their possessions. These chiefs then allocated use rights in their portion of the kingdom to chiefs below them and so on down to the lowest chiefs in the hierarchy. Just below the chiefly ranks were the konohiki, administrative functionaries who controlled a specific parcel of land, such as an ahupua'a, and who assumed responsibility for the smooth running of the sophisticated Hawaiian agricultural and aquacultural systems, the fair allotment of water, and the enforcement of fishing rights, and who collected taxes and supplied armies in case of war and laborers for state enterprises such as heiau and fishpond construction.

c) Political Unrest

Commoners, the bulk of Hawaiian society, had no voice in political matters. The king held the authority to draft an army, assess taxes, condemn or pardon criminals, or banish subjects, all without appeal. Depending largely upon an ali'i-nui's abilities as a leader, his people suffered or prospered. They did not feel irrevocably bound to their chiefs, however, sometimes disposing of an unjust ruler, killing him, or moving to another
kingdom if the situation became too unbearable. In addition, senior nobles, acting as tenants-in-chief, could transfer their fealty and form coalitions to replace a ruler. At the same time, each paramount chief ideally tried to expand his kingdom by conquering and incorporating rival chiefdoms. Overall, the pre-contact political situation in the islands was variable — disputes over succession, land control, and individual ambitions, and quarrels between neighboring districts, were frequent disruptions to a routine way of life.

5. Economic System

e) Tribute

The right of the commoners to live on the land and cultivate it, instead of naturally resulting from membership in a corporate descent group as in their ancestral homeland, depended on the regular payment of labor and tribute, or "offerings," to the "god-descended" chiefs at the top of the social scale. In this system, farmers and fishermen, for example, were required to offer a specific share of their labor and their yield to the chiefs, who in return ritually interceded with the appropriate deities to assure peace and plenty.

The economy of ancient Hawai‘i was closely interwoven with the political system, creating a vertical economic structure. The ruler of each independent chiefdom controlled the use rights to all lands and products in his kingdom; as a group, therefore, these chiefs controlled the economic organization of the islands at the state level. They supported themselves and their retinue through two annual Makahiki rituals, during which time taxes in the form of produce and personal property were gathered. One collection was made for the political hierarchy, others for the religious specialists and members of the chief's court. The chief could also levy special assessments at any time. In return, the commoners expected intercession with the gods on their behalf and on behalf of their fishing and farming endeavors, prosperity, protection in time of war, and the benefit of major public works such as religious temples, field systems, and fishponds.

Because the prestige and mana of the chiefs depended upon their ability to mobilize labor and exact tribute, pressure from the top of the pyramid was constant for more intensive economic development to keep the infrastructure intact...
CHAPTER IV: FOUNDING OF THE HAWAIIAN KINGDOM

A. Reign of King Kamehameha

2. Kamehameha's Rise to Power, 1758-1819

Kamehameha accompanied his uncle (King Kalani'opu'u) aboard the Discovery, and history records that he conducted himself with valor during the battle in which Cook was killed. For his part in the battle at Kealakekua he achieved a certain level of notoriety, which he paraded "with an imperiousness that matched and even exceeded his rank as a high chief." [7]

Within a year after Cook's death, the elderly ali'i Kalani'opu'u, crippled by age and disease, called together his retainers and divided his Hawaiian domain. His son Kiwala'o became his political heir. To his nephew Kamehameha, the elderly ali'i entrusted the war god Ku-ka'ili-moku. Although this pattern of dividing the succession of the chiefdom and the protectorate of the god Ku was legendary, some authors suggest it was also uncommon. [8] As the eldest son, a chief of high rank, and the designated heir, Kiawala'o's claim to the island of Hawai'i was "clear and irrefutable." However, although Kamehameha was of lower rank, and only a nephew of the late king, his possession of the war god was a powerful incentive to political ambition. Thus the old chief's legacy had effectively "split the political decision-making power between individuals of unequal rank" and set the stage for civil war among the chiefs of the island of Hawai'i. [10]

Although Kiwala'o was senior to Kamehameha, the latter soon began to challenge his authority. During the funeral for one of Kalani'opu'u's chiefs, Kamehameha stepped in and performed one of the rituals specifically reserved for Kiwala'o, an act that constituted a great insult.

After Kalani'opu'u died, in 1782, Kiwala'o took his bones to the royal burial house, Hale-o-Keawe, at Honaunau on the west coast of Hawai'i Island. Kamehameha and other western coast chiefs gathered nearby to drink and mourn his death. There are different versions of the events that followed. Bingham suggests that the old king had already divided the lands of the island of Hawai'i, giving his son Kiwala'o the districts of Ka'u, Puna, and Hilo. Kamehameha was to inherit the districts of Kona, Kohala, and Hamakua. It is not clear whether Kiwala'o's landing at Honaunau
was to deify Kalani'opu'u's bones or to attempt seizure of the district of Kona. Daws suggests that Kamehameha and the other chiefs had gathered at Honaunau to await the redistribution of land, which usually occurred on the death of a chief, and to make hasty alliances. When it appeared that Kamehameha and his allies were not to receive what they considered their fair share, the battle for power and property began.

Over the next four years, numerous battles took place as well as a great deal of jockeying for position and privilege. Alliances were made and broken, but no one was able to gain a decisive advantage. The rulers of Hawai'i had reached a stalemate. Writing a century later, Stevens and Oleson assert that Kamehameha spent the years during this time improving his lands and completing public works before embarking on his "career of conquest."

Kamehameha's superior forces had several times won out over those of other warriors. He took Kiwala'o's daughter Keopuolani captive and made her one of his wives; he also took the child Ka'ahumanu (once mentioned as a wife for Kiwala'o) and "betrothed her to himself." He thus firmly established himself as an equal contender for control over the Hawaiian lands formerly ruled by Kalani'opu'u. Eventually Kiwala'o was killed in battle, but control of the Island of Hawai'i remained divided. By 1786 the old chief Kahekili, king of Maui, had become the most powerful ali'i in the islands, ruling O'ahu, Maui, Moloka'i, and Lana'i, and controlling Kaua'i and Ni'ihau through an agreement with his half-brother Ka'eokulani.

In 1790 Kamehameha and his army, aided by Isaac Davis and John Young, invaded Maui. The great chief Kahekili was on O'ahu, attempting to stem a revolt there. Using cannon salvaged from the Fair American, Kamehameha's warriors forced the Maui army into retreat, killing such a large number that the bodies dammed up a stream. However, Kamehameha's victory was short-lived, for one of his enemies, his cousin Keoua, chief of Puna and Ka'u, took advantage of Kamehameha's absence from Hawai'i to pillage and destroy villages on Hawai'i's west coast.

Returning to Hawai'i, Kamehameha fought Keoua in two fierce battles. Kamehameha then retired to the west coast of the island, while Keoua and his army moved southward, losing some of their group in a volcanic steam blast.

This civil war, which ended in 1790, was the last Hawaiian military campaign to be fought with traditional weapons. In future battles Kamehameha adopted Western technology, a factor
that probably accounted for much of his success. Because of Kamehameha's presence at Kealakekua Bay during the 1790s, many of the foreign trading ships stopped there. Thus he was able to amass large quantities of firearms to use in battle against other leaders. However, the new weapons were expensive and contributed to large increases in the cost of warfare.

After almost a decade of fighting, Kamehameha had still not conquered all his enemies. So he heeded the advice of a seer on Kaua'i and erected a great new heiau at Pu'ukohola in Kawaihae for worship and for sacrifices to Kamehameha's war god Ku. Kamehameha hoped to thereby gain the spiritual power that would enable him to conquer the island. Some say that the rival chief Keoua was invited to Pu'ukohola to negotiate peace, but instead was killed and sacrificed on the heiau's altar. Others suggest that he was dispirited by the battles and was "induced to surrender himself at Kawaihae" before being killed. His death made Kamehameha ruler of the entire island of Hawai'i.

Meanwhile, Kahekili decided to take the advantage while Kamehameha was preoccupied with Keoua and assembled an army — including a foreign gunner, trained dogs, and a special group of ferociously tattooed men known as pahupu'u. They raided villages and defiled graves along the coasts of Hawai'i until challenged by Kamehameha. The ensuing sea battle (Battle of the Red-Mouthed Gun) was indecisive, and Kahekili withdrew safely to O'ahu.

Shortly thereafter, the English merchant William Brown, captain of the thirty-gun frigate Butterworth, discovered the harbor at Honolulu. Brown quickly made an agreement with Kahekili. The chief "ceded" the island of O'ahu (and perhaps Kaua'i) to Brown in return for military aid. Kamehameha also recognized the efficacy of foreign aid and sought assistance from Captain George Vancouver. Vancouver, a dedicated "man of empire," convinced Kamehameha to cede the island of Hawai'i to the British who would then help protect it. Kamehameha spent the next three years rebuilding the island's economy and learning warfare from visiting foreigners.

Upon Kahekili's death in 1794, the island of O'ahu went to his son Kalanikupule. His half-brother Ka'eokulani ruled over Kaua'i, Maui, Lana'i, and Moloka'i. The two went to war, each seeking to control all the islands. After a series of battles on O'ahu and heavy bombardment from Brown's ships, Ka'eokulani and most of his men were killed. Encouraged by the victory over his enemies, Kalanikupule decided to acquire English ships and military hardware to aid in his attack on Kamehameha. Kalanikupule killed Brown and abducted the remainder of his crew, but the British seamen were able to regain control and unceremoniously shipped
Kalanikupule and his followers ashore in canoes.

Recognizing his enemy's vulnerability, Kamehameha used his strong army and his fleet of canoes and small ships to liberate Maui and Moloka'i from Kalanikupule's control. Kamehameha's next target was O'ahu. As he prepared for war, one of his former allies, a chief named Kaiana, turned on him and joined forces with Kalanikupule. Nevertheless, Kamehameha's warriors overran O'ahu, killing both rival chiefs. Kamehameha could now lay claim to the rich farmland and fishponds of O'ahu, which would help support his final assault on Kaua'i.

By mid-1796, Kamehameha's English carpenters had built a forty-ton ship for him at Honolulu, and once again he equipped his warriors for battle and advanced on Kaua'i. However bad weather forced him to give up his plans for invasion. Meanwhile yet another challenger — Namakeha, Kaiana's brother — led a bloody revolt on Hawai'i, depopulating the area and forcing Kamehameha to return to Hawai'i to crush the uprising. Kamehameha used the next few years of peace to build a great armada of new war canoes and schooners armed with cannons; he also equipped his well-trained soldiers with muskets. He sailed this armada to Maui where he spent the next year in psychological warfare, sending threats to Ka'umuali'i, Kaua'i's ruler. This proved unsuccessful, so early in 1804 Kamehameha moved his fleet to O'ahu and prepared for combat. There his preparations for war were swiftly undone by an epidemic, perhaps cholera or typhoid fever, that killed many of his men.

... An American trader convinced Kamehameha to reach a compromise with Ka'umuali'i. Kamehameha was acknowledged as sovereign while Ka'umuali'i continued to rule Kaua'i, with his son as hostage in Honolulu.

After nine years at O'ahu, Kamehameha made a lengthy tour of his kingdom and finally settled at Kailua-Kona, where he lived for the next seven years. His rise to power had been based on invasion, on the use of superior force, and upon political machinations. His successful conquests, fueled by "compelling forces operating within Hawaiian society," were also influenced by foreign interests represented by men like Captain Vancouver.

3. Changes in Land Tenure, Government, and Hierarchal Structure

(a) Land Tenure

Upon unification of the Hawaiian kingdom in 1810, Kamehameha set about to consolidate his power base and instituted a number of changes in government, land tenure, and the hierarchal structure of society. This new government served Kamehameha's political needs and accommodated the economic demands of Western traders.
According to one author, Kamehameha's government drew upon the best of the old ways while "incorporating novelty without letting it become heresy or anarchy." [21]

Kamehameha used several different methods to disenfranchise his enemies. He ordered the houses of defeated chiefs burned and replaced rivals with those he trusted. For example, when forced to leave O'ahu and return to Hawai'i to put down a revolt, he left O'ahu in the charge of his own men rather than in the hands of local chiefs. His advisors were chosen for their loyalty to him as well as for their skills. Sahlins and Barrère suggest that the Hawaiian kings "looked with jealousy on any chief who had a wife of as high birth as his own." For this reason, all five of Kamehameha's wives were of high rank. By choosing these women, he eliminated the possibility of competition on the basis of rank after his death.

Political unification of the islands allowed Kamehameha to reorganize landholdings and paved the way for later changes in land tenure. Recognizing that control over resources was a major source of power, he began to make fundamental changes in the land redistribution patterns. Levin notes that "prior to Kamehameha's unification, the pattern of redistribution was to give sections of contiguous lands to relatives and retainers in traditionally held family lands." However Kamehameha broke this pattern. Retaining the choicest parcels of land for himself and his children, he then reapportioned the "smaller tracts of land in different mokus and on different islands to his kinsmen and followers in accordance to their rank and service." In return, they were to render public service in war or peace, and in raising a revenue. These let out large portions of their divisions to their favorites or dependents, who were in like manner to render their service, and bring the rent; and these employed cultivators on shares, who lived on the products which they divided, or shared with their landlord, rendering service when required, so long as they chose to occupy the land. [25]

Often this re-distribution of lands was "carried out with great severity." As Kamehameha's enemies were dispossessed of their lands, they lost the cadre of commoners who had provided their economic support and their political power. The ali'i who had formerly held tenure and administrative rights over large sections of land now found themselves without any responsibility for administration. Thus this new pattern of land redistribution entailed a differentiation between land tenure and administrative duties and a concomitant change in the administrative organization.

In other words, the ali'i were separated from "their traditional source of power" and lost control over large contiguous sections of land and over the maka'ainana, whom they "viewed as their junior kinsmen."
Kamehameha required his most influential rivals to dwell near him and to travel with him, making it easy to observe and thwart any scheming. He scattered the friendly chiefs' landholdings over several islands. These actions kept the ali'i away from their own lands where they could amass men and resources to overthrow Kamehameha. Townsend suggested that the king also made it a policy to change his residence occasionally, "for where he is known he will be popular." Because he was the kingdom's sole ruler, the local chiefs also lost much of their former autonomy in decision-making, and Kamehameha's decisions became the law by which people were governed.

These changes helped break down traditional kinship ties between the ali'i and the maka'a'ainana, leading to a sense of alienation and loss of the feeling of mutual obligation. As a result, the maka'a'ainana could be exploited through excessive taxation and, later, as labor for the sandalwood industry. "This marked a beginning of a shift in the conception of social stratification based on kinship to one which was less particularistic."

(b) Government Structure

Kamehameha added several new levels of government within the system. As an example, he chose for his advisors five Hawaiian chiefs, who served as a "council of state" whom he consulted on important matters. As these chiefs died, their sons replaced them, but their influence grew less as Kamehameha gradually assumed more power. The king chose as an executive officer a young Hawaiian chief named Kalanimoku (or, as he later chose to call himself, William Pitt). Pitt acted as treasurer, prime minister, and advisor to the king.

Kamehameha also appointed governors "of proven loyalty and executive ability" for each island. This action was in accord with the past Hawaiian tradition of installation of a governor or viceroy to rule newly acquired territory. However, because of the new type of land redistribution, the governor was "in effect merely an administrator" whose major responsibility was tax collection. At least two of these governors — Isaac Davis and John Young — were foreigners. They reported directly to Kamehameha and managed affairs in his absence. They apprised him of unrest anywhere in his kingdom and informed the chiefs of Kamehameha's wishes. Appointment of a governor for each island removed the autonomy of the individual chiefs, helped unify commerce and communication, and protected Kamehameha's own interests.

Kamehameha promoted unity among the islands by strongly encouraging traditional religious practices like the yearly Makahiki feasts and the construction of heiau. He used the kapu system as a religious framework to maintain control over his subjects and as a means of controlling production and distribution.
of goods, including trade with foreigners.

Kamehameha continued to collect taxes on a regular basis. Annual taxes were assessed by the king's tax agents and at first remained fairly stable from year to year. There were also other common rules that required presents to the king, especially when he was travelling. The individual chiefs who were given land now owed Kamehameha their political allegiance and had to share with him the products and services they acquired from the commoners who farmed the lands. As foreign trade and influence increased, so did the taxes, especially the odious request to cut sandalwood. Sometimes the lesser chiefs would tax the people "to a very considerable extent in the name of the king, but without his sanction."

Money from yearly tribute was used to promote increasingly lucrative trade with foreigners, which resulted in a number of new jobs, such as washing clothes for the sailors. Kamehameha levied duties on these new businesses and also taxed the commerce between the Hawaiian women and the sailors. In 1818 he established high harbor and pilot fees.

... During a significant part of the twenty-eight years it took Kamehameha to accomplish his goal to become the King of all of the islands of Hawai'i, Scotsman John Young and Welshman Isaac Davis assisted him. In Chapter III of A Cultural History of Three Traditional Hawaiian Sites on the West Coast of Hawai'i Island (1993), Diane Lee Rhodes wrote:

A. First White Residents of Hawai'i

1. Kamehameha Detains Two Foreigners

The first known westerners to have remained in the Hawaiian Islands, and certainly among the most influential individuals in terms of their impact on Hawai'i's development, were an Englishman, John Young, [aka 'Olohana] and a Welshman, Isaac Davis, [a.k.a. 'Aikake]. Both men were detained in Hawai'i unwillingly as the result of rather strange and interrelated circumstances. ...

... These events mark a turning point in Hawaiian history, for they provide the catalysts, in the form of Young and Davis, that enabled Kamehameha to succeed in his military ventures and eventually assert his dominance in the islands. It is the beginning of the transformation of the ancient Hawaiian civilization to a modern state.
2. Young and Davis Adjust to Their New Life

Although at first full of despair and fearful of what lay ahead, the two white men received only kind and respectful treatment from Kamehameha and his people:

... Finding their lives secure, and being watched closely and unable to escape, Young and Davis became reconciled to their lot. Their fortunes became quickly and closely linked to those of the king. They would play a significant role in Kamehameha's rise to dominance, and Young, especially, who quickly gained the king's trust and became his principal advisor, would be visited, consulted, or at least mentioned by every visitor to the islands for the next forty years. Young and Davis, although untutored seamen, were far above the ordinary class of sailor to which the Hawaiians had become accustomed. Possibly because they realized that in their position as advisor to Kamehameha they could accomplish things for themselves that would have been impossible elsewhere, they rose to the occasion and displayed great intelligence and fairness in their dealings with Kamehameha as well as sincere compassion for the Hawaiian people. ...

3. Young and Davis Aid Kamehameha's Wars of Conquest

Vancouver heartily encouraged Kamehameha and the Kona-Kohala chiefs to take advantage of the political expertise, technical knowledge, and military skills of Young and Davis in their struggle for dominance. In fact the success in conquest these chiefs experienced was primarily due to Young's and Davis's knowledge of Western firearms — including cannon and rifles, of fortification techniques, and of the martial arts." Kamehameha had a rather interesting method of utilizing his foreigners in battle:

It was customary, in an engagement, when victory began to incline to the standard of Tamaammaah, and the enemy wasyielding, for him to press upon him with so much vigour and rapidity, that it was not possible for us to load and fire upon the enemy, and at the same time keep up with the rapid movements and advance of the king. In this case, the chief, now called Billy Pitt, and prime minister, and who is a remarkably strong and well-built man, would place one of us on his shoulders, and another strong chief would take the other of us on his, and swiftly run with us to the front of the battle. There we were placed on the ground, and would then fire and reload. By that time the van would be considerably in advance, when the chiefs would again remount...
us and dash away to the front, and thus continue until the victory was decided, and none of the enemy were longer in sight.

Although other chiefs also employed foreign military experts, Kamehameha used his most successfully. Militarily Young and Davis were indispensable to Kamehameha during his conquest period, from about 1790 through the capitulation of Kaua'i in 1810. During this time they adopted the use of gunpowder and European military tactics to Hawaiian warfare. They mounted the small cannon from the [schooner] *Fair American* on carriages and trained the king's troops in the use of muskets and other firearms. It was a swivel gun obtained from a trader and mounted on a large double Canoe, manned by Young and Davis, that gave Kamehameha his advantage in naval warfare. The two advisors were also instrumental in providing Kamehameha's navy with the first keeled vessel constructed in Hawai'i, with the help of Captain Vancouver's carpenters. They also helped the king fortify his kingdom against invasion by building forts. Young and Davis, in charge of artillery, were especially important in engagements at Hilo against the forces of Keoua, in the naval encounter off Waipio under Ke'eaumoku, in the conquest of Maui, and in the celebrated battle of Nu'uanu that won O'ahu.

4. Young and Davis Conduct Business with Foreign Traders

In the years following Cook's discovery of Hawai'i, Kamehameha began to realize the advantages of having loyal white men within his inner circle to deal with foreign traders. Over this period of time he had become cognizant of the broad business acumen and wide variety of skills that foreigners possessed and had come to understand the need of including in his retinue foreign advisors adept in diplomacy and navigational and technical matters as well as military strategy.

Young and Davis, in addition to being the king's business agents, acted as interpreters between the king and foreign traders, supplying information to the former on the customs and habits of the visitors and explaining the Hawaiian way of thinking to the latter. When explorer Otto von Kotzebue wanted to survey Honolulu harbor, his men erected poles around the perimeter of the water to which white flags were attached. These greatly upset the Hawaiians, who believed either the Russians were taking possession of the island or that foreigners were making the waters kapu. Young explained the local agitation to Kotzebue, who then substituted brooms for the flying flags.

Known to Hawaiians as "Olohana," in reference to his frequent boatswain's call of "All Hands" for any duty he required of them, Young piloted many ships in and out of Hawaiian harbors and served as Kamehameha's agent in business transactions with visiting sea captains. On board ship Young would provide the
visitors with information about activities on the island and the arrival and departure times of other trading vessels and dispense any current news that might interest them. Archibald Menzies, surgeon and naturalist with Vancouver on board the *Discovery*, states that Young and Davis were extremely useful to them because of their acquired knowledge of the language and customs of the Hawaiians:

One of them lived on each vessel, especially in the daytime, and transacted all business of intercourse and traffic between us and the natives, with such candour and fairness as entitled them to our approbation and regard and reflected much credit on their conduct.

William Shaler, master of the *Lelia Byrd*, which brought the first horses to Hawai‘i in 1803, said that

John Young and Isaac Davis have been the principal means of convincing the islanders of the good policy of treating the foreigners well, and have shown them the great advantages that would derive from a friendly intercourse with them.

... 

6. Young and Davis are Active in Kamehameha's Government

Both men were considered to be of good character and very influential, in their adopted homeland as well as among their own countrymen and men of other nations, as is documented by navigators, traders, missionaries, and businessmen. Their wise counsel and natural tact enabled the king to cope with the myriad of administrative matters involved in consolidation of his kingdom. Hawaiian chiefs and commoners, especially during the period of the disintegration of their traditional society, of necessity placed their confidence and trust in Europeans who not only could advise them on foreign customs but who, being independent of local politics, could also be trusted to act in the best interest of the Hawaiian people as a whole. A glance at the documents reveals that most visitors considered Young and Davis a good influence on the Hawaiian people, especially compared to most of the sailors and traders to whom the Hawaiians had theretofore been exposed.

... 

(Footnotes omitted.)

About 1805, Young married Princess Ka‘an‘eheha, the daughter of the brother of Kamehameha.

In 1816, John Palmer Parker married Kamehameha’s
According to Hawaii History.org:

The concept of private property was unknown to ancient Hawaiians, but they did follow a complex system of land division. All land was controlled ultimately by the highest chief or king who held it in trust for the whole population. Who supervised these lands was designated by the king based on rank and standing. A whole island, or mokupuni, was divided in smaller parts, down to a basic unit belonging to a single family.

Each mokupuni was divided into several moku, the largest units within each island, usually wedge-shaped and running from the mountain crest to shore. O‘ahu was divided into six moku.

Each moku was divided into ahupua’a, narrower wedge-shaped land sections that again ran from the mountains to the sea. The size of the ahupua’a depended on the resources of the area with poorer agricultural regions split into larger ahupua’a to compensate for the relative lack of natural abundance. Each ahupua’a was ruled by an ali‘i or local chief and administered by a konohiki.

Within the ahupua’a, ‘ili were smaller divisions (two or three per ahupua’a) that constituted the estate of the chief. Each ‘ili could be formed of noncontiguous pieces called lele, or jumps. Mo‘o were sections of the ‘ili that were arable; usually these agricultural units did not extend to the sea. Smaller yet were the kuleana, or land tracts used by the common people for cultivation of crops. The size of kuleana, like the size of ahupua’a, depended on the natural fertility and abundance of the land.

The ancient ahupua’a, the basic self-sustaining unit, extended elements of Hawaiian spirituality into the natural landscape. Amidst a belief system that emphasized the interrelationship of elements and beings, the ahupua’a contained those interrelationships in the activities of daily and seasonal life.

Shaped by island geography, each ahupua’a was a wedge-shaped area of land running from the uplands to the sea, following the natural boundaries of the watershed. Each ahupua’a contained the resources the human community needed, from fish and salt, to fertile land for farming taro or sweet potato, to koa and other trees growing in upslope areas. Villagers from the coast traded fish for other foods or for wood to build canoes and houses. Specialized knowledge and resources peculiar to a small area were also shared among ahupua’a.

Although there was no private ownership of property, land tenure of the maka‘ainana (commoners) was stable. They paid weekly labor taxes and annual taxes to the konohiki, or local overseer, who collected goods to support the chief and his court. The konohiki supervised communal labor within the ahupua’a and also regulated land, water and ocean use.

Stewardship of the land and its resources was formalized through the kapu system. The kapu (taboo) - administered and enforced by konohiki and kahuna, or priests - placed restrictions on fishing certain species during specific seasons, on gathering and replacing certain plants, and on many aspects of social interaction as well. In this way, the community maintained a sustainable lifestyle. Through sharing resources and constantly working within the rhythms of their natural environment, Hawaiians enjoyed abundance and a quality lifestyle with leisure time for recreation during the harvest season of the year. This lifestyle also encouraged a high level of artistic achievement. Many crafts, including Hawaiian kapa and featherwork, were the finest in the Pacific. Hawaiians devoted themselves to competitive sport and martial arts as well as expression through dance and chant, creating rich traditions that continue today.

In The Backlash Against PASH (Public Access Shoreline Hawaii by Rothstein v. Hawai'i County Planning Commission,
Although either party could disregard its responsibilities, this was not very common. If a konohiki was cruel or abusive, the maka'ainana were free to move to another district. Likewise, if a maka'ainana was not fulfilling his or her tasks, s/he could be evicted or killed. Despite the fact that the maka'ainana did not own the land they occupied, they were “fixed residents” and often had more security than the ali'i. If a mo'i [highest chief or King] was replaced as a result of natural death or warfare, control of the land was usually redistributed without displacing the maka'ainana.

In Chapter 18, the translated writings of David Malo state in part:

44. There was a great difference between chiefs. . . . There were few kings who conducted themselves properly as Kamehameha I did. He looked well after the peace of the land.

. . .

63. The condition of the common people was that of subjection to the chiefs, . . .

64. . . . The people held the chiefs in great dread and looked upon them as gods.

65. Only a small portion of the kings and chiefs ruled with kindness, the large majority simply lorded it over the people.

. . .

71. The (country) people generally lived in a state of chronic fear and apprehension of the chiefs; . . .

Portuguese physician John Elliot de Castro sailed to Hawai'i in 1814. He became a retainer of Kamehameha, serving as his personal physician and as member of the royal court. Kamehameha awarded him large tracts of land. De Castro left Hawai'i but returned in 1817 and regained control of his land and his position as the King's personal physician.

In 1808, a Russian ship owned by Russia’s “Russian-American Company”, a state-sponsored chartered company, arrived in Hawai'i to purchase foodstuffs, salt and sandalwood. In 1815, a Russian ship with an estimated 100,000 roubles worth of furs ran aground in a storm near Kaua'i. The ship and its cargo was seized by Ka'umu'ali'i. In 1815, the Isabella, a commercial Russian ship with physician Georg Schäffer in command arrived in Honolulu. Schäffer provided medical services to Kamehameha and Ka'ahumanu and was granted parcels of land and permission to set up trading stations. In 1816, three RAC ships sailed to Kaua'i. The following is from HawaiiHistory.org:

When Schäffer met [Ka'umu'ali'i] on Kaua'i, the high chief agreed to return the cargo still in his possession and to pay restitution in sandalwood for any items that could no longer be accounted for. [Ka'umu'ali'i] asked that Kaua'i be placed under Russian protection and he granted the Russians a sandalwood trading monopoly. Schäffer and [Ka'umu'ali'i] signed a “secret treaty” July 1, 1816: [Ka'umu'ali'i] was to provide 500 men for the conquest of O'ahu, Lana'i, Maui and Moloka'i; Schäffer was to provide brigs, weapons and ammunition in trade for a sandalwood monopoly. Schäffer was also to oversee the construction of new forts and trading posts. Russian American Company employees and more than 300 native Hawaiians, including [Ka'umu'ali'i]s wives, built
Fort Elisabeth under this pact. Kaua‘i chiefs and chiefesses also granted land to Schaffer and other RAC employees in leeward Waimea, Makaweli and Hanapepe. Kaʻumūʻaliʻi granted Schaffer the entire district of Hanalei on the north (windward) shore where Schaffer began building two forts, Alexander and Barclay. Using furs as barter, Schaffer purchased two American ships for Kaʻumūʻaliʻi, the Lydia and Avon.

Rumors of hostile Russian warships reached Kamehameha by late 1816. When the Russian naval ship Rurik under the command of Lieutenant Otto von Kotzebue arrived in Hawai‘i in December 1816 during its around-the-world voyage, it was met by 400 Kamehameha loyalists armed with muskets. Kotzebue quickly made it known that he had no intention of conquest and he eventually sailed from Hawai‘i without ever visiting Schaffer on Kaua‘i.

Observing Kotzebue’s behavior, Kaʻumūʻaliʻi now concluded Schaffer did not have the support of the Russian-American Company and he ordered Schaffer and his employees to leave Kaua‘i.

In 1816, the Hawaiian flag, with its Union Jack and red, white and blue stripes, became Hawai‘i’s flag.

When Kamehameha died in 1819, his son, Liholiho (Kamehameha II), who was born circa 1797, became King but not the absolute monarch. Queen Kaʻahumanu, who was Kamehameha’s favorite wife but not the mother of Kamehameha II, successfully insisted that she would be the Kuhina Nui of Hawai‘i, holding no less than equal authority to the King in all matters of government.

Kamehameha was the sole owner of the sandalwood business. Hawaiians usually called sandalwood ‘iliahi. It was also known as l’a‘ula. The following is quoted from HawaiiHistory.org:

In 1811, an agreement between Boston ship captains and Kamehameha established a monopoly on sandalwood exports with Kamehameha receiving 25% of the profits. This agreement stood for only one shipment, though, and shortly thereafter the War of 1812 resulted in a British blockade of Hawai‘i for two years. When a vigorous trade resumed in 1814, Kamehameha controlled it as a near-monopoly through the use of his agents. While a few individual chiefs also dealt directly with traders, it was not until the death of Kamehameha that a wholesale pillaging of sandalwood forests took place. While Kamehameha still held the reigns, he placed a kapu on young trees and no transaction was ever done on credit. As trade and shipping brought Hawai‘i into contact with a wider world, it also enabled the acquisition of Western goods, including arms and ammunition. Kamehameha used Western cannon and guns to great advantage in his unification of the Islands and also acquired Western-style ships, buying the brig Columbia for a price of two ship loads of sandalwood in 1817. After Kamehameha’s death, his son Kamehameha II fell into debt with sandalwood traders. Having given away his own lands, he relied on the wood supplies of others, but he was unable to stop other chiefs from negotiating their own trade deals. [Kamehameha II died in London in 1824.] By 1826, American traders were complaining about the debts owed by the king and chiefs and a general tax was imposed to pay off some of their collective debt. Traders played off the rivalry among chiefs to get the best price, ultimately accelerating the depletion of forests. The wood was sold by weight using a measure called a picul (133 1/3 pounds or about what a strong man could carry on his back). Traders made a profit of three to four dollars on each picul they bought in Hawai‘i (at $7-$10) and then sold in Canton. As logging continued, wood quality degenerated and stands of sandalwood were harder to find. Natives set fire to areas to detect the trees by their sweet scent. While mature trees could withstand the fire, the flames wiped out new seedlings.

In the April 14, 2006, issue of the Honolulu Advertiser, Duane Choy wrote the following description of the “general tax” that “was imposed” in 1826:
In December 1826, the kingdom of Hawai‘i enacted its first written law — a sandalwood tax. Every man was ordered to deliver to the government a half picul of ‘iliahi, or pay four Spanish dollars, by Sept. 1, 1827. Every woman older than 13 was obligated to make a 12-by-6-foot kapa cloth. The taxes were collected to reduce the staggering promissory-note debt.

In the June 7-9, 2013, issue of *Maui No Ka‘Oi Magazine*, Shannon Wianecki wrote that “[h]arvesters were nicknamed ‘kua leho’ (callous back); logs often arrived stained with blood. By 1840, the sandalwood supply was exhausted.”

In Chapter IV of *A Cultural History of Three Traditional Hawaiian Sites on the West Coast of Hawai‘i Island* (1993), Diane Lee Rhodes wrote:

The sandalwood trade under Kamehameha had serious repercussions on Hawaiian culture. The income from the sandalwood encouraged the purchase of luxury goods and the transition to a cash economy, and in numerous subtle ways helped to undermine the kapu system. It became the main source of revenue for the Hawaiian chiefs. After the War of 1812, this million-dollar-market allowed the Hawaiians to purchase ships and munitions; the king himself had acquired more than thirty ships by 1819.

Kamehameha had clearly established commercial trade and associated business ventures as the best means of obtaining the luxury items and other goods that had become so important to certain segments of Hawaiian society.

Prior to and during Kamehameha’s reign, Europeans and European Americans brought horses, cattle, sheep, goats and pigs to Hawaii. Kamehameha placed a kapu on the cattle. Wild cattle quickly multiplied and caused serious harm to people, plants and animals. Kamehameha authorized John Parker to capture wild cattle and develop a beef industry. Later, Kamehameha III imported Spanish horsemen and cattle herders from Mexico and California to assist.

The following is quoted from [www.freehawaii.org](http://www.freehawaii.org) from the same source noted above.

Hewahewa, a high ali‘i himself, and the highest of the (religious) kahuna in the Kingdom of Hawaii under Kamehameha I. He was a direct descendant of Pa‘ao.

Shortly after the death of Hawai‘i’s first king, the leadership of the Islands fell into the hands of the “feisty” Ka‘ahumanu, the 3rd of Kamehameha’s wives and the independent minded “love of his life”. She was the kahuna nui, the queen regent and although childless herself, ruled, along with Keopuolani and her son Liholiho, until he was old enough and was qualified to rule. Keopuolani, Kamehameha’s first wife, had much more mana, that elusive power that separated the “ali‘i”- royalty, from the “kanaka maoli” - the common people. She was so supremely royal that the King himself had to strip naked and crawl on his stomach whenever he wished to approach her.

These three, along with Hewahewa, ruled Hawaii after the death of the king, and they saw the kapu system was grievous to the people, made great demands on them, often costing their lives for a simple mistake or small infraction. They also saw that with the foreigners, who were more frequently coming to their shores, that these rules were not observed and the world did not come crashing down. The stage was set for change.

In “The Overthrow of the Kapu System in Hawaii”, published in *The Journal of the Polynesian Society*, Vol. 77, No. 4 (December 1968), Stephenie Seto Levin wrote:

In 1819, Liholiho, son of Kamehameha I, flagrantly violated the religious prohibition (kapu) against eating with women. He did so at the behest of his mother, Keopuolani, who was the highest ranking chiefess (ali‘i) in the Hawaiian Islands, and his classificatory mother Kaahumanu 1 who had recently assumed the newly created office of kuhina nui (regent). This incident has
been held by historians and anthropologists to be the immediate cause of what one writer has termed “the Hawaiian cultural revolution.” One of the social consequences of this upheaval was the abrogation of the kapu system of legal proscriptions sanctioned by religious belief and enforced by the secular power of the political authority. Almost simultaneously, the religious observances at the temples were suspended forever. With the suspension of religious observances came the disenfranchisement of the orders of hereditary priests whose social and sacred functions reinforced and legitimated the existing political authority. Thus, the effect of the abolition of the kapu system was to destroy most of the religious and supernatural foundations of the Hawaiian political structure.

In an August 1, 2010, hawaiiantimemachine.blogspot.com post, Island Expat notes in “‘Ai Noa: Breaking the Food Kapu, 1819” that

[...]he diary of the Spaniard Marin shows that on November 6, 1819, orders were received in Honolulu from the king directing that men and women should eat together and should eat equally of foods formerly prohibited to the women. On the following day, Marin notes, women ate pork and the heiaus were destroyed.

But the revolution was not yet complete. A large number refused to cast aside the old practices and many idols instead of being burned were merely hidden from sight. Disaffected chiefs from Hawaii plotted to restore the kapus. An embassy led by Keopuolani was sent to reason with the rebels but all conciliatory efforts failed and the issue was put to the test at the battle of Kuamo'o. The king’s army was victorious and the old religion as an organized system was finally abandoned.

In the aftermath of events, while the revolution greatly weakened the power of the priests, it did not altogether destroy their power, and the primacy of the chiefs was scarcely affected. As for the people, after what was essentially a shake up of the state religion, they remained at liberty to worship their personal deities, their aumakua; hula teachers could make offerings to Laka and the devoted could continue to make offerings to Pele.

HawaiiHistory.org identifies the leaders of the defeated ali‘i as Kekuaokalani, the son of Kamehameha’s younger brother who was named second heir, and two powerful kahuna, Kuaiwa and Holoialena.

From 1820 until 1845, Lahaina was the capital of the Kingdom of Hawai‘i.

Christian missionaries first came to Hawai‘i in 1820. Hiram Bingham was one of them. One of their goals was to create an alphabet for the Hawaiian language. They accomplished this goal in 1926 using twelve letters of the Roman alphabet. The printing of the Bible in the Hawaiian language was completed in 1839.

In 1825, in a successful effort to convince Hawaiians to become Christians, High Chiefess Kapiolani of Kealekekua Bay proceeded to the rim of the volcano Kilauea, descended into the crater and defied Pele by eating some of the goddess’ sacred ohelo berries and throwing stones into the volcano. She departed unharmed.

Kamehameha III was born in 1813. Kamehameha II died in 1824. From 1824 to 1832, Kamehameha III’s stepmother, Ka‘ahumanu, governed Hawai‘i. Reverend Hiram Bingham was advisor to Ka‘ahumanu. Ka‘ahumanu was baptized in 1825 and legitimized Christianity. In 1830, Ka‘ahumanu issued an edict forbidding hula and olioli (chants) as well as mele.

In “A Guide to the United States’ History of Recognition, Diplomatic, and Consular Relations, by Country, since 1776:
On December 23, 1826, the U.S. signed articles of arrangement in the typical form of a treaty of friendship, commerce, and navigation with the Kingdom of Hawaii in Honolulu, which confirmed the peace and friendship between the peoples of the two countries. The agreement was signed by the captain of the U.S. sloop of war Peacock Thomas ap Catesby Jones, who was appointed by the U.S., and Guardians of Kauikeaouli, King of the Sandwich Islands: Elisabetha Kaahumanu, the Queen Regent; Karaimoku, the Prime Minister; Boki, Governor of Oahu and personal guardian of the King; Howapili, guardian of Nahienaena, sister of the King; and Lidia Namahana, who was a dowager queen of Kamehameha I. This was the first treaty that the Kingdom of Hawaii signed with any foreign power. It was never ratified by Congress, although both countries acted in accordance with its articles.

This treaty stated in part:

Art. 1st

The peace and friendship subsisting between the United States, and their Majesties, the Queen Regent, and Kauikeaouli, King of the Sandwich Islands, and their subjects and people, are hereby confirmed, and declared to be perpetual.

Art. 2nd

The ships and vessels of the United States (as well as their Consuls and all other citizens within the territorial jurisdiction of the Sandwich Islands, together with all their property), shall be inviolably protected against all Enemies of the United States in time of war.

Art. 3rd

The contracting parties being desirous to avail themselves of the bounties of Divine Providence, by promoting the commercial intercourse and friendship subsisting between the respective Nations, for the better security of these desirable objects, Their Majesties bind themselves to receive into their Ports and Harbours all ships and vessels of the United States; and to protect, to the utmost of their capacity, all such ships and vessels, their cargoes officers and crews, so long as they shall behave themselves peacefully, and not infringe the established laws of the land, the citizens of the United States being permitted to trade freely with the people of the Sandwich Islands.

Art. 4th

Their Majesties do further agree to extend the fullest protection, within their control, to all ships and vessels of the United States which may be wrecked on their shores; and to render every assistance in their power to save the wreck and her apparel and cargo; and as a reward for the assistance and protection which the people of the Sandwich Islands shall afford to all such distressed vessels of the United States, they shall be titled to a salvage, or a portion of the property so saved; but such salvage shall, in no case, exceed one third of the value saved; which valuation is to be fixed by a commission of disinterested persons who shall be chosen equally by the Parties.

Art. 6th
Citizens of the United States, whether resident or transient, engaged in commerce, or trading to the Sandwich Islands, shall be inviolably protected in their lawful pursuits; and shall be allowed to sue for, and recover by judgment, all claims against the subjects of His Majesty The King, according to strict principles of equity, and the acknowledged practice of civilized nations.

Art: 7th

Their Majesties do further agree and bind themselves to discountenance and use all practicable means to prevent desertion from all American ships which visit the Sandwich Islands; and to that end it shall be made the duty of all Governors, Magistrates, Chiefs of Districts, and all others in authority, to apprehend all deserters; and to deliver them over to the master of the vessel from which they have deserted; and for the apprehension of every such deserter, who shall be delivered over as aforesaid, the master, owner, or agent, shall pay to the person or persons apprehending such deserter, the sum of six Dollars, if taken on the side of the Island near which the vessel is anchored; but if taken on the opposite side of the Island, the sum shall be twelve Dollars; and if taken on any other Island, the reward shall be twenty four Dollars, and shall be a just charge against the wages of every such deserter.

Art: 8th

No tonnage dues or impost shall be exacted of any Citizen of the United States which is not paid by the Citizens or subjects of the nation most favoured in commerce with the Sandwich Island; and the citizens of subjects of the Sandwich Islands shall be allowed to trade with the United States, and her territories, upon principles of equal advantage with the most favoured nation.

Done in council at Honolulu, Island of Waohoo, this 23rd day of December in the year of our Lord 1826.

In 1827, Catholic priests and brothers arrived in Hawai‘i. They and their converts were persecuted and severely punished at the behest of Ka‘ahumanu, Bingham and Kamehameha III’s half-sister, Elizabeth Kina‘u.

In 1831, Ka‘ahumanu ordered all Catholic priests to leave Hawai‘i. After the priests departed, their converts who refused to abandon the Catholic religion and to embrace the faith of Bingham continued to be persecuted and severely punished for their religious beliefs.

When Ka‘ahumanu died in 1832, she was replaced by Kina‘u, who took the title Ka‘ahumanu II.

In 1833, Kamehameha III approved cultural pastimes such as the hula.

In the early 1830s, two-hundred Mexican men were brought to the island of Hawai‘i to work as paniolos (cowboys).

The following is from “Ulukau: The Hawaiian Electronic Library” by Rile M. Moffat and Gary L. Fitzpatrick, Chapter 5 “Surveys from the Mahele”, page 99:

The ahupua‘a of Koloa is on the southern coast of Kaua‘i in an area . . . now frequently referred to as Poipu. Koloa plantation was the site of the first large-scale effort at sugar production in Hawai‘i. In 1835, Ka‘u‘ikeaouli [Kamehameha III] leased one thousand acres of land there to a firm known as Ladd and Company. A large mill was built at Koloa in either 1840 or 1841.

The construction of a congregational church was started in 1836 and completed in 1842. Designed by Bingham, it was
constructed of some 14,000 thousand-pound slabs of coral rock quarried from an offshore reef on the southern coast of O‘ahu. Hawaiian divers with hand tools dived 3 to 6 meters below sea-level to chisel out each coral block, which had then to be transported from the reef and onto shore. In 1853, it was named the Kawaiaha‘o Church.

In 1837, Kamehameha III promulgated “AN ORDINANCE Rejecting the Catholic Religion”. In part, it stated:

Therefore, I, with my chiefs, forbid, by this document that anyone should teach the peculiarities of the Pope’s religion, nor shall it be allowed to any one who teaches those doctrines or peculiarities to reside in this kingdom; nor shall the ceremonies be exhibited in our kingdom, nor shall any one teaching its peculiarities or its faith be permitted to land on these shores; for it is not proper that two religions be found in this small kingdom…

The Kawaiaha‘o Church was primarily for the ali‘i. In 1837, some maka‘ainana asked Bingham to establish a church for them in Honolulu. Kamehameha’s granddaughter, Laura Konia, and her husband, Abner Ku‘oheleihiahu P___k___, donated the land at the corner of Smith and Beretania Streets. The first Kaumakapili Church building, constructed of adobe with a thatched roof, was dedicated in 1839. A new brick and wood frame church building with two steeples was built for the church from 1881 to 1888; however, that building was burned along with large areas of Chinatown in an attempt to control an outbreak of bubonic plague. Construction began on a third church building at the current site in 1910; this church was dedicated in 1911.

Through her mother, Miriam Auhea Kalani Kui Kawakiu o Kekuluohi Keali‘ihanauali‘oi Kalani Makahonua Ahilapalapa Kai Wikapu o Kaleilei a Kalakua was a step-daughter of Kamehameha I and through her father she was a cousin of Kamehameha I. She was also half-sister of Kam___malu and K___na’u. She was a Queen consort of Kamehameha I. She was one of five consorts of her cousin Kamehameha II. In 1821 she was given by Kamehameha II to his friend Charles Kana’ina in marriage. She became Kuhina Nui on April, 5, 1839 and took the name Ka‘ahumanu III. She and Kana’ina are the parents of William Charles Lunalilo who became King Lunalilo in 1873. Kekuluohi died in 1845.

In 1839, the French frigate L’Artémise sailed to Hawai‘i under orders from French King Louis Philippe to

[d]estroy the malevolent impression which you find established to the detriment of the French name; to rectify the erroneous opinion which has been created as to the power of France; and to make it well understood that it would be to the advantage of the chiefs of those islands of the Ocean to conduct themselves in such a manner as not to incur the wrath of France. You will exact, if necessary with all the force that is yours to use, complete reparation for the wrongs which have been committed, and you will not quit those places until you have left in all minds a solid and lasting impression.

Soon after the L’Artémise and its Commander, Captain Laplace, arrived in Hawai‘i, Laplace presented his demands. In response, Kamehameha III issued the following Edict of Toleration: “That the Catholic worship be declared free, throughout all the dominions subject to the king of the Sandwich Islands; the members of this religious faith shall enjoy in them the privileges granted to Protestants.” Kamehameha III also conveyed land to the Roman Catholic Church and paid $20,000 to Laplace as a guarantee of compliance. In 1840, Kamehameha III attended the laying of the cornerstone for the Cathedral of Our Lady of Peace. Built with the same kind of coral rock as was used in the construction of the Kawaiaha‘o Church, it was completed in 1843.
In 1839, Kamehameha III promulgated the following Declaration of Rights:

**BOTH OF THE PEOPLE AND CHIEFS.**

God hath made of one blood all nations of men to dwell on the earth, in unity and blessedness. God has also bestowed certain rights alike on all men and all chiefs, and all people, of all lands. These are some of the rights which He has given alike to every man and every chief of correct deportment; life, limb, liberty, freedom from oppression; the earnings of his hands and the productions of his mind, not however to those who act in violation of the laws.

God has also established government, and rule, for the purpose of peace; but in making laws for the nation it is by no means proper to enact laws for the protection of the rulers only, without regard to enriching their subjects also, and hereafter there shall by no means be any laws enacted which are at variance with what is above expressed, neither shall any tax be assessed, nor any service or labor required of any man, in a manner which is at variance with the above sentiments.

**PROTECTION FOR THE PEOPLE DECLARED.**

The above sentiments are hereby published for the purpose of protecting alike, both the people and the chiefs of all these islands, while they maintain a correct deportment; that no chief may be able to oppress any subject, but that chiefs and people may enjoy the same protection, under one and the same law.

Protection his hereby secured to the persons of all the people, together with their lands, their building lots, and all their property, while they conform to the laws of the kingdom, and nothing whatever shall be taken from any individual except by express provision of the laws. Whatever chief shall act perseveringly in violation of this constitution, shall no longer remain a chief of the Hawaiian Islands, and the same shall be true of the Governors, officers, and all land agents,

But if any one who is deposed should change his course and regulate his conduct by law, it shall then be in the power of the chiefs to reinstate him in the place he occupied previous to his being deposed.

**EXPOSITION OF THE PRINCIPLES ON WHICH THE PRESENT DYNASTY IS FOUNDED.**

The origin of the present government, and system of polity, is as follows: Kamehameha I, was the founder of the kingdom, and to him belonged all the land from one end of the Islands to the other, though it was not his own private property. It belonged to the chiefs and people in common, of whom Kamehameha I was the head, and had the management of the landed property.

Wherefore, there was not formerly, and is not now any person who could or can convey away the smallest portion of land without the consent of the one who had, or has the direction of the kingdom.

In 1840, Kamehameha III promulgated a Constitution changing the government of Hawai‘i from an Absolute Monarchy to a Constitutional Monarchy allocating some of the powers of government (a) to a legislative branch and (b) to a judicial branch. The King appointed the Kuhina Nui (Premier). No law could become effective without the consent of the King, the Kuhina Nui, the Nobles, and the Representatives. Nobles were named in the Constitution. Other Nobles could be named by law. The Representatives were elected “by the people[.]” The form of choosing them and the number to be chosen were to be determined by law.

The King was the Chief Judge, and the Kuhina Nui was a member, of the Supreme Court. The other four members were
appointed by the Representatives. Amendments to the Constitution required the favorable vote of the Nobles and the Representatives in two successive years. This Constitution repeated the 1839 Declaration of Rights and added the following:

It is our design to regulate our kingdom according to the above principles and thus seek the greatest prosperity both of all the chiefs and all of the people of these Hawaiian Islands. But we are aware that we cannot ourselves alone accomplish such an object--God must be our aid, for it is His province alone to give perfect protection and prosperity.--Wherefore we first present our supplication to HIM, that he will guide us to right measures and sustain us in our work.

It is therefore our fixed decree,

I. That no law shall be enacted which is at variance with the word of the Lord Jehovah, or at variance with the general spirit of His word. All laws of the Islands shall be in consistency with the general spirit of God’s law.

II. All men of every religion shall be protected in worshiping Jehovah, and serving Him, according to their own understanding, but no man shall ever be punished for neglect of God unless he injures his neighbor, or bring evil on the kingdom.

III. The law shall give redress to every man who is injured by another without a fault of his own, and shall protect all men while they conduct properly, and shall punish all men who commit crime against the kingdom or against individuals, and no unequal law shall be passed for the benefit of one to the injury of another.

IV. No man shall be punished unless his crime be first made manifest, neither shall he be punished unless he be first brought to trial in the presence of his accusers, and they have met face to face, and the trial having been conducted according to law, and the crime made manifest in their presence, the punishment may be inflicted.

V. No man or chief shall be permitted to sit as judge or act on a jury to try his particular friend (or enemy), or one who is especially connected with him. Wherefore if any man be condemned or acquitted, and it shall afterwards be made to appear, that some one who tried him acted with partiality for the purpose of favoring his friend (or injuring his enemy), or for the purpose of enriching himself, then there shall be a new trial allowed before those who are impartial.

EXPOSITION OF THE PRINCIPLES ON WHICH THE PRESENT DYNASTY IS FOUNDED.

The origin of the present government, and system of polity, is as follows: Kamehameha I, was the founder of the kingdom, and to him belonged all the land from one end of the Islands to the other, though it was not his own private property. It belonged to the chiefs and people in common, of whom Kamehameha I was the head, and had the management of the landed property. Wherefore, there was not formerly, and is not now any person who could or can convey away the smallest portion of land without the consent of the one who had, or has the direction of the kingdom.

These are the persons who have had the direction of it from that time down, Kamehameha II, Kaahumanu I, and at the present time Kamehameha III. These persons have had the direction of the kingdom down to the present time, and all documents written by them, and no others are the documents of the kingdom.

The kingdom is permanently confirmed to Kamehameha III, and his heirs, and his heir shall be the person whom he and the chiefs shall appoint, during his life time, but should there be no appointment, then the decision shall rest with the chiefs and house of Representatives.
PREROGATIVES OF THE KING.

The prerogatives of the King are as follows: He is the sovereign of all the people and all the chiefs. The kingdom is his. He shall have the direction of the army and all the implements of war of the kingdom. He also shall have the direction of the government property—the poll tax—the land tax—the three days monthly labor, though in conformity to the laws. He also shall retain his own private lands, and lands forfeited for the non-payment of taxes shall revert to him.

The "NHSC Ancient History To The Reciprocity Treaty" describes relevant events that occurred when Kamehameha III was King:

D. THE REIGN OF KAMEHAMEHA III (1825-1854)

The reign of Kamehameha III was the longest in Hawaiian history—from 1825 to 1854. Many changes occurred during this time: the establishment of a system of laws, and, eventually, a constitutional government; formal relationships with foreign governments; land reform; and commercial, social, and educational developments.

Creation of a System of Laws

Kauikeaouli, younger brother of Kamehameha II, was a minor when he succeeded to the throne of Hawaii after the death of his brother in London. The kingdom was still governed by the powerful Kaahumanu until her death in 1832.

The first laws appeared in the kingdom before the death of Kamehameha II, made necessary by the increasing problems involved with reconciling the newly-acquired Christian principles of the natives with the unruly behavior of the sailors in the port areas. The earliest printed laws were the "Notices" of 1822 on disturbing the peace. In 1827, three laws were adopted against murder, theft, and adultery.

During the regency of Kaahumanu, there had been a general tightening of laws and restrictions placed on both natives and foreigners. After her death in 1832, the missionaries worried that, without her powerful support, many of their gains in promoting what they considered a Christian nation would disintegrate. They were not wrong. The king, at eighteen, had no sympathy for the new religion. In his rebellion against the puritanical laws imposed during the regency of Kaahumanu, the king abrogated all laws except those against theft and murder. He embarked on a "kind of inventive guerrilla war on Christian morality." The commoners followed his example and the missionaries despaired as the moral laws they had worked so hard to have accepted were ignored.

One author attributes this attitude of the king to cultural and political reasons:

In the revival of the hula and ancient games we recognize elements of the racial culture struggling for expression after a long period of forced retirement. There was also during these two years (1833 and 1834) a protracted struggle between the king and the older chiefs resulting from the decision of the king to terminate—the regency and from what looks like an attempt on his part to regain for the crown as much as possible of the power which had gradually passed into the hands of the council of chiefs.

The king's rebellion came to an end in June, 1834. At that time, Kamehameha III retired from actively governing the kingdom and allowed the new kuhina nui, his half-sister Kinau, and the chiefs to run the government, as they had before the death of Ka'ahumanu.
Meanwhile, the problems inherent in governing a foreign population that frequently called upon warships to back up their claims continued to plague the ruling chiefs. The majority of the claims against the government by foreigners dealt with land and property rights. Unfamiliar with Western property rights and laws, the chiefs decided that it would be necessary to establish more formal laws and government in the kingdom to answer these claims.

To begin this process, a request was made to the United States in 1836 by the chiefs for a teacher of economics and political science. When no suitable teacher could be found, William Richards, a missionary, became “chaplain, teacher and translator” to the king in 1838. This is the beginning of the formal involvement of missionaries in the government of the Hawaiian kingdom. During the 1840’s more missionaries formally joined the king’s cabinet: the physician Gerrit P. Judd; Lorrin Andrews, former principal of Lahainaluna; and Richard Armstrong, pastor of Kawaiahao Church in Honolulu. Missionaries who joined the government were required to break formal connection with the American Board of Commissioners for Foreign Missions.

Other white men found their way into the government from diverse backgrounds: John Ricord became attorney general; William Little Lee became chief justice of the Hawaiian supreme court while still in his twenties; Robert C. Wyllie served as foreign minister for twenty years. The numbers and influence of these men in the government grew. By the end of 1844, there were fourteen white men working for the government. This number grew to forty-eight by 1851—twenty-five Americans, twenty-one Englishmen, one Frenchman, and one German. Each foreigner in the government had to sign an oath of allegiance to the king as a condition of employment. Once Richards began to advise the king and the chiefs, “it became clear that the government could not be remade to suit foreigners without bringing in revolutionary changes in the relationship between chiefs and commoners.” As a first step in 1839 the king announced a policy of religious toleration (relieving pressure on the Catholics). In the same year, the king proclaimed the Declaration of Rights and Laws, a sort of civil code (called the “Hawaiian Magna Carta”). This document defined and secured for the first time the rights of the commoners who, prior to that time, had had no rights, but were subservient to the ali‘i. This was the first result of the decision by the king and chiefs to codify the laws of the kingdom.

Prior to the Constitution of 1840, Hawaii’s form of government was difficult to define because it was constantly changing. During the reign of Kamehameha I, it was a feudal aristocracy. During the reign of Kamehameha II and the minority of Kamehameha III, the importance of the office of the kuhina nui was enhanced and the chiefs began to encroach on the authority of the king. From their beginning as an advisory council, the chiefs eventually came to have legislative power.

After deliberation by the chiefs and the king’s advisors, a constitution was signed by the king and kuhina nui in 1840. The Constitution of 1840 put in writing for the first time a plan of the government and a description of the powers and duties of various officials within the government.

A law in 1841 provided for naturalization of foreigners who married Hawaiian subjects.

In 1842, Kamehameha III sent Sir George Simpson to England, via Alaska and Siberia, and Timoteo Haʻalilio and William Richards to the United States, via Mexico, to settle alleged difficulties with nations, negotiate treaties and to ultimately secure the recognition of Hawaiian Independence by the major powers of the world.

On December 19, 1842, in a Special Message to Congress, U.S. President John Tyler outlined the “Tyler Doctrine”. In it, he discussed Hawaii and China. Regarding Hawaii, his message stated:

I communicate herewith to Congress copies of a correspondence which has recently taken place between certain agents of the Government of the Hawaiian or Sandwich Islands and the Secretary of State.
The condition of those islands has excited a good deal of interest, which is increasing by every successive proof that their inhabitants are making progress in civilization and becoming more and more competent to maintain regular and orderly civil government. They lie in the Pacific Ocean, much nearer to this continent than the other, and have become an important place for the refitment and provisioning of American and European vessels.

Owing to their locality and to the course of the winds which prevail in this quarter of the world, the Sandwich Islands are the stopping place for almost all vessels passing from continent to continent across the Pacific Ocean. They are especially resorted to by the great number of vessels of the United States which are, engaged in the whale fishery in those seas. The number of vessels of all sorts and the amount of property owned by citizens of the United States which are found in those islands in the course of the year are stated probably with sufficient accuracy in the letter of the agents.

Just emerging from a state of barbarism, the Government of the islands is as yet feeble, but its dispositions appear to be just and pacific, and it seems anxious to improve the condition of its people by the introduction of knowledge, of religious and moral institutions, means of education, and the arts of civilized life.

It can not but be in conformity with the interest and wishes of the Government and the people of the United States that this community, thus existing in the midst of a vast expanse of ocean, should be respected and all its rights strictly and conscientiously regarded; and this must also be the true interest of all other commercial states. Far remote from the dominions of European powers, its growth and prosperity as an independent state may yet be in a high degree useful to all whose trade is extended to those regions; while its near approach to this continent and the intercourse which American vessels have with it, such vessels constituting five-sixths of all which annually visit it, could not but create dissatisfaction on the part of the United States at any attempt by another power, should such attempt be threatened or feared, to take possession of the islands, colonize them, and subvert the native Government. Considering, therefore, that the United States possesses so large a share of the intercourse with those islands, it is deemed not unfit to make the declaration that their Government seeks, nevertheless, no peculiar advantages, no exclusive control over the Hawaiian Government, but is content with its independent existence and anxiously wishes for its security and prosperity. Its forbearance in this respect under the circumstances of the very large intercourse of their citizens with the islands would justify this Government, should events hereafter arise to require it, in making a decided remonstrance against the adoption of an opposite policy by any other power. Under the circumstances I recommend to Congress to provide for a moderate allowance to be made out of the Treasury to the consul residing there, that in a Government so new and a country so remote American citizens may have respectable authority to which to apply for redress in case of injury to their persons and property, and to whom the Government of the country may also make known any acts committed by American citizens of which it may think it has a right to complain.

In 1843, British Lord George Paulet was dispatched to Hawai’i to investigate Hawai’i’s treatment of British interests and, after arriving, used the threat of force to motivate Kamehameha III to cede Hawai’i to the British. The February 25, 1843 Act of Provisional Cession stated:

In consequence of the difficulties in which we find ourselves involved, and our opinion of the impossibility of complying with the demands in the manner in which they are made by Her Britannic Majesty’s representative upon us, in reference to the claims of British subjects, we do hereby cede the group of islands known as the Hawaiian (or Sandwich) Islands, unto the Right Honorable Lord George Paulet, captain of Her Majesty’s Ship of war Carysfort, representing Her Majesty, Victoria, Queen of Great Britain and Ireland, from this date, and for the time being; the said cession being made with the reservation that it is subject to any arrangements that may have been entered into by the Representatives appointed by us to treat with the Government of her Britannic Majesty; and in the event that no agreement has been executed previous the date hereof; subject to the decision of Her
Britannic Majesty's Government on conference with the said representatives appointed by us; or in the event of our representatives not being accessible, or not having been acknowledged, subject to the decision which Her Britannic Majesty may pronounce on the receipt of full information from us, and from the Right Honorable Lord George Paulet.

The Proclamation of Lord Paulet stated:

A provisional cession of the Hawaiian or Sandwich Islands having been made this day by Kamehameha III, King, and Kekauluohi, Premier thereof, unto me, the Right Honorable Lord George Paulet, commanding Her Britannic Majesty's ship Carysfort on the part of Her Britannic Majesty, Victoria, Queen of Great Britain and Ireland; subject to arrangements which may have been made or shall be made in Great Britain, with the Government of Her Britannic Majesty, I do hereby proclaim,

First. That the British Flag shall be hoisted on all the Islands of the group, and the natives thereof shall enjoy the protection and privileges of British subjects.

Second. That the government thereof shall be executed, until the receipt of communications from Great Britain, in the following manner, namely: By the native King and chiefs and the officers employed by them, so far as regards the native population, and by a commission, consisting of King Kamehameha III, or a Deputy appointed by him, the Right Honorable Lord George Paulet, Duncan Forbes Mackay, esquire, and Lieut. [John E.] Frere, R.N., in all that concerns relations with other powers (save and except the negotiations with the British Government), and the arrangements among foreigners (other than natives of the Archipelago) resident on these Islands.

Third. That the laws at present existing or which may be made at the ensuing council of the king and the chiefs (after being communicated to the commission), shall be in full force so far as natives are concerned; and shall form the basis of the administration of justice by the commission in matters between foreigners resident on these islands.

Fourth. In all that relates to the collection of the revenue, the present officers shall be continued at the pleasure of the native King and chiefs, their salaries for the current year being also determined by them, and the archives of Government remaining in their hands; the accounts are, however, subject to inspection by the commission heretofore named. The Government vessels shall be in like manner subject, however, to their employment if required for Her Britannic Majesty's service.

Fifth. That no sales, leases, or transfers of land shall take place by the action of the Commission appointed as aforesaid, nor from natives to foreigners during the period intervening between the 24th of this month and the receipt of notification from Great Britain of the arrangements made there; they shall not be valid, nor shall they receive the signatures of the King or premier.

Sixth. All the existing bona fide engagements of the native King and premier, shall be executed and performed as if this cession had never been made.

Kamehameha III announced:

Hear ye! I make known to you that I am in perplexity by reason of difficulties into which I have been brought without cause; therefore I have given away the life of our land, hear ye! But my rule over you, my people, and your privileges will continue, for I have hope that the life of the land will be restored when my conduct is justified. KAMEHAMEHA III.

On March 17, 1843, at the urging of King Leopold I of Belgium, King Louis-Philippe of France recognized Hawai'i's independence.
On April 1, 1843, Lord Aberdeen on behalf of Queen Victoria, the monarch of the United Kingdom of Great Britain and Ireland, assured the Hawaiian delegation that "Her Majesty's Government was willing and had determined to recognize the independence of the Sandwich Islands under their present sovereign."

Admiral Thomas arrived in Honolulu on the frigate Dublin on July 26, 1843, to assure Kamehameha III of the English government's good faith and to declare Paulet's act to be unauthorized. On July 31, the Hawaiian flag was raised once again.

During Thanksgiving services held at Kawaiahaʻo Church, Kamehameha III expressed what would become Hawaiʻi's motto: "Ua mau ke ea o ka ʻina i ka pono" — the life of the land is preserved in righteousness. Some urge one of two other translations: "The sovereignty of the land is perpetuated in righteousness" or "Life is perpetuated through a balanced relationship with the land." Thomas Square near downtown Honolulu was later dedicated to Admiral Thomas for his role in restoring Hawaiʻi's sovereignty on that memorable occasion, known today as L_ Hoʻihoʻi Ea.

On November 28, 1843, at the Court of London, the British and French Governments formally recognized Hawaiʻi's independence. The "Anglo-Franco Proclamation", a joint declaration by France and Britain, signed by King Louis-Philippe and Queen Victoria, assured Hawaii's delegation that:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, taking into consideration the existence in the Sandwich Islands (Hawaiian Islands) of a government capable of providing for the regularity of its relations with foreign nations, have thought it right to engage, reciprocally, to consider the Sandwich Islands as an Independent State, and never to take possession, neither directly or under the title of Protectorate, or under any other form, of any part of the territory of which they are composed.

The undersigned, Her Majesty's Principal Secretary of State of Foreign Affairs, and the Ambassador Extraordinary of His Majesty the King of the French, at the Court of London, being furnished with the necessary powers, hereby declare, in consequence, that their said Majesties take reciprocally that engagement.

In witness whereof the undersigned have signed the present declaration, and have affixed thereto the seal of their arms.

A treaty of peace, amity, and commerce between France and the Sandwich Islands, signed at Honolulu, March 26, 1846, stated:

Time having shown the expediency of substituting a general treaty for the various conventions mutually concluded heretofore by France and the Sandwich Islands, the French and Hawaiian Governments have mutually agreed upon the following articles, and have signed them, after acknowledging and decreeing that all other treaties and conventions now existing between the contracting parties, shall be hereafter considered as void and of no effect.

ARTICLE 1. There shall be perpetual peace and friendship between His Majesty the King of the French and the King of the Sandwich Islands, and between their heirs and successors.

ART. 2. The subjects of His Majesty the King of the French, residing in the possessions of the King of the Sandwich Islands, shall enjoy, as to civil rights, and as regards their persons and their property, the same protection as if they were native subjects, and the King of the Sandwich Islands engages to grant them the same rights and privileges as those now granted, or which may be granted hereafter, to the subjects of the most favored nation.
ART. 3. Any Frenchman accused of any crime or offense shall be tried only by a jury composed of native residents, or of foreigners proposed by the consul of France, and accepted by the Government of the Sandwich Islands.

ART. 4. The King of the Sandwich Islands will extend his protection to French vessels, their officers and crews. In case of shipwreck, the chiefs and inhabitants of the various parts of the Sandwich Islands must lend them assistance and protect them from all pillage.

The salvage dues will be settled, in case of difficulty, by umpires appointed by both parties.

ART. 5. Desertion of sailors employed on board French vessels, will be severely repressed by the local authorities, who must use every means at their command to arrest the deserters. All expenses, within just limits, incurred in their recapture, will be refunded by the captain or owners of the said vessels.

ART. 6. French goods, or those recognized as coming from French possessions, can not be prohibited nor subjected to a higher import duty than five per cent ad valorum. Wines, brandies and other spirituous liquors are excepted, and may be subjected to any just duties which the Government of the Sandwich Islands may think proper to impose upon them, but on condition that such duty shall never be high enough to become an absolute obstacle to the importation of the said articles.

ART. 7. Tonnage and import duties and all other duties imposed upon French vessels, or upon merchandise imported in French vessels, must not exceed the duties imposed upon the vessels or merchandise of the most favored nation.

ART. 8. The subjects of the King of the Sandwich Islands will be treated upon the footing of the most favored nation in their commercial or other relations with France.

In 1842, Queen Pmare IV of Tahiti was forced to accept a French protectorate over her kingdom. In 1843 French troops were landed in the islands by Admiral Dupetit Thouars, placing Tahiti under French control and rendering the Queen a mere puppet ruler. In 1844, Queen Pmare IV wrote to Kamehameha III:

O King of the Sandwich Islands, may you be saved by the true God! This is my word to you. In a certain newspaper, printed and circulated at Honolulu, called the Polynesian, there are made known to all men some false statements, spoken by Frenchmen and those who agree with them. I write this little word to you to tell you to undo the wrong and injury done to me, your sister, Queen of the Islands of the South, and tell the editor and printer to print in the Polynesian this word, the copy of a letter that I have written to the King of the French, and which makes known the truth, and the truth only.

Beware of the Roman Catholics and the friends of the Roman Catholics.
POMARE

In a February 4, 1845 letter to Queen Pomare IV, Kamehameha III wrote in part:

Just before this, I had a problem similar to yours, although yours is the graver situation. God was truly generous to me, and my Government emerged victorious at this time. In my time of trouble certain people stood by my side to aid me. I had a foreigner who had sworn an oath before me, to have no other Sovereign but myself, and he worked with vigor as is the foreigner’s way, quickly deciding what was for our good and what should be done. There were other foreigners also, and including my man, T. Ha‘alilio. They were in Britain and in France. As soon as they heard of the events here in Hawai‘i, they quickly petitioned the British Government in order to ascertain if their approval had been given. Here I reign with the support of some righteous foreigners and I
think therein my Government shall endure in times when I am again troubled by foreign governments. My own people and those from foreign lands are equally protected under me. I reign in peace. I am not too frequently bothered by very burdensome tasks, but it is my duty to observe and supervise all the work that my Officers do.

Please be generous to my Hawaiian people that travel to your land, as I am generous to your people of Tahiti. Indeed, as I generously care for your people that come here to Hawai‘i.

A Treaty of Friendship, Commerce, and Navigation and Extradition, negotiated by U.S. Secretary of State John M. Clayton and the Hawaiian special Commissioner to the Government of the United States James Jackson Jarves, was signed in Washington, D.C., on December 20, 1849, and ratifications were exchanged at Honolulu August 24, 1850. It stated:

Article I

There shall be perpetual peace and amity between the United States and the King of the Hawaiian Islands, his heirs and his successors.

Article II

There shall be reciprocal liberty of commerce and navigation between the United States of America and the Hawaiian Islands. No duty of customs, or other impost, shall be charged upon any goods, the produce or manufacture of one country, upon importation from such country into the other, other or higher than the duty or impost charged upon goods of the same kind, the produce of manufacture of, or imported from, any other country; and the United States of America and His Majesty the King of the Hawaiian Islands do hereby engage, that the subjects or citizens of any other state shall not enjoy any favor, privilege, or immunity, whatever, in matters of commerce and navigation, which shall not also, at the same time, be extended to the subjects or citizens of the other contracting party, gratuitously, if the concession in favor of that other State shall have been gratuitous, and in return for a compensation, as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

Article III

All articles the produce or manufacture of either country which can legally be imported into either country from the other, in ships of that other country, and thence coming, shall, when so imported, be subject to the same duties, and enjoy the same privileges, whether imported in ships of the one country, or in ships of the other; and in like manner, all goods which can legally be exported or re-exported from either country to the other, in ships of that other country, shall, when so exported or re-exported, be subject to the same duties, and be entitled to the same privileges, drawbacks, bounties, and allowances, whether exported in ships of the one country, or in ships of the other; and all goods and articles, of whatever description, not being of the produce of manufacture of the United States, which can be legally imported into the Sandwich Islands shall when so imported in vessels of the United States pay no other or higher duties, imposts, or charges than shall be payable upon the like goods, and articles, when imported in the vessels of the most favored foreign nation other than the nation of which the said goods and articles are the produce or manufacture.

Article IV

No duties of tonnage, harbor, lighthouses, pilotage, quarantine, or other similar duties, of whatever nature, or under whatever denomination, shall be imposed in either country upon the vessels of the other, in respect of voyages between the United States of America and the Hawaiian Islands, if laden, or in respect of any voyage, if in ballast, which shall not be equally imposed in the like cases on national vessels.
Article V

It hereby declared, that the stipulations of the present treaty are not to be understood as applying to the navigation and carrying trade between one port and another situated in the state of either contracting party, such navigation and trade being reserved exclusively to national vessels.

Article VI

Steam vessel of the United States which may be employed by the Government of the said States, in the carrying of their Public Mail across the Pacific Ocean, of from one port in that ocean to another, shall have free access to the ports of the Sandwich Islands, with the privilege of stopping therein to refit, to refresh, to land passengers and their baggage, and for the transaction of any business pertaining to the public Mail service of the United States, and be subject in such ports to no duties of tonnage, harbor, lighthouses, quarantine, or other similar duties of whatever nature of under whatever denomination.

Article VII

The Whaleships of the United States shall have access to the Port of Hilo, Kealakekua and Hanalei in the Sandwich Islands, for the purposes of refitment and refreshment, as well as to the ports of Honolulu and Lahaina which only are ports of entry for all Merchant vessels, and in all the above named ports, they shall be permitted to trade or barter their supplies or goods, excepting spirituous liquors, to the amount of two hundred dollars ad valorem for each vessel, without paying any charge for tonnage or harbor dues of any description, or any duties or imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted, with the like exemption from all chargers for tonnage and harbor dues, further to trade or barter, with the same exception as to spiritous liquors, to the additional amount of one thousand dollars ad valorem, for each vessel, paying upon the additional goods and articles so traded and bartered, no other or higher duties, than are payable on like goods and articles, when imported in the vessels and by the citizens or subject of the most favored foreign nation.

They shall so be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen or land their passenger in the said Islands, except at Lahaina and Honolulu; and in all the ports named to this article, the whale ships of the United States shall enjoy in all respects, whatsoever, all the rights, privileges and immunities which are enjoyed by, or shall be granted to, the whale ships of the most favored foreign nation. The like privilege of frequenting the three ports of the Sandwich Islands, above named in this article, not being ports of entry for merchant vessels, is also guaranteed to all the public armed vessels of the United States. But nothing in this article shall be construed as authorizing any vessel of the United States, having on board any disease usually regarded as requiring quarantine, to enter during the continuance of such disease on board, any port of the Sandwich Islands, other than Lahaina or Honolulu.

Article VIII

The contracting parties engage, in regard to the personal privileges, that the citizens of the United States of America shall enjoy in the dominion of His Majesty the King of the Hawaiian Islands, and the subjects of his said Majesty in the United States of America, that they shall have free and undoubted right to travel and to reside in the states of the two high contracting parties, subject to the same precaution a police which are practiced towards the subjects or citizens of the most favored nations. They shall be entitled to occupy dwellings and warships, and to dispose of their personal property of every kind and description, by sale, gift, exchange, will, or in any other way whatever, without the smallest hindrance or obstacle; and their heir or representatives, being subject or citizens of the other contracting party, shall succeed to their personal goods, whether by testament or ab intestato; and may take possession thereof, either by themselves or by others acting for them, and dispose of same by will, paying to the profit of the respective
governments, such dues only as the inhabitants of the country wherein said goods are, shall be subject to pain in like cases. And in case of the absence of the heir and representative, such care shall be taken of said goods as would be taken of the goods of a native of the same country in like case, until the lawful owner may take measures for receiving them.

And if a question should arise among several claimants as to which of them aid goods belong, the same shall be decided finally by the laws and judges of the land wherein the said goods are. Where, on the decease of any person holding real estate within the territories of one party, such real estate would, by the laws of the land, descend on a citizen or subject of the other, were he not disqualified by alienage, such citizen or subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation and exempt from all duties of detraction on the part of the government of the respective states. The citizens or subjects of the contracting parties shall not be obligated to pay, under any pretence whatever, any taxes or impositions other or greater than those which are paid, or may hereafter be paid, by the subjects or citizens of most favored nations, in the respective states of the high contracting parties. They shall be exempt from all military service, whether by land or by sea; from forced loans; and from every extraordinary contribution not general and by law established. Their dwellings, warehouses, and all premises appertaining thereto, destined for the purposes of commerce or residence shall be respected.

No arbitrary search of, or visit to, their houses, and no arbitrary examination or inspection whatever of the books, papers, or accounts of their trade, shall be made; but such measures shall be executed only in conformity with the legal sentence of a competent tribunal; and each of the two contracting parties engage that the citizens or subjects of the other residing in their respective States shall enjoy their property and personal security, in as full and ample manner of their own citizens or subjects, of the subjects or citizens of the most favored nation, but subject always to the laws and statutes of the two countries respectively.

Article IX

The citizen and subjects of each of the two contracting parties shall be free in the state of the other to manage their own affairs themselves, or to commit those affairs to the management of any persons whom they may appoint as their broker, factor or agent; nor shall the citizens and subjects of the two contracting parties be restrained in their choice of person to act in such capacities, nor shall they be called upon to pay and salary or remuneration to any person whom they shall not choose to employ.

Absolute freedom shall be given in all cases to the buyer and seller to bargain together and to fix the price of any good or merchandise imported into, or to be exported from the state and dominions of the two contracting parties; save and except generally such case wherein the laws and usages of the country may require the intervention of any special agent in the estate and dominion of the contracting parties. But nothing contained in this or any other article of the present Treaty shall be construed to authorize the sale of spirituous liquors to the natives of the Sandwich Islands, further than such sale may be allowed by the Hawaiian laws.

Article X

Each of the two contracting parties may have, in the ports of the other, consul, vice consul, and commercial agent, of their own appointment, who shall enjoy the same privileges and power with those of the most favored nations; but if any such consul shall exercise commerce, they shall be subject to the same law and usage to which the private individuals of their nation are subject in the same place. The said Consul, vice consul, and commercial agents are authorized to require the assistance of the local authorities for the search, arrest, detention, and imprisonment of the deserters from the ships of war and merchant vessels of their country. For this purpose, they shall apply to the competent tribunal, judges and officers, and shall in writing demand the said deserters, proving, by the exhibition of the registers of the vessel, the rolls of the crews, or by other official document, that such individual formed part of the crew; and this reclamation being thus substantiated, the offender shall not be refused. Such deserters,
when arrested shall be placed at the disposal of the said consul, vice consul, or commercial agents, and may be confined in the public prison, at the request and cost of those who all claim them, in order to be detained until the time when they shall be restored to the vessel to which they belonged, or sent back to their own country by a vessel of the same nation or any other vessel whatsoever.

The agent, owners or masters of vessels on account of whom the deserters have been apprehended, upon requisition of the local authorities shall be required to take or send away such deserters from the state and dominions of the contracting parties, or give such security for their good conduct as the law may require. But if not sent back nor reclaimed within six months from the day of their arrest, or if all the expenses of such imprisonment are not defrayed by the party causing such arrest and imprisonment, they shall be set at liberty and shall not be again arrested for the same cause. However, if the deserters should be found to have committed any crime or offense, their surrender may be delayed until the tribunal before which their case shall be depending, shall have pronounced its sentence, and such sentence shall have been carried into effect.

Article XI

It is agreed that perfect and entire liberty of conscience shall be enjoyed by the citizens and subjects of both the contracting parties, in the countries of the one of the other, without their being liable to be disturbed or molested on account of their religious belief. But nothing contained in this article shall be construed to interfere with the exclusive right of the Hawaiian Government to regulate for itself the schools which it may establish or support within its jurisdiction.

Article XII.

If any ships of war or other vessels be wrecked on the coasts of the states or territories of either of the contracting parties, such ships or vessels, or any parts thereof, and all furniture and appurtenance belonging thereunto, and all goods and merchandise which shall be stored with the least possible delay to the proprietors, upon being claimed by them or their duly authorized factors; and if there are no such proprietors or factors on the spot, then the said goods and merchandise, or the proceeds thereof, as well as all the papers found on board such wrecked ships or vessels, shall be delivered to the American or Hawaiian consul, or vice consul, in whose district the wreck may have taken place; and such consul, vice consul, proprietors, or factors, shall pay on the expenses incurred in the preservation of the property, together with the rate of salvage, and expenses of quarantine which would have been payable in the like case of a wreck of a national vessel; and the goods and merchandise saved from the wreck shall not be subject to duties unless entered for consumption, it being understood that in case of any legal claim upon such wreck, goods, or merchandise, the same shall be referred for decision of the competent tribunals of the country.

Article XIII

The vessels of either of the two contracting parties which may be forced by weather or other cause into one of the ports of the other, shall be exempt from all duties of port or navigation paid for the benefit of the state, if the motives which led to their seeking refuge be real and evident, and if no cargo be discharged or taken on board, save such as may relate to the subsistence of the crew, or be necessary for the repair of the vessels, and if they do not stay in port beyond the time necessary, keeping in view the cause which led to their seeking refuge.

Article XIV

The contracting parties mutually agree to surrender, upon official requisition, to the authority of each, all persons who, being charged with the crimes of murder, piracy, arson, robbery, forgery or the utterance of forged paper, committed within the
jurisdiction of either, shall be found within the territories of the other; provided, that this shall only be done upon such evidence or
criminality as, according to the laws of the place where the person so charged shall be found, would justify his apprehension and
commitment for trial if the crime had there been committed: and the respective judges and other magistrates of the two
Governments, shall have authority, upon complaint made under oath, to issue a warrant for the apprehension of the person so
charged, that he may be brought before such judge or other magistrates respectively, to the end that the evidence of criminality
may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty
of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issued for the
surrender of such fugitive. The expense of such apprehension and delivery shall be borne and defrayed by the party who makes the
requisition and receives the fugitive.

Article XV

So soon as Steam or other mail packets under the flag of either of the contracting parties, shall have commenced running between
their respective ports of entry, the contracting parties agree to receive at the post offices of those ports all mailable matter, and to
forward it as directed, the destination being to dome regular post office of either country, charging thereupon the regular postal
rate as established by law in the territories of either party receiving said mailable matter, in addition to the original postage of the
office whence the mail as sent. Mails for the United States shall be made up at regular intervals at the Hawaiian Post Office, and
dispatched to ports of the United States, the postmasters at which ports shall open the same, and forward the enclosed matter as
directed, crediting in the Hawaiian Government with their postages as established by law and stamped upon each manuscript or
printed sheet.

All mailable matter destined for the Hawaiian Islands shall be received at the several post office in the United States and forwarded
to San Francisco or other ports on the Pacific coast of the United States, whence the postmasters shall despatch it by the regular
mail packets to Honolulu, the Hawaiian government agreeing on their part to receive and collect for and credit the Post Office
Department of the United State with the United States rates charged thereupon. It shall be optional to prepay the postage on letters
in either country, but postage on printed sheets and newspapers shall in all cases be prepaid. The respective post office department
of the contracting parties shall in their accounts, which are to be justified annually, be credited with all dead letters returned.

Article XVI

The present treaty shall be in force from the date of the exchange of the ratification for the term of ten years, and further, until the
and of twelve months after either of the contracting parties all have given notice to the other of its intention to terminate the same,
each of the said contracting parties reserving to itself the right of giving such notice at the end of the said term of ten years, or at
any subsequent term.

Any citizen or subject of either party infringing the articles of this treaty shall be held responsible for the same and the harmony and
good correspondence between the two governments shall not be interrupted thereby, each party engaging in no way to protect the
offender or sanction such violation.

Article XVII

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the
Senate of said States, and by His Majesty the King of the Hawaiian Islands, by and with the advice of his Privy Council of State, and
the ratifications shall be exchanged at Honolulu within eighteen months from the date of its signature, or sooner if possible.

As noted in the 1839 Declaration of Rights quoted above, land in Hawai‘i was not then privately owned. In The
The chief divided his landholdings among lesser ranking chiefs, who were called konohiki. The konohiki functioned as supervisors on behalf of the chief over the people who lived on the lands and cultivated them. The tenure of a konohiki was dependent upon his benefactor, the chief. The konohiki represented the collective interest of the ali‘i class over the maka‘ainana as well as the individual interest of his patron chief.

The lands allocated to the konohiki were called ahupua‘a. Ahupua‘a boundaries coincided with the geographic features of a valley. They ran from the mountain to the ocean, were watered by a stream, and included landscape features such as mountain ridges and cinder hills. The ahupua‘a of the konohiki were further divided into strips of land called ‘ili, which were allocated either by the chief or konohiki to the ‘ohana. These ‘ili either extended continuously from the mountain to the ocean or were composed of separate plots of land located in each of the distinct resource zones of the ahupua‘a. The ‘ohana was afforded access to all of the resources within the ahupua‘a necessary for survival—vines, timber, thatch, and medicinal plants from forested mountain areas; sloping land for sweet potatoes and crops that require higher altitudes; low-lying lands irrigated by stream waters for taro and fresh water; and shoreline, reef, and ocean areas for fish, limpets, crustaceans, and seaweed, the principal source of protein for Hawaiians. Ahupua‘a boundaries reflected the pattern of land use that had evolved as the most efficient and beneficial to the ‘ohana throughout previous centuries. The boundaries were adopted and instituted by the ali‘i and konohiki to delineate units for the collection of tribute.

These boundaries did not restrict access by the ‘ohana to those natural resources needed for survival that were unavailable within their own ahupua‘a.

For example, the adze [tool used for smoothing or carving wood] is an essential tool for the ‘ohana, yet the basalt used to hew adzes was not available within every ahupua‘a. ‘Ohana could access the adze quarries even though they were located outside of their ahupua‘a. On the island of Moloka‘i, members of ‘ohana living in the ahupua‘a of the windward valleys would annually reside temporarily in the ahupua‘a of Kaluako‘i in the summer months to gather and salt fish. The salted fish would sustain them during the winter months when the ocean off of their ahupua‘a was too rough for fishing. Evidence suggests that the island of Kaho‘olawe was also a place of temporary residence for Maui ‘ohana to gather fish and to acquire the basalt needed for making adzes.

In 1845, Kamehameha III and the legislature moved Hawai‘i’s seat of government from Lahaina, on Maui, to Honolulu, on O‘ahu.

In 1845, the Legislature and Kamehameha III commenced the division (mahele) of land process by creating a five-member Board of Commissioners to Quiet Land Titles (Land Commission) to consider and resolve all land claims. In the latter 1840s and early 1850s, Hawai‘i’s land was divided into the following four parts: (1) the King’s (Crown) lands; (2) the Government lands; (3) the Chiefs’ lands; and (4) the commoners’ lands.

After this “Great Mahele” was completed, 24% of the land went to the King (Crown lands); 37% to the government; and 38% to the ali‘i, and approximately 1% to the maka‘ainana (commoners).

William DeWitt Alexander reported that

[the records of the discussion in Council show plainly His Majesty’s anxious desire to free his lands from the burden of being
considered public domain, and as such subjected to the danger of confiscation in the event of his islands being seized by any foreign power, and also his wish to enjoy complete control over his own property.” Besides he clearly perceived how desirable it was that there should be a public domain, the proceeds of which should go to the national treasury, and from which his subjects could purchase the lands which they needed. Accordingly on the very day after the Mahele with his chiefs had closed, viz., the 8th of March, [1848,] he proceeded "to set apart for the use of the Government the larger part of his royal domain, reserving to himself what he deemed a reasonable amount of land as his own estate." To effect this he signed and sealed two instruments, both contained in the Mahele Book, by one of which he set apart for the use and benefit of the Government certain lands specified by name, and "reserved for himself his heirs and successors forever," the remainder of the lands surrendered to him in the Mahele, as his own private estate.

An 1846 law adopted the common law rule that “[a]ll persons born within the jurisdiction of this kingdom, whether of alien foreigners, of naturalized or of native parents, . . . , shall be amenable to the laws of this kingdom as native subjects.”

An 1846 law authorized the naturalization of any alien immigrant who applied after living in Hawai‘i for at least one year. The statute went on to provide that aliens who did not want to give up their citizenship in the country they came from could become “denizens,” entitled to full legal rights of Hawaiian subjects. A denizen had the rights of a subject of Hawai‘i without ceasing to be a citizen of his native country.

An 1846 law authorized the sale of Government lands. Professor Alexander reported that “[b]etween the years 1850 and 1860, nearly all the desirable Government land was sold, generally to natives.”

On March 11, 1893, James H. Blount was appointed by President Cleveland as a special commissioner to the Hawaiian Islands. In his July 17, 1893 report (Blount Report) to President Cleveland, Blount stated:

In the distribution of lands most of it was assigned to the King, chiefs, some whites, and to the Government for its support. Of the masses 11,132 persons received 27,830 acres—about two and a half acres to an individual—called Kuleanas. The majority received nothing. The foreigners soon traded the chiefs out of a large portion of their shares, and later purchased from the Government government lands and obtained long leases on the crown lands. Avoiding details it must be said that the native never held much of the land. . . . National tradition has done little for him and before the whites led him to education its influence was not operative. Until within the last twenty years white leaders were generally accepted and preferred by the King in his selections of cabinets, nobles, and judges, and native leadership was not wanted.

John Dominis died while he was in the process of completing the construction and furnishing of a house in Honolulu. It appears that the completion occurred in 1847. John’s widow Mary Dominis lived there with their son John Owen Dominis and rented rooms as a source of income. One of the first tenants was the American Commissioner to Hawai‘i who established the American Legation in the house. In a February 22, 1848, letter in celebration of the first U.S. president’s birthday, the Commissioner named the house “Washington Place”.

The act of June 7th, 1848, stated that the King’s (Crown) lands were “the private lands of his Majesty Kamehameha III., to have and to hold to himself, his heirs and successors forever; and said lands shall be regulated and disposed of according to his royal will and pleasure, subject only to the rights of tenants.”

In *State by Kobayashi v. Zimring*, 58 Hawaii 106, 111, 566 P.2d 725, 729 (1977), the Hawaii Supreme Court explained
the Great Mahele (footnotes omitted):

In support of its claim to title the State advances the proposition that all private ownership stems from Land Commission Awards, Royal Patents, Land Patents or some document of title issued by the sovereign and that absent such documents, title belongs to the sovereign. A short historical survey is necessary to an understanding of the State’s argument.

It was long ago acknowledged that the people of Hawaii are the original owners of all Hawaiian land. The Constitution of 1840, promulgated by King Kamehameha III, states:

. . . KAMEHAMEHA I, was the founder of the kingdom, and to him belonged all the land from one end of the Islands to the other, though it was not his own private property. It belonged to the chiefs and the people in common, of whom Kamehameha I was the head, and had the management of the landed property. Fundamental Law of Hawaii (1904) at 3 (emphasis added).

Responding to pressure exerted by foreign residents who sought fee title to land, and goaded by the recognition that the traditional system could not long endure, Kamehameha III undertook a reformation of the traditional system of land tenure by instituting a regime of private title in the 1840’s . . .

A Board of Commissioners to Quiet Land Title, commonly known as the Land Commission, was created in 1846 for the “investigation and final ascertainment or rejection of all claims of private individuals,” and was empowered to make Land Commission Awards. The Minister of Interior was authorized to issue Royal Patents upon such awards, upon payment of commutation by the awardee to the government, usually set at one-third the value of the unimproved land at the time of the award. A Land Commission Award furnished as good and sufficient a ground upon which to maintain an action against any person as a Royal Patent. Act of August 10, 1854, Laws of Hawaii, 1854; RLH 1925, Vol. II at 2146 -7.

In 1847, the King together with the Privy Council determined that a land mahele, or division, was necessary for the prosperity of the Kingdom. The rules adopted to guide such division were, in part, (1) that the King shall retain all his private lands as individual property and (2) that of the remaining lands, one-third was to be set aside for the Government, one-third to the chiefs and konohiki [agents of the chiefs], and one-third for the tenants. The Great Mahele was started in 1848, with the chiefs and konohiki first coming forward to settle their interests by agreement with the King. The Mahele agreements were essentially reciprocal quitclaims and did not convey title. Detailed claims had to be presented to the Land Commission for formal Land Commission Awards.

Once the Mahele agreements with the chiefs and the konohiki had been completed, there was to be a division of the remaining lands between the King and the Government. The King’s motives in undertaking such a division were indicated by this court in Estate of His Majesty Kamehameha IV, 2 Haw. 715, 722 (1864):

Even before (the King’s) division with the (chiefs and konohiki), a second division between himself and the government or state was clearly contemplated, and he appears to have admitted that the lands he then held might have been subjected to a commutation in favor of the government, in like manner with the lands of the chiefs. The records of the discussion in Council show plainly his Majesty’s anxious desire to free his lands from the burden of being considered public domain, and as such, subjected to the danger of confiscation in the event of his islands being seized by any foreign power, and also his wish to enjoy complete control over his own property. Moved by these considerations and by a desire to promote the interest of his Kingdom, he proceeded with an exalted liberality to set apart for the use of the government the larger portion of his royal domain, reserving to himself what he deemed a reasonable amount of land as his own estate.

To effect this, the King signed and sealed two instruments. By one instrument, the King, having “set apart forever to the
chiefs and people the larger part of my royal land, for the use and benefit of the Hawaiian Government," retained for himself and his heirs certain designated lands, thereafter referred to as Crown Lands. By the second instrument, the King "set apart forever to the chiefs and people of my Kingdom" the remaining designated lands. Until 1865, when Crown Lands were made inalienable, Kamehameha III and his successors acted like private owners respecting such lands. The deeds executed by the King upon sale of any portion of the Crown Lands are known as Kamehameha Deeds.

The public domain, which previous to the Mahele had been all-inclusive, was diminished by withdrawals of the Crown Lands and the lands successfully claimed by chiefs, konohiki and tenants. It included, inter alia, the lands surrendered to the Government by the King, the lands ceded by the chiefs in lieu of commutation, the lands purchased by the government, and all lands forfeited by the neglect of claimants to present their claims to the Land Commission within the period fixed by law. In 1893, following the overthrow of the monarchy, the Republic declared that Crown Lands were Government property and part of the public domain.

As to lands which were overlooked in the Mahele and thus unassigned, the question arose whether they were Crown or Government Lands. This court in Thurston v. Bishop, 7 Haw. 421 (1888), adopted the position that such unassigned lands remained part of the public domain.

Following the Mahele, portions of the public domain were sold from time to time in order to provide landless citizens with land and to obtain revenues for public expenditures. Purchasers of these lands were issued documents called Grants or Royal Patent Grants.

This encapsulation of the origin and development of the private title in Hawaii makes clear the validity of the basic proposition in Hawaiian property law that land in its original state is public land and if not awarded or granted, such land remains in the public domain. To establish legally cognizable private title to land in the great majority of cases, one must show that he or a predecessor-in-interest acquired a Land Commission Award, a Royal Patent, a Kamehameha Deed, a Grant, a Royal Patent Grant, or other government grant for the land in question. Thurston v. Bishop, 7 Haw. 421 (1888); In re Title of Pa Pelekane, 21 Haw. 175 (1912). Such award or grant can be demonstrated by either the document itself or through the application of the "presumption of a lost grant." In re Title of Kioloku, 25 Haw. 357 (1920); United States v. Fullard-Leo, 331 U.S. 256, 67 S.Ct. 1287, 91 L.Ed. 1474 (1947).

Aside from acquisition of documented title, one can also show acquisition of private ownership through operation of common law or as established by pre-1892 Hawaiian usage pursuant to HRS Section 1-1 which reads:

s 1-1. Common law of the State; exceptions. The common law of England, as ascertained by English and American decisions, is declared to be the common law of the State of Hawaii in all cases, except as otherwise expressly provided by the Constitution or laws of the United States, or by the laws of the State, or fixed by Hawaiian judicial precedent, or established by Hawaiian usage.

The Resident Alien Act of 1850 permitted “resident aliens” to acquire and own Hawai’i land in fee.

The Kuleana Act of 1850, authorized each commoner to timely file a claim to the acreage he was then actively cultivating, plus an additional quarter of an acre for a house lot. Each claim was required to be supported by a survey and two witnesses attesting to the validity of the claim. The Land Commission decided the validity of each claim. Land not validly claimed was added to the government lands.
In *Estate of Kamehameha IV*, 2 H. 715, 725 (1864), a case involving a dispute over the distribution of the Crown Lands upon the death of Kamehameha IV, the Hawaii Supreme Court described the dispute as follows:

It is claimed on behalf of his Majesty Kamehameha V., that he, as hereditary successor to the throne, shall inherit the entire estate, both real and personal derived from his Majesty Kamehameha III., at his decease, and held by Kamehameha IV., the King lately deceased.

On the part of Queen Emma, lately the consort of his Majesty Kamehameha IV., it is claimed that all the property possessed by her late royal husband was his private property, and must descend in accordance with the general law of the Kingdom, and that she is therefore entitled to inherit one-half of his real and personal estate, after payment of his debts, and to take dower in the other half.

The Court decided that the words and actions of Kamehameha III and Kamehameha IV proved their intent that:

1. the King’s Lands descend in fee, the inheritance being limited however to the successors to the throne;
2. each successive King/Queen may regulate and dispose of the same according to his/her will and pleasure, as private property; and
3. the spouse of the King/Queen is lawfully entitled to dower in the lands, except so far as he/she may have barred his/her right therein by her own act and deed.

The 1849 Treaty of Friendship and Commerce between Hawai`i and the U.S. replaced their 1826 treaty.

The Blount Report states:

in 1850 a law was passed to prohibit natives from leaving the islands. The reason for it is stated in the following preamble:

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 one-seventh 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 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, etc.

This law remained in force until 1887.

In Volume 29 (page 24) of the *Harvard Environmental Law Review*, Jocelyn Garovoy wrote:

... The lands were formally divided among the king and the chiefs, and the fee titles were recorded in the *Mahele* book. Lands granted in the *Mahele* were granted “subject to the rights of native tenants,” usually tenant farmers who already worked and resided on portions of those lands. In 1850, a law was passed allowing these “native tenants” to claim fee simple title to the lands they worked. Those who claimed their parcel(s) successfully acquired what is known as a *kuleana*.

In *The Great Mahele*, Jon Chinen wrote:
The Kuleana Act of 1850 allowed commoners with Kuleana rights (a Hawaiian law that assures property owners with land within a larger property owned by someone else to have the right to access their property) and who had occupied chiefs’ land prior to the Great Mahele to own land. The Kuleana Act also gave Hawaiians the opportunity to claim the land their ancestor’s already claimed. Even though this was a great opportunity, it also created problems. The chiefs discouraged Hawaiians from claiming land because they needed them to continue working their taro patches. There were several requirements that Hawaiians did not understand needed to be done. These included having the land surveyed, filing a claim and supporting the claim with proof that the family worked the land. The commoners had 4 years to submit their claim or their Kuleana rights would be lost forever. . . .

The sugar plantations sought cheap but reliable labor. As noted in *Hilo Sugar Co. V. Mioshi*, 8 Haw. 201 (1891), Section 22 of Hawai‘i’s 1850 Act for the Government of Masters and Servants stated that “[a]ny person who has attained the age of twenty years, may bind himself or herself, by written contract to serve another in any art, trade, profession, or other employment, for any term not exceeding five years.” Sections 23, 24 and 25 stated:

23. All engagements of service contracted in a foreign country to be executed in this [kingdom], unless the same be in contravention of the laws of this [kingdom], shall be binding here; provided, however, that all such engagements made for a longer period than ten years shall be reduced to that limit, to count from the day of the arrival of the person bound in this kingdom.

24. If any person lawfully bound to service, shall willfully absent himself from such service, without the leave of his master, any district or police justice of the kingdom upon complaint made under oath by the master, or by any one on his behalf, may issue a warrant to apprehend such person and bring him before the said justice; and if the complaint shall be sustained, the justice shall order such offender to be restored to his master, and he shall be compelled to serve double the time of his absence, unless be shall make satisfaction to the master for the loss and injury sustained by such absence: Provided, always, that such additional term of service shall not extend beyond one year next after the end of the original term of service.

25. If any such person shall refuse to serve according to the provisions of the last section, or the terms of his contract, his master may apply to any district or police justice, where he may reside, who shall be authorized by warrant, or otherwise, to send for the person so refusing, and if such refusal be persisted in, to commit such person to prison, there to remain at hard labor until he will consent to serve according to law.

The first group of contract laborers brought to Hawai‘i were Chinese men who arrived in 1852.

Starting in the 1840s, by statute, all native inhabitants of, and persons born in, the Hawaiian Islands were subjects of the Kingdom. Others could become either naturalized subjects of the Kingdom or denizens. Those who resided in the Hawaiian Islands for at least five years could apply to the Minister of Interior for naturalization. A few Chinese men were the only Asians accepted as subjects of the Kingdom by naturalization. Every person naturalized was deemed a subject of the Kingdom amenable only to the laws of Hawai‘i and entitled to all the rights, privileges and immunities of a subject of the Kingdom. A non-native, whose services were necessary in the affairs of Hawai‘i’s government locally and/or abroad, could become a denizen by the King’s authorization. A denizen had all the rights, privileges and obligations of a subject of the Kingdom, was not required to relinquish his allegiance to his native country as was required under naturalization, but was required to proclaim an oath of allegiance to the Kingdom of Hawai‘i.

An 1852 Treaty between the Kingdom of Hawai‘i and the United Kingdoms of Sweden and Norway stated:

Treaty between the Kingdom of the Hawaiian Islands and the United Kingdoms of Sweden and Norway, concluded by R. C. Wyllie,
Esquire, His Hawaiian Majesty's Minister of Foreign Relations, Member of His Privy Council of State and of His House of Nobles, and
C.A. Virgin, Chamberlain to His Majesty the King of Sweden, Post Captain of the Royal Swedish Navy, Knight of the Royal Order of
the Sword of Sweden and of the Imperial Russian Order of St. Stanislaus; signed at Honolulu the 1 July 1852.

It being of great advantage to establish relations of friendship and commerce between the Kingdoms of His Majesty the King of
Sweden and Norway and the Kingdom of His Majesty the King of the Hawaiian Islands, the undersigned, having exchanged their
powers, mutually admitted as sufficient, have agreed, on the part of their respective Sovereigns, to conclude a Treaty of Friendship,
commerce and Navigation, as follows:

Art. I. There shall be perpetual friendship between His Majesty the King of the United Kingdoms of Sweden and Norway, His Heirs
and Successors, and the King of the Hawaiian Islands, His Heirs and Successors, and between their respective subjects.

Art. II. There shall be between all the dominions of His Swedish and Norwegian Majesty, and the Hawaiian Islands, a reciprocal
freedom of commerce. The subjects of each of the two contracting parties, respectively, shall have liberty freely and securely to
come with their ships and cargoes, to all places, ports and rivers, in the territories of the other, where trade with other nations is
permitted. They may remain and reside in any part of the said territories, respectively, and hire and occupy houses and warehouses,
and may trade, by wholesale or retail, in all kinds of produce, manufactures and merchandise of lawful commerce; enjoying the
same exemptions and privileges as native subjects, and subject always to the same laws, and established customs, as native subjects.

In like manner the ships of war of each contracting party, respectively, shall have liberty to enter into all harbours, rivers, and places,
within the territories of the other to which the ships of war of other nations are or may be permitted to come, to anchor there, and to
remain and refit; subject always to the laws and regulations of the two countries respectively.

The stipulations of this article do not apply to the coasting trade, which each contracting party reserves to itself, respectively, and
shall regulate according to its own laws.

Art. III. The two contracting parties hereby agree, that any favour, privilege, or immunity whatever, in matters of commerce or
navigation, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other state,
shall be extended to the subjects or citizens of the other contracting party, gratuitously, if the concession in favour of that other state
shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by
mutual agreement, if the concession shall have been conditional.

Art. IV. No other or higher duties shall be imposed on the importation into the dominions of His Swedish and Norwegian Majesty of
any article, the growth, produce or manufacture of His Swedish and Norwegian Majesty's dominions, that are or shall be payable on
the like article, being the growth, produce or manufacture of any other foreign country.

Nor shall any other or higher duties or charges be imposed in the territories of either of the contracting parties on the exportation of
any article to the territories of the other, than such as are or may be payable on the exportation of the like article to any other foreign
country. No prohibition shall be imposed upon the importation of any article, the growth, produce or manufacture of the territories
of either of the two contracting parties, into the territories of the other, which shall not equally extend to the importation of the like
articles, being the growth, produce or manufacture of any other country. Nor shall any prohibition be imposed upon the exportation
of any article from the territories of either of the two contracting parties to the territories of the other, which shall not equally extend
to the exportation of the like articles to the territories of all other nations.

Art. V. No other or higher duties or charges on account of tonnage, light, or harbour dues, pilotage, quarantine, salvage in cases of
damage or shipwreck, or any other local charges shall be imposed in any of the ports of the Hawaiian Islands on Swedish and Norwegian vessels, than those payable in the same ports by Hawaiian vessels, nor in the ports of His Swedish and Norwegian Majesty’s territories, on Hawaiian vessels, than shall be payable in the same ports on Swedish and Norwegian vessels.

Art. VI. The same duties shall be paid on the importation of any article which is or may be legally importable into the Hawaiians Islands, whether such importation shall be in Hawaiian or in Swedish and Norwegian vessels; and the same duties shall be paid on the importation of any article which is or may be legally importable into the dominions of His Swedish and Norwegian or in Hawaiian vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from the Hawaiian Islands, whether such exportation shall be in Hawaiian or in Swedish and Norwegian vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from His Swedish and Norwegian Majesty’s dominions, whether such exportation shall be in Swedish and Norwegian or in Hawaiian vessels.

Art. VII. Swedish and Norwegian whale ships shall have access to the ports of Hilo, Kealakekua and Hanalei in the Sandwich Islands for the purpose of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which two last mentioned ports only are ports of entry for all merchant vessels; and in all the above named ports they shall be permitted to trade or to barter their supplies or goods, excepting spirituous liquors, to the additional amount of one thousand dollars ad valorem, for each vessel, paying upon the additional goods and articles so traded and bartered no other or higher duties than are payable on like goods and articles when imported in national vessels and by native subjects. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen, or land their passengers in the said Islands, except at Honolulu and Lahaina; and in all the ports named in this article, Swedish and Norwegian whale ships shall enjoy in all respects whatsoever all the rights, privileges and immunities which are or may be enjoyed by national whale ships, or by whale ships of the most favored nation.

The like privilege of frequenting the three ports of the Sandwich Islands named in this article, which are not ports of entry for merchant vessels, is also guaranteed to all the public armed vessels of Sweden and Norway. But nothing in this article shall be construed as authorizing any Swedish or Norwegian vessel having on board any disease usually regarded as requiring quarantine, to enter during the continuance of any such disease on board, any ports of the Sandwich Islands other than Honolulu or Lahaina.

Art. VIII. All merchants, commanders of ships and others, the subjects of His Swedish and Norwegian Majesty, shall have full liberty in the Hawaiian Islands, to manage their own affairs themselves or to commit them to the management of whomsoever they please, as broker, factor, agent or interpreter; nor shall they be obliged to employ any other persons than those employed by Hawaiian subjects, nor to pay to such persons as they shall think fit to employ, any higher salary or remuneration than such as is paid in like cases by Hawaiian subjects. Swedish and Norwegian subjects in the Hawaiian Islands shall be at liberty to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract or exclusive privilege of sale or purchase whatever; and absolute freedom shall be allowed in all cases to the buyer and seller, to bargain and fix the price of any goods, wares or merchandise, imported into or exported from the Hawaiian Islands, as they shall see good: observing the laws and established customs of those Islands. The same privileges shall be enjoyed in the dominions of His Swedish and Norwegian Majesty by Hawaiian subjects under the same conditions.

The subjects of either of the contracting parties in the territories of the other shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the Courts of Justice in the said countries, respectively, for the prosecution and defence of their just rights, and they shall be at liberty to employ, in all causes, the advocates, attorneys, or agents of whatever description, whom they may think proper; and they shall enjoy in this respect the same rights and privileges as native subjects.
Art. IX. In whatever relates to the police of the ports, the lading and unlading of ships, the warehousing and safety of merchandise, goods and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange or testament, or in any other manner whatsoever, as also with regard to the administration of justice, the subjects of each contracting party shall enjoy in the territories of the other, the same privileges, liberties and rights as native subjects, and they shall not be charged in any of these respects with any other or higher impost or duties, than those which are or may be paid by native subjects; subject always to the local laws and regulations of such territories.

In the event of any subject of either of the two contracting parties dying without will or testament in the territories of the other contracting party, the Consul General, Consul or acting Consul of the nation to which the deceased may belong, shall so far as the laws of each country will permit, take charge of the property which the deceased may have left for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of the country in which the death shall have taken place.

Art. X. The subjects of His Swedish and Norwegian Majesty residing in the Hawaiian Islands, and Hawaiian subjects residing in the dominions of His Swedish and Norwegian Majesty shall be exempted from all compulsory military service whatsoever, whether by sea or by land, and from all forced loans, or military exactions or requisitions, and they shall not be compelled under any pretext whatsoever to pay any ordinary charges, requisitions or taxes, other or higher than those that are or may be paid by native subjects.

Art. XI. It is agreed and covenanted that neither of the two contracting parties shall knowingly receive into, or retain in its service, any subjects of the other party who have deserted from the naval or military services of that other party, but that on the contrary, each of the contracting parties shall, respectively, discharge from its service any such deserters upon being required by the other party so to do.

And it is further agreed that if any of the crew shall desert from a vessel of war, or merchant vessel of either contracting party, while such vessel is within any port in the territory of the other party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the consul of the party concerned, or by the deputy or representative of the consul; and no public body shall protect or harbour such deserters.

It is further agreed and declared that any other favour or facility with respect to the recovery of deserters, which either of the contracting parties has granted or may hereafter grant to any other state, shall be considered as granted also to the other contracting party, in the same manner as if such favour or facility had been expressly stipulated by the present treaty.

Art. XII. It shall be free for each of the two contracting parties to appoint Consuls for the protection of trade to reside in the territories of the other party, but, before any consul shall act as such, he shall in the usual form be approved and admitted by the government to which he is sent; and either of the contracting parties may except from the residence of consuls such particular places as either of them may judge fit to be excepted. The diplomatic agents and consuls of the Hawaiian Islands in the dominions of His Swedish and Norwegian Majesty shall enjoy whatever privileges, exemptions and immunities are or shall be granted there to agents of the same rank belonging to the most favoured nation; and in like manner the diplomatic agents and consuls of His Swedish and Norwegian Majesty in the Hawaiian Islands shall enjoy whatever privileges, exemptions or immunities are or may be granted there to the diplomatic agents and consuls of the same rank belonging to the most favoured nation.

Art. XIII. For the better security of commerce between the subjects of His Swedish and Norwegian Majesty and of the King of the Hawaiian Islands, it is agreed that if, at any time, any rupture or any interruption of friendly intercourse should unfortunately take place between the two contracting parties the subjects of either of the two contracting parties, shall be allowed a year to wind up
their accounts and dispose of their property, and a safe conduct shall be given them to embark at the port which they shall
themselves select. All subjects of either of the two contracting parties who may be established in the territories of the other in the
exercise of any trade or special employment shall in such case have the privilege of remaining and continuing such trade and
employment therein, without any manner of interruption, in full enjoyment of their liberty and property, as long as they behave
peaceably and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in
their own custody or entrusted to individuals or to the state, shall not be liable to seizure or sequestration, or to any other charges or
demands than those which may be made upon the like effects or property belonging to native subjects. In the same case debts
between individuals, public funds, and the shares of companies shall never be confiscated, sequestered or detained.

Art. XIV. The subjects of His Swedish and Norwegian Majesty, residing in the Hawaiian Islands, shall not be disturbed, persecuted or
annoyed on account of their religion, but they shall have perfect liberty of conscience therein, and shall be allowed to celebrate
Divine Service either within their own private houses or in their own particular churches or chapels, which they shall be at liberty to
build and maintain in convenient places, approved of by the Government of the said Islands. Liberty shall also be granted to them to
bury in burial places, which in the same manner they may freely establish and maintain, such subjects of His Swedish and
Norwegian Majesty, who may die in the said Islands. In like manner Hawaiian subjects shall enjoy within the dominions of His
Swedish and Norwegian Majesty perfect and unrestrained liberty of conscience, and shall be allowed to exercise their religion
publicly or privately, within their own dwelling houses, or in the chapels or place of worship appointed to that purpose, agreeably to
the system of toleration established in the dominions of His said Majesty.

Art. XV. All vessels bearing the flag of Sweden or of Norway in time of war shall receive every possible protection, short of actual
hostility, within the ports and waters of His Majesty the King of the Hawaiian Islands; and His Majesty the King of Sweden and
Norway engages to respect in time of war the neutral rights of the Hawaiian Kingdom and to use his good offices with all other
powers, having treaties with His Majesty the King of the Hawaiian Islands, to induce them to adopt the same policy towards the
Hawaiian Kingdom.

Art. XVI. If any ship of war or merchant vessel, of either of the contracting parties should be wrecked on the coasts of the other, such
ship or vessel or any parts thereof, and all furniture and appurtenance belonging thereunto, and all goods and merchandise which
shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the proprietors upon being claimed by them or
by their duly authorized agents, and if there are no such proprietors or agents on the spot, then the said goods or merchandise, or the
proceeds thereof, as well as all the papers found on board such wrecked ship or vessel shall be delivered to the Swedish and
Norwegian or Hawaiian consul in whose district the wreck may have taken place, and such consul, proprietors or agents shall pay
only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in
the like case of a wreck of a national vessel. The goods and merchandise saved from the wreck shall not be subject to duties, unless
cleared for consumption.

Art. XVII. In order that the two contracting parties may have the opportunity of hereafter trading and agreeing upon such other
arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of
their respective subjects, it is agreed that at any time after the expiration of seven years from the date of the exchange of the
ratifications of the present treaty, either of the contracting parties shall have the right of giving to the other party notice of its
intentions to terminate Articles 4, 5 and 6 of the present Treaty; and that at the expiration of 18 months after such notice shall have
been received by either party from the other, the said articles, and all the stipulations contained therein shall cease to be binding on
the two contracting parties.

Art. XVIII. The present Treaty shall be ratified and the Ratifications shall be exchanged at Honolulu in eighteen months, or sooner, if
possible.
In witness whereof the respective Plenipotentiaries have signed the same, and affixed thereto their respective seals.

Done at Honolulu this first day of July, in the year of our Lord one thousand eight hundred and fifty two.

In 1852, a new Constitution was approved. It stated a declaration of “inalienable rights” including “life and liberty, the right of acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness.” It stated that “[a]ll men are free to worship God[.]” It afforded freedom of speech and assembly, the rights to a trial by jury, due process and to remain silent, and from double jeopardy, unreasonable searches and seizures and ex post facto laws. It prohibited slavery and judges and jurors from sitting in cases where they had a conflict of interest. It further reduced the King’s power and authority by changing the 1840 Constitution in the following ways. The King appointed the King’s Ministers and they all served at his pleasure. The King’s Ministers were his Cabinet Council. The King appointed a Privy Council of State. The King’s Ministers and the Governors of the Islands were, ex-officio, members of his Privy Council. A three-member Supreme Court was appointed by the King, by and with the advice of His Privy Council, to hold their offices for life, subject to removal upon impeachment. The legislature was bicameral. The King appointed the not more than thirty members of the House of Nobles for life. The not less than twenty-four and not more than forty representatives were elected annually. The number was to be determined by “the Legislature[,]” The only persons authorized to be Representatives were not less than twenty-five year old male subjects or denizens of the Kingdom, who knew how to read and write, who understood accounts, and who resided in the Kingdom for at least one year immediately preceding the election.

Every male subject of His Majesty, whether native or naturalized, and every denizen of the Kingdom, who paid his taxes, who attained the full age of twenty years, and who resided in the Kingdom for one year immediately preceding the time of election, was entitled to one vote for the representative or representatives, of the district in which he may have resided three months next preceding the day of election. No insane person, nor any person who shall at any time have been convicted of any infamous crime, within this Kingdom, unless he shall have been pardoned by the King, and by the terms of such pardon been restored to all the rights of a subject, was allowed to vote.

All bills for raising the revenue, or calling for any expenditure of the public money, were required to originate in the House of Representatives. The King appointed the three members of the Supreme Court for life.

It was specified that

[it]he crown is hereby permanently confirmed to His Majesty Kamehameha III during his life, and to his successor. The successor shall be the person whom the King and the House of Nobles shall appoint and publicly proclaim as such, during the King’s life; but should there be no such appointment and proclamation, then the successor shall be chosen by the House of Nobles and the House of Representatives in joint ballot.

No constitutional amendment was effective until it was

proposed in either branch of the Legislature, and if the same shall be agreed to by a majority of the members of each House, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the next Legislature; which proposed amendment or amendments shall be published for three months previous to the election of the next House of Representatives; and if, in the next Legislature, such proposed amendment or amendments, shall be agreed to by two-
thirds of all the members of each house, and be approved by the King, such amendment or amendments shall become part of the Constitution of this Kingdom.

This Constitution specified: “The King, after approving this Constitution, shall take the following oath: I solemnly Swear, in the presence of Almighty God, to maintain the Constitution of the Kingdom whole and inviolate, and to govern in conformity with that and the laws.” King Kamehameha III recited the oath.

The members of the Hawaii Supreme Court appointed by the King and the years of their service were:

William Little Lee 1852–1857; Chief Justice 1852-1857;

John (Keoni) Papaʻānui 1852–1864;

Lorrin Andrews 1852–1854;

Elisha Hunt Allen 1857–1877; Chief Justice 1857-1877;

George Morrison Robertson 1855-1863, 1864-1867;

Robert Grimes Davis 1864–1868;

James W. Austin 1868–1869;

Alfred S. Hartwell 1868-1874;

Hermann A. Widemann 1869–1874;

Charles C. Harris 1874–1881; 1877–1881; Chief Justice 1877-1881;

Albert Francis Judd 1874–1900 1881–1900; Chief Justice 1881-1900;

Lawrence McCully 1877–1892;

Benjamin H. Austin 1881–1885;

Edward Preston 1885–1890;

Richard Fredrick Bickerton 1886–1895;

Abraham Fornander 1886–1887; and
Sanford B. Dole 1887–1893.

Associate Justice John (Keoni) Papa is the great-grandfather of Kenneth Francis Brown who died in 2014. Associate Justice Lorrin Andrews is the great-grandfather of Kenneth Francis Brown’s widow, Joan Brown.

The following is from “Ulukau: The Hawaiian Electronic Library” by Rile M. Moffat and Gary L. Fitzpatrick, Chapter 5 “Surveys from the Mahele”, page 99:

In 1853 Dr. [Robert W.] Wood bought the 3,263 acre “ahupua’a” of Pa’a, awarded to Jonah Pi’ikoi in the “mahele”, and 690 acres [sic] of the “ahupua’a” of Weliweli which adjoined Koloa. According to Alexander, Dr. Wood uncharacteristically passed on the chance to buy the “ahupua’a” of Koloa outright from Lot Kamehameha [Kamehameha V] in 1863 who instead sold it to Robert Chrichton Wyllie.

In Brown v. Spreckels, 14 Haw. 399 (1902), the Hawaii Supreme Court described two chains of title started by the Mahele:

The chain of title to the land, known as the Bates land, is in part as follows: Deed from King Kamehameha III to Elizabeth G. J. Bates, September 19, 1853; deed from Elizabeth G. J. Bates and Asher B. Bates, her husband, to Benjamin Pitman, July 3, 1858. The chain of title to the other piece, known as the Kalaeloa land, is in part as follows: Land Commission Award 4894, April 18, 1851, to Kalaeloa, followed by Royal Patent 1144, July 7, 1853; deed from Kalaeloa and Hanae, his wife, to Benjamin Pitman, not dated, but acknowledged August 28, and September 18, 1854. The chains of title, thus united, continue as follows: Devise by Benjamin Pitman to Martha B. Pitman, his wife, by will dated March 4, 1880, probated March 27, 1888; deed from Martha B. Pitman to the plaintiff, Charles A. Brown, August 2, 1899.

In 1853, arrangements were made between the Morman elders and Levi Haalelea, the chief who owned the ahupua’a of Palawai on the island of Lana’i to permit the Mormons to occupy and use Palawai.

Early in 1854, Kamehameha III instructed his Minister of Foreign Relations immediately to negotiate a treaty ad referendum, “the object of which is the annexation of Our Kingdom to the United States of America[.]” The representatives of Great Britain and France strongly objected to these negotiations. Kamehameha III stated the following reason for seeking the treaty:

His Majesty the King of the Hawaiian Islands, being convinced that plans have been and still are on foot hostile to his sovereignty and to the peace of his Kingdom, which His Majesty is without power to resist and against which it is his imperative duty to provide in order to prevent the evils of anarchy and to secure the rights and prosperity of his subjects, and having, in conscientious regard thereto as well as to the general interests of his Kingdom, present and future, sought to incorporate his Kingdom into the Union of the United States as the means best calculated to attain these ends and perpetuate the blessings of freedom and equal rights to himself, his chiefs, and his people, and the Government of the United States, being actuated solely by the desire to add to their security and prosperity and to meet the wishes of His Majesty the King of the Hawaiian Islands and of his Government, have determined to accomplish, by treaty, objects so important to their mutual and permanent welfare.

The initial proposed basis of negotiation was “the admission of the Hawaiian Islands as a Sovereign Government into the American Union, subject to the Federal Government the same as the State of Massachusetts, and
extending to the King and all His subjects, the same rights, civil, political, and religious, as are enjoyed by that State."
Financial provision was to be made for the King, the Queen, and High Chiefs; "all rights of possession, inheritance, or
expectancy" were to be respected and provided for; the existing constitution was to be maintained "subject only to those
alterations without which the Islands could not be admitted as a Sovereign State into the Union."

By August, the language of the proposal had been amended to state in part as follows:

Article II.

The Kingdom of the Hawaiian Islands shall be incorporated into the American Union as a State enjoying the same degree
of sovereignty as other States, and admitted as such, as soon as it can be done in consistency with the principles and requirements of
the Federal Constitution, to all the rights, privileges, and immunities of a State as aforesaid, on a perfect equality with the other
States of the Union.

Specified substantial annuities were to be paid to the King, the Queen, and the High Chiefs.

In 1854 Kamehameha III announced a treaty between Hawai‘i and Breman, Germany, which stated in part:

It being desirable that a general convention and instrument of mutual agreement should exist between the Hawaiian Kingdom and
the Free Hanseatic City of Bremen, the following Articles have, for that purpose and to that intent, been mutually agreed upon and
signed between the Government of the Hawaiian Islands and that of Bremen.

ARTICLE I. There shall be perpetual peace and amity between His Majesty the King of the Hawaiian Islands, His Heirs and
Successors, and the Free Hanseatic City of Bremen, and those who may succeed in the Government thereof.

ARTICLE II. The citizens of Bremen residing within the dominions of the King of the Hawaiian Islands, shall enjoy the same protection
in regard to their civil rights, as well as to their persons and properties, as native subjects; and the King of the Hawaiian Islands
engages to grant to the citizens of Bremen, the same rights and privileges which now are, or may hereafter be granted to, or enjoyed
by any other foreigners, subjects of the most favored nation.

. . .

ARTICLE V. Bremen citizens shall be allowed to reside or settle on any part of the dominions of the King of the Hawaiian Islands,
upon obtaining a document certifying that they are worthy persons, from the Bremen Consul, whose duty it is not to give any such
documents to others than bona fide citizens of Bremen. In the case of Bremen sailors wishing to remain on the islands, permission
shall be previously obtained of the Government by the Bremen Consul.

. . .

ARTICLE X. The subjects of His Majesty the King of the Hawaiian Islands, shall, in their commercial relations, or relations of any
other nature, with the Free Hanseatic City of Bremen, and her dependencies, be treated on the footing of the most favored
nation.
Alexander 'Iolani Liholiho was born on February 9, 1834. His father was Mataio Kekānāo'a. His mother was Kamehameha's daughter, Elizabeth Kāna‘u (Ka‘ahumanu II). In accordance with the Hawaiian tradition known as hānai, Liholiho was adopted by his uncle, Kamehameha III who decreed Liholiho as heir to the throne.

In December 1854, Kamehameha III died. When Liholiho became Kamehameha IV, he terminated Hawai'i's quest for Statehood.

Victoria Kamāmalu was the only daughter of Kāna‘u and Kekānāo'a. Kamehameha IV and Kamehameha V were her brothers. Her kahus (attendants) were John Papa‘i‘i and his wife Sarai.

Victoria’s aunt Kekāuluohi Kekāuluohi became a place-holder for her niece using the name Ka‘ahumanu III, but she died when her niece was seven, so Kamehameha III appointed John Kalaipaihala Young II, also known as Keoni Ana, the son of John Young, as Kuhina Nui.

Article 25 of the 1852 Constitution stated:

The crown is hereby permanently confirmed to His Majesty Kamehameha III. during his life, and to his successor. The successor shall be the person whom the King and the House of Nobles shall appoint and publicly proclaim as such, during the King’s life; but should there be no such appointment and proclamation, then the successor shall be chosen by the House of Nobles and the House of Representatives in joint ballot.

Section II Article 47 of the 1852 Constitution stated:

"Whenever the throne shall become vacant by reason of the King’s death, or otherwise, and during the minority of any heir to the throne, the Kuhina Nui, for the time being, shall, during such vacancy or minority, perform all the duties incumbent on the King, and shall have and exercise all the powers, which by this Constitution are vested in the King."

Victoria became Ka‘ahumanu IV and Kuhina Nui in 1855. In 1863, she constitutionally assumed the power of the monarch for a day when her brother Kamehameha IV died leaving no legal heirs. On that day, Victoria announced:

It having pleased Almighty God to close the earthly career of King Kamehameha IV, at a quarter past 9 o’clock this morning, I, as Kuhina Nui, by and with the advice of the Privy Council of State hereby proclaim Prince Lot Kamehameha, King of the Hawaiian Islands, under the style and title of Kamehameha V. God preserve the King!

Their parents had planned Victoria’s marriage to William Charles Lunalilo. The date was set but her brothers Kamehameha IV and Kamehameha V disapproved because the mana (the royal lineage rank, the divine power and authority) of the Lunalilo-Victoria couple would have been higher than theirs.

Victoria died in 1866. Her vast landholdings, including much of the original private lands of her mother Kāna‘u and Ka‘ahumanu, were inherited by her father and eventually passed to her half-sister Ruth Ke‘elikōlani.
Ka`an`eha was the daughter of Kamehameha's brother. She and her husband, John Young, had four children. One daughter was Fanny Kekelaokalani Young. Another daughter was Grace Kama`iku`i Young. Fanny married George Na`ea. Emma was their daughter. Grace married Thomas Charles Byde Rooke and, in accordance with the Hawaiian tradition known as h_nai, adopted Emma. In 1856, Emma married Kamehameha IV. Queen Emma was instrumental in establishing Queen's Hospital. When she died in 1885, she left the net of her estate to Queen's Hospital.

A law passed in 1859 prohibited the performance of the hula in public except in Honolulu where such performances were permitted after a license was obtained for a fee. Violators were subject to fines.

In 1861, Walter Murray Gibson became the leader of the colony of Mormons on L_na`i. In 1864, Gibson was excommunicated after the Mormon church became aware that Gibson had used church funds to purchase close to one-half of L_na`i and took title for himself.

In 1860, Kamehameha IV and Queen Emma petitioned the Church of England to help establish a church in Hawai`i. Upon the arrival of Anglican bishop Thomas Nettleship Staley and two priests, they both were baptized on October 21, 1862 and confirmed in November 1862. Inspired to build a place of worship in the Anglican (Episcopal) tradition, Kamehameha IV commissioned the construction of what would later become the Cathedral of Saint Andrew. Kamehameha V laid the cornerstone in 1867. Queen Emma solicited contributions for the building. In 1867 she founded Saint Andrew's Priory School for Girls. She also laid the groundwork for an Episcopal secondary school for boys originally named for Saint Alban and later `Iolani School in honor of her husband.

Analea Keohok`ole and Caesar Kapa`akea were the parents of:

James Kaliokalani Kapa`akea,
David Kalakaua Kapa`akea,
Esther Kapiolani Napelakapuokai,
Lydia Lili`u Loloku Walania Wewehi Kamaka`eha,
Anna Kaiulani Kapa`akea,
Ka`iminia`auao Kapa`akea,
Miriam Kapile Likelike Kekauluohi Kapa`akea, and
William Pitt Leleiohoku Kapa`akea.

Kaliokalani became the h_nai son of his maternal grandfather `Aikanaka.

Kal_kaua became the h_nai son of Ha`aheo.

Leleiohoku became the h_nai son of Ruth Ke`_lani.

Ka`iulani became the h_nai daughter of Kekau`_nohi.
Kaʻiminaʻauao became the hōnai son of Kamehameha III and Kalama.

Laura Konia was the daughter of Kaʻleiokulani (Kamehameha III). When Lydia Liliʻu was born in 1838, she became the hōnai daughter of Laura Konia and her husband, Abner Kuhoʻohelepahu Pākī. Laura Konia and Abner Pākī were the parents of Bernice Pauahi Pākī. When Bernice Pauahi was born in 1831, she became the hōnai daughter of Kalani Ahumanu i Kaliko o Iwi Kauhipua o Kaʻahumanu II (Kaʻahumanu II), the daughter of Kamehameha.

Kalani Pauahi, daughter of Pauli Kaʻleiokulani (the eldest illegitimate but natural son of Kamehameha) was the mother of Ruth Keʻelikōlani. Kekānōa was Ruth’s legal and possibly natural father. After Kalani Pauahi’s death, Kekānōa married Kamehameha’s daughter, Kalani Ahumanu i Kaliko o Iwi Kauhipua o Kaʻahumanu II. Alexander Liholiho (Kamehameha IV), Lot Kapuwai (Kamehameha V), and Victoria Kamalama (Kaʻahumanu IV, Kuhina Nui V) were three of their children.

Miriam Kapile Likeke Kekauluohi Kapaʻakea and Archibald Scott Cleghorn were the parents of Victoria Kaʻiulani.

In 1862, Lydia Liliʻu married John Owen Dominus. His mother owned Washington Place and he lived there with Liliʻu.

An 1863 Treaty of Peace and Friendship between Spain and Hawaiʻi was approved in 1870 and stated in part:

ARTICLE I. There shall be perpetual peace and constant friendship between the Kingdom of Spain and that of the Hawaiian Islands, and between the citizens of the two countries, without exception of person of place.

ARTICLE II. There shall be, between Spain and the Hawaiian Islands, reciprocal freedom in commerce and navigation. Spaniards in the Hawaiian Islands, and Hawaiian subjects in Spain, may enter in the same liberty and security with their vessels and cargoes as are enjoyed by the natives of the respective countries, in all places, ports and rivers which are, or shall in future be open to foreign commerce; provided, always, that the police regulations employed for the protection of the citizens of the most favored nations be respected.

ARTICLE III. The citizens of each of the contracting parties may, like the natives in the respective territories, travel or reside, trade wholesale or retail, let or occupy the houses, stores and shops which they may require; they may carry on the transport of merchandise and money, and receive consignments; they may also, when they have resided more than a year in the country, and their goods, chattels or movables which they there possess shall offer a sufficient security, be admitted as sureties in Custom-house transactions. The citizens of both countries shall, on a footing of perfect equality, be free both to purchase and to sell, to establish and to fix the price of goods, merchandise and articles of every kind, whether imported or of home manufacture, whether for home consumption or for exportation. They shall also enjoy liberty to carry on their business themselves, to present to the Custom-house their own declarations; or to have their places supplied by their own attorneys, factors, consignees, agents or interpreters, whether in the purchase or sale of their goods, property or merchandise; whether for the loading or unloading and expedition of their vessels.

They shall also have the right to fulfill all the functions that are confided to them by their own countrymen, by strangers, or by natives, in the position of attorneys, factors, agents, consignees, or interpreters.

For the performance of all these acts, they shall conform to all the laws and regulations of the country, and they shall not be subject, in any case, to any other charges, restrictions, taxes or impositions than those to which the natives are subject; provided, always, that
the police regulations employed for the protection of the citizens of the most favored nation be respected. It is also specially
provided, that all the advantages of any kind whatever, actually granted by the laws and decrees now in force, or which in future
shall be accorded to foreign settlers, shall be guaranteed to Spaniards established, or who establish themselves in whatever position
they may deem fit in the Hawaiian territory, and the same shall hold good for Hawaiian subjects in Spain.

ARTICLE IV. The respective citizens of the two countries shall enjoy the most constant and complete protection for their persons and
property. Consequently, they shall have free and easy access to the courts of justice in the pursuit and defence of their rights, in every
instance and degree of jurisdiction established by the laws. They shall be at liberty, under any circumstances, to employ lawyers,
advocates or agents from any class, whom they may see fit to authorize to act in their name. In fine, they shall in all respects enjoy
the same rights and privileges which are granted to natives, and they shall be subject to the same conditions.

ARTICLE V. The Spaniards in the Hawaiian Islands, and the Hawaiians in Spain, shall be exempt from all service, whether in the
army or navy, or in the national guard or militia, and they cannot be subject to any other charges, restrictions, taxes or impositions
on their property, furniture or movables, than those to which the natives themselves are subject.

ARTICLE VI. The citizens of both countries respectively shall not be subject to any embargo, nor to be detained with their vessels,
luggage, cargoes or commercial effects for any military expedition whatever, nor for any public or private service whatever, unless
the government or local authority shall have previously agreed with the parties interested, that a just indemnity shall be granted for
such service, and for such compensation as might fairly be required for the wrong which (not being purely fortuitous) may have
grown out of the service which they have voluntarily undertaken.

ARTICLE VII. Citizens of either of the contracting parties shall, on the respective territories, have the right of possessing property of
any sort, and disposing of it on the same conditions as native subjects.

Spaniards shall enjoy in all the Hawaiian territories the right of collecting and transmitting successions ab intestato or testamentary
as Hawaiians, according to the laws of the country without being subjected as strangers to any burthens or imposts which are not
paid by the natives.

Reciprocally Hawaiian subjects shall enjoy in Spain the right of collecting and transmitting succession ab intestato or testamentary,
on the same conditions as Spaniards, according to the laws of the country, and without being subject as strangers to any charge or
impost not paid by the natives.

The same reciprocity between the citizens of the two countries shall exist for donations inter vivos. On the exportation of property
collected or acquired under any head by Spaniards in the Hawaiian Islands, or by Hawaiians in Spain, there shall be no duty on
removal or immigration, nor any duty whatever to which natives are not subjected.

ARTICLE VIII. All Spanish or Hawaiian vessels, sailing under their respective colors, and which shall be bearers of the ship's papers
and documents required by the laws of the respective countries shall be considered as national vessels.

...
ARTICLE XXVI. All vessels bearing the flag of Spain, shall, in time of war, receive every possible protection, short of active hostility, within the ports and waters of the Hawaiian Islands, and Her Majesty the Queen of Spain engages to respect, in time of war the neutrality of the Hawaiian Islands, and to use her good offices with all the other powers having treaties with the same, to induce them to adopt the same policy toward the said Islands.

ARTICLE XXVII. The present treaty shall be in vigor for ten years, to commence six months after the exchange of ratification. If a year before the expiration of this term neither of the contracting parties shall have announced, by an official declaration, its intention of terminating it, the treaty shall still remain in force for a year, and so continue from year to year.

ARTICLE XXVIII. The present treaty shall be ratified and the ratification exchanged at London, within the space of eighteen months, or earlier if may be.

Hawai‘i entered into treaties, conventions and other international agreements with major nations and cities of the world and established over ninety legations and consulates in multiple seaports and cities. Most were reciprocal freedom of commerce treaties.

- United States: 1826, 1849, 1875, 1883, and 1887
- Great Britain: 1836, 1846 and 1851
- France: 1839, 1846 and 1858
- Denmark: 1846
- Hamburg, Germany: 1848
- Sweden and Norway: 1852
- Tahiti: 1853 (Postal Convention)
- Breman, Germany: 1854
- Netherlands: 1862
- Belgium: 1862
- Netherlands: 1862
- Italy: 1864
- Spain: 1863
- Swiss Confederation: 1864
- Russia: 1869
- Japan: 1871
- New South Wales: 1874 (Postal Convention)
- Austria-Hungary: 1875
- Germany: 1879
- Portugal: 1882
- Hong Kong: 1884
- Japan: 1886 (Treaty of Immigration)
- Samoa: 1887

Patrick W. Hanifin notes that,
Kamehameha IV died without naming an heir. The 1852 Constitution provided that the Legislature had the power and right to elect his successor. However, without waiting for an election, Kamehameha IV’s brother Lot seized the throne and took the title of Kamehameha V. He refused to take the required oath to the Constitution and did not convene the Legislature. He called a constitutional convention to consider his proposals to amend the Constitution of 1852. When the constitutional convention met, he instead proposed replacing the Constitution of 1852 with a new constitution that would impose a property qualification to disenfranchise poorer voters, most of them ethnic Hawaiian. In Kamehameha V’s opinion, universal manhood suffrage was “altogether beyond the political capacity’ of the Hawaiian people in the state of development which they have attained.”

Kamehameha V had the support of the upper house of the legislature (the “Nobles” who were appointed by the King) and other wealthy residents; but the elected members of the constitutional convention, disagreeing with his opinion of their constituents’ political capacity, rejected his proposal to disenfranchise the poor. Kamehameha V, proclaiming that voting “is not a right belonging to the people,” launched a bloodless coup d’etat, dissolved the convention, and abrogated the 1852 Constitution.

Footnotes omitted.

Ignoring the part of the 1852 Constitution that limited his power to do so unilaterally and relying on the part of the 1852 Constitution that said that “[t]he King, after approving this Constitution, shall take the following oath[,]” Kamehameha V promulgated a new Constitution changing the 1852 Constitution in the following ways. This 1864 Constitution said nothing about a Premier/Kuhina Nui. The members of the King’s Cabinet were the Minister of Foreign Affairs, the Minister of the Interior, the Minister of Finance, and the Attorney General, and they were appointed by the King and served at his pleasure. This Constitution stated that “[n]o act of the King shall have any effect unless it be countersigned by a Minister, who by that signature makes himself responsible.”

The legislature became unicameral and was named the “Legislative Assembly[.]” Every member of the Legislative Assembly was required to take the following oath: “I most solemnly swear, in the presence of Almighty God, that I will faithfully support the Constitution of the Hawaiian Kingdom, and conscientiously and impartially discharge my duties as a member of this Assembly.”

The King appointed the Nobles. The number of Nobles was “not more than twenty[.]” The four members of the King’s Cabinet were ex-officio Nobles. Nobles were required to be not less than twenty-one years of age and to have resided in the Kingdom no less than five years.

The number of Representatives was “not less than twenty-four nor more than forty Representatives elected biannually by the voters.” The age qualification for Representatives was reduced to “not less than twenty-one year old[.]” Only male subjects of the Kingdom were qualified to be, or vote for, Representatives. The word “denizen” was not mentioned. Representatives had to have been domiciled in the Kingdom for at least three years, the last of which was the year immediately preceding his election. Representatives were required to own real estate within the Kingdom of a clear value, over and above all encumbrances, of at least five-hundred dollars, or to have an annual income of at least two-hundred-fifty dollars derived from any property or some lawful employment. Eligibility to vote for district Representatives required possession of real property in the Kingdom of a value over and above all encumbrances of one-hundred and fifty dollars or of a leasehold property on which the rent was twenty-five dollars per year or an annual income of not less than seventy-five dollars derived from any property or some lawful employment and, if born after 1840, the ability to read and write.

The King’s veto of any Bill or Resolution passed by the Legislative Assembly was final.
The members of the Supreme Court were a Chief Justice and not less than two Associate Justices, all appointed by the King for life.

It was further specified:

Any amendment or amendments to this Constitution may be proposed in the Legislative Assembly, and if the same shall be agreed to by a majority of the members thereof, such proposed amendment of amendments shall be entered on its journal, with the yeas and nays taken thereon, and referred to the next Legislature; which proposed amendment or amendments shall be published for three months previous to the next election of Representatives; and if in the next Legislature such proposed amendment of amendments shall be agreed to by two-thirds of all the members of the Legislative Assembly, and be approved by the King, such amendment or amendments shall become part of the Constitution of this country.

It was also specified:

The Crown is hereby permanently confirmed to His Majesty, Kamehameha V, and to the Heirs of His body lawfully begotten, and to their lawful Descendants in a direct line; failing whom, the Crown shall descend to Her Royal Highness the Princess Victoria Kamamalu Kaahumanu, and the heirs of her body, lawfully begotten, and their lawful descendants in a direct line. The Succession shall be to the senior male child, and to the heirs of his body, failing a male child, the succession shall be to the senior female child, and to the heirs of her body. In case there is no heir as above provided, then the successor shall be the person whom the Sovereign shall appoint with the consent of the Nobles, and publicly proclaim as such during the King’s life; but should there be no such appointment and proclamation, and the Throne should become vacant, then the Cabinet Council, immediately after the occurring of such vacancy, shall cause a meeting of the Legislative Assembly, who shall elect by ballot some native Alii of the Kingdom as Successor to the throne; and the Successor so elected shall become a new Stirps for a Royal Family, and the succession from the Sovereign thus elected, shall be regulated by the same law as the present Royal Family of Hawaii.

...  

It shall not be lawful for any member of the Royal Family of Hawaii who may by Law succeed to the Throne, to contract Marriage without the consent of the Reigning Sovereign. Every Marriage so contracted shall be void, and the person so contracting a Marriage, may, by the Proclamation of the Reigning Sovereign, be declared to have forfeited His of Her right to the Throne, and after such Proclamation, the Right of Succession shall vest in the next Heir as though such offender were Dead.

The United States allowed its citizens by birth to “most solemnly swear, in the presence of Almighty God, that I will faithfully support the Constitution of the Hawaiian Kingdom” without jeopardizing their United States citizenship.

This 1864 Constitution required Kamehameha V and his successors to take the following oath: “I solemnly swear in the presence of Almighty God, to maintain the Constitution of the Kingdom whole and inviolate, and to govern in conformity therewith.”

The following is from “Ulukau: The Hawaiian Electronic Library” by Rile M. Moffat and Gary L. Fitzpatrick, Chapter 5 “Surveys from the Mahele”, page 108:

 Ni‘ihau, the westernmost of the eight main islands of Hawai‘i, has one of the simplest yet most controversial land
histories of any of the islands. On February 23, 1864, by Royal Patent 2944, it was sold in its entirety by Kamehameha V to James M. and Francis Sinclair. Even before the sale, there was general dissatisfaction among the Hawaiian people with the amount of land that had been sold by Kamehamea III and his two successors, Alexander Liholiho [Kamehameh V] and Lot Kamehameha [Kamehameh V]. In this particular transaction, nearly 47,000 acres—almost twice the amount granted to all maka‘ainana as kuleana awards—was placed in the hands of non-Hawaiians. Just one month before the sale, residents of Ni‘ihau petitioned the minister of Interior, G. M. Robertson, to be allowed to purchase the land instead of having it go to foreigners.

In November 1863, after Kamehameha IV agreed to sell and Elizabeth McHutchison Sinclair and her sons, James and Francis Sinclair, agreed to purchase the island of Ni‘ihau, Kamehameh IV died. Kamehameha V completed the transaction in January 1864. Later, the Sinclairs learned that the land they had purchased did not include a fifty acre parcel conveyed to Papapa in 1855 via a Royal Patent. Soon thereafter, Papapa sold his acreage to the Sinclairs.

In 1865, the Sinclairs purchased the ahupua‘a of Makaweli (21,844 ac.) on Kaua‘i from Victoria Kamamalu Ka‘ahumanu.

In the case of In the Estate of Kamehameha IV, 2 H. 715, 725 (1864), the Hawaii Supreme Court decided that although the King’s Lands descend in fee, the inheritance was limited to the successors to the throne.

   It is admitted that from the time when Kamehameha III. separated his own property from that of the Government, in 1848, up till his death, he dealt with his reserved lands, as his own private estate, leasing, mortgaging or selling the same at his pleasure. Ever since the division, those lands, except such as have been sold, have always been known as the King’s lands, and have been managed by an agent or land steward appointed by the King. . . .

   During his Majesty’s reign, a period of nearly nine years, he constantly dealt with the lands in question as his private property in like manner as his predecessor had done, . . . On the 30th day of November last, his Majesty died intestate.

   Having stated fully all the facts and circumstances which seem to us calculated to throw light on the subject, and to guide the Court in ascertaining the intention of Kamehameha III. as declared in the instrument of reservation of the 8th March, 1848, and in giving a sound construction to the confirmatory act of the Legislative Council, it only remains for us now to announce the conclusions at which we have arrived.

   In our opinion, while it was clearly the intention of Kamehameha III. to protect the lands which he reserved to himself out of the domain which had been acquired by his family through the prowess and skill of his father, the conqueror, from the danger of being treated as public domain or Government property, it was also his intention to provide that those lands should descend to his heirs and successors, the future wearers of the crown which the conqueror had won; and we understand the act of 7th June, 1848, as having secured both those objects. Under that act the lands descend in fee, the inheritance being limited however to the successors to the throne, and each successive possessor may regulate and dispose of the same according to his will and pleasure, as private property, in like manner as was done by Kamehameha III.

   By action of the legislature with the consent of the King, a statue was enacted on January 3, 1865. Its purpose was to "relieve the Royal Domain from encumbrances and to render the same inalienable." It provided for the redemption of the then existing mortgages on the King’s lands. It stated that the remaining lands are to be "henceforth inalienable and shall descend to the heirs and successors of the Hawaiian Crown forever" and that "it shall not be lawful hereafter to lease said lands for any terms
of years to exceed thirty.” It created a Board of Commissioners of Crown Lands consisting of three persons to be appointed by the King, two of whom were required to be selected from among the members of the King’s Cabinet Council. The third was to act as Land Agent and be paid out of the revenues of the Crown Lands.

The Royal Mausoleum, known as Mauna ‘Ala, is the final resting place of many of Hawai‘i’s two prominent royal families: the Kamehameha Dynasty and the Kalākaua Dynasty. Completed in 1865, it was built by King Kamehameha IV and Queen Emma as a burial site for their deceased four-year old son, Prince Albert, 1858-1862.

Robert Crichton Wyllie, Minister of Foreign Affairs from March 26, 1845 to October 19, 1865, was buried at Mauna ‘Ala in October 1865.

In 1866, the remains of John Young, his second wife and Kamehameha’s niece Ka‘ōana‘eha, and their son Keoni Ana were moved from the Pohukaina vault at ‘Iolani Palace to Mauna ‘Ala.

Queen Emma and her hānai parents - her childless maternal aunt, chiefess Kama‘iku‘i Young Rooke, and her husband, Dr. Thomas C. B. Rooke - are buried at Mauna ‘Ala.

Kamehameha IV and Queen Emma were devout members of the Church of England (Anglican, Episcopal) led by their good friend Queen Victoria. Kamehameha IV commissioned the construction of what would later become the Cathedral of Saint Andrew. He died on the feast day of Saint Andrew in 1863. Kamehameha V laid the cornerstone in honor of his predecessor on March 5, 1867.

From 1868 until his death in 1891, Lili‘uokalani’s husband, John Owen Dominus, served as Royal Governor of O‘ahu.

An 1868 official opinion by the Minister of the Interior stated that,

in the judgment of His Majesty’s government no one acquires citizenship in this Kingdom unless he is born here, or born abroad of Hawaiian parents (either native or naturalized) during their temporary absence from the Kingdom, or unless having been the subject of another power, he becomes the subject of this Kingdom by taking the oath of allegiance.

The first group of Japanese men brought to Hawai‘i as contract laborers arrived in 1868.

The law restricting licensed public hula to the Honolulu area was repealed in 1870.

In 1868, U.S. President Andrew Johnson remarked that “[a] reciprocity treaty, . . . , would be a guaranty of the good will and forbearance of all nations until the people of the islands shall of themselves, at no distant day, voluntarily apply for admission into the Union.” In 1871, U.S. President Ulysses S. Grant asked the U.S. Congress (Congress) to consider statehood for Hawai‘i. Congress did not act on his request.

Prior to his death in 1872, Kamehameha V named Bernice Pauahi Bishop as his successor. She declined. As a result of his failure prior to his death to name a consenting successor, Kamehameha V was the last monarch of the Kamehameha dynasty.
The 1864 Constitution required “the Legislative Assembly, [to] elect by ballot some native Ali‘i of the Kingdom as Successor[.]” Various candidates sought the throne. Ultimately, the contest was between William C. Lunalilo and David Kal_kaua. A January 1, 1873 referendum favored Lunalilo. The next day, the Legislative Assembly confirmed the referendum vote.

Lunalilo died in 1874. Emma was the widow of Kamehameha IV and the granddaughter of John Young. Emma and David Kal_kaua declared themselves as candidates for the throne. The British supported Emma. The Americans supported Kal_kaua.

The Blount Report stated:

It may not be amiss to present some of the criticisms against Kalakaua and his party formally filed with me by Prof. W. D. Alexander, a representative reformer.

On the 12th of February, 1874, Kalakaua was elected King by the legislature. The popular choice lay between him and the Queen Dowager.

In regard to this, Mr. Alexander says that “the cabinet and the American party used all their influence in favor of the former, while the English favored Queen Emma, who was devoted to their interest.”

Notwithstanding there were objections to Kalakaua’s character, he says: “It was believed, however, that if Queen Emma should be elected there would be no hope of our obtaining a reciprocity treaty with the United States.”

The Legislative Assembly voted in favor of Kal_kaua. Supporters of Queen Emma who sought to punish the Representatives who voted against her initiated a riot. The rioters entered the court house, physically beat the Representatives and vandalized their offices. The police were unable to stop the riot. One of Kal_kaua’s ministers requested foreign intervention. United States and British soldiers from warships in the harbor stopped the riot. Twelve Representatives were injured. One Representative died of his injuries.

In 1874, a constitutional amendment deleted the requirement that to qualify to vote for district Representatives a person must possess real property in the Kingdom of a value over and above all encumbrances of one-hundred and fifty dollars or of a leasehold property on which the rent was twenty-five dollars per year.

In 1872, Kamehameha V laid the cornerstone for Ali‘i_lani Hale. Kamehameha V intended it to be a royal palace but he died before it was completed. After it was dedicated by Kalakaua in 1874, the building housed most of the government offices, the legislature, and the courts.

In the earlier days of the monarchy, after the end of the sandalwood supply, whaling became the dominant industry. As time passed, whaling was replaced by the sugar and livestock industries. Labor was in short supply. Pest infestations interfered with production. The market suffered from import duties imposed by the U.S.

In late 1874, Kal_kaua went to Washington D.C., met President Ulysses S. Grant and negotiated the 1875 Convention
on Commercial Reciprocity. It was not approved by Hawai'i's Legislature until 1876, after much opposition, mostly from the English members of the House and the partisans of Emma, who denounced it as a step toward annexation. In it, the U.S. agreed to allow Hawai'i to export to the U.S., duty free, a long list of specified items, including sugar, and Hawai'i agreed to allow the U.S. to export to Hawai'i a lengthy list of specified items, duty free, and

that, so long as this Treaty shall remain in force, [the King] will not lease or otherwise dispose of or create any lien upon any port, harbor, or other territory in his dominions, or grant no special privilege or right of use therein to any other power, state, or government, nor make any treaty by which any other nation shall obtain the same privileges, relative to the admission of any articles free of duty, hereby secured to the [U.S.].

The 1875 Treaty motivated the sugar companies to (1) acquire more land and water rights and (2) arrange for more foreign laborers to come to Hawai'i.

By 1875, Gibson had secured about nine-tenths of the island of Lana`i for his ranching and farming operations, either under fee simple title or long-term lease.

In 1875, four-hundred Portuguese, a large number of whom formerly served as seamen on whaling vessels, resided in Hawaii. The first group of Portuguese men brought to Hawai'i as contract laborers arrived in 1878.

The sugar empire of Claus Spreckels extended from Philadelphia to California. In 1878, Spreckels leased 24,000 acres of Crown lands in central Maui and owned no less than a one-half interest in an additional 16,000 acres.

In 1876, Alexander and Baldwin Sugar Company decided to bring water from the north side of Maui to the arid south central plain. A lease from the government allowed it to do so. Later, Spreckels sought a lease to any water not captured by A&B Sugar Company. The cabinet was taking a long time acting on the request. After receiving from Spreckels a $10,000 gift and a $40,000 loan, Kalakaua replaced his cabinet (Mott Smith, Carter, Hartwell, Kapena) and his newly appointed cabinet (Kapena, Kaai, Wilder, Preston) promptly approved the request by Spreckels for a thirty-year lease of the water supply he sought. In 1880, the Legislature authorized payment of the $40,000 but required reimbursement from the income from the Crown Lands.

While visiting Europe, Kalakaua saw the grand palaces owned by other monarchs. Kalakaua decided that he and his wife, Esther Julia Kapi'olani, and their successors should have a more luxurious residence. He authorized the construction of 'Iolani Palace. Kalakaua laid the cornerstone on December 31, 1879, Queen Kapi'olani's 45th birthday. The palace was completed in November 1882, cost more than $340,000, and was lighted by electricity.

The first group of Norwegian men brought to Hawai'i as contract laborers arrived in 1880.

In 1880, the legislature passed a bill legalizing the importation of opium for Chinese residents. Kalakaua vetoed the bill.

On January 20, 1881, Kalakaua departed on a journey around the world that lasted until October 29, 1881. He stopped in Japan, China, Singapore, India, Egypt, Italy, Britain, Belgium, Germany, Austria, France, Spain, Portugal, and cities in the United States including New York, Washington, Philadelphia, Chicago, and San Francisco. He was the first King in the world to travel

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around the world.

While in Japan, Kal_kaua proposed a marriage between his niece Ka’iulani and Japan’s Prince Higashifushimi Yorihito. His proposal was politely declined.

The first group of German men brought to Hawai‘i as contract laborers arrived in 1881.

In 1881, two shiploads including 500 Norwegians, about 30 Swedes and a few Danes arrived in Mau‘i.

In 1882, Kal_kaua appointed Gibson as Minister of Foreign Affairs and Prime Minister.

The Blount Report states:

In 1882 Mr. Alexander says the race issue was raised by Mr. Gibson, and only two white men were elected to the legislature on the islands.

A bill prohibiting the sale of intoxicating liquors to natives was repealed at this session.

A $10,000,000-loan bill was again introduced, but was shelved in committee. The appropriation bill was swelled to double the estimated receipts of the Government, including $30,000 for coronation expenses, besides large sums for military expenses, foreign embassies, etc.

Isaac Davis married Kalukuna, a relative of Kamehameha. Their son George Hueu Davis married Kahaanapilo Papa. Their son Isaac Young Davis was the second husband of Ruth Keʻelikōlani.

Ruth, the sole heir of Kamehameha V, owned most of the land passed down by her Kamehameha relatives. Ruth asserted a claim to ownership of a one-half interest in all of the King’s (Crown) Lands. Spreckels purchased Ruth’s claim. As noted by W. D. Alexander, in 1882 Kal_kaua and Gibson persuaded the legislature to pass a bill conveying to

to Claus Spreckels the crown lands of Wailuku, containing some 24,000 acres, in order to compromise a claim which he held to an undivided share of the crown lands. He had purchased from Ruth Keelikolani, for the sum of $10,000, all the interest which she might have had in the crown lands as being the half-sister of Kamehameha IV., who died intestate. . . .

Ruth died in 1883. She bequeathed to Bernice Pauahi Bishop approximately 353,000 acres of her Kamehameha lands.

In 1882, Kal_kaua and Gibson initiated action in support of Kal_kaua’s quest to become the head of a Polynesian Federation of all the Polynesian islands in the Pacific. These continuing efforts were unsuccessful.

In 1882, a public meeting was held where the Planters Labor and Supply Company, a company formed by plantation owners in Hawai‘i to facilitate the importation of laborers, adopted two resolutions. First, a charge that the alienation of Crown lands, extravagance of spending, and contempt for the judiciary had caused a loss of confidence in the government. Second, a request asking Kal_kaua to dismiss his Cabinet, especially Gibson. Kal_kaua denied both the charges and the request.
In February of 1883, Kalakaua held belated and extravagant coronation ceremonies lasting two weeks.

A Convention between the United States Post Office and Hawai‘i’s Post Office concerning the exchange of money orders was signed in 1883. It stated, in relevant part, as follows:

1883

... 

ARTICLE I. There shall be a regular exchange of money orders between the two countries. The maximum of each order is fixed at fifty dollars ($50.00). No money order shall include a fractional part of a cent. The amount of each order, whether issued in the United States or in the Kingdom of Hawaii, must be expressed in letters as well as in figures.

ARTICLE II. The Hawaiian Post Office Department shall have power to fix the rates of commission on all money orders issued in the Kingdom of Hawaii, and the Post Office Department of the United States shall have the same power in regard to all money orders issued in the United States.

... 

ARTICLE III. Each country shall keep the commission charged on all money orders within its jurisdiction, but shall pay to the other country three-fourths of one per cent on the amount of such orders.

ARTICLE IV. The service of the postal money order system between the two countries shall be performed exclusively by the agency of offices of exchange. On the part of the United States the office of exchange shall be San Francisco, California, ... 

... 

ARTICLE XIII. In the exchange of money orders between the two countries, one dollar in Hawaiian money shall be taken as the equivalent of one dollar in the United States money. This standard in either country shall be gold value.

... 

ARTICLE XIV. The United States Postal Administration undertakes to serve as intermediary for the exchange of postal orders from the Hawaiian Kingdom to be paid in any European country with which that Administration maintains an exchange of postal orders, and with which the Postal Administration of the Hawaiian Kingdom does not have such exchange, as well as for the exchange of orders from any such European country destined for payment in the Hawaiian Kingdom, provided the European country interested consent to an arrangement of this nature.

... 

ARTICLE XVI. This present Convention shall take effect on the first day of January, 1884, and shall continue in force until twelve months after either of the contracting parties shall have notified to the other its intention to terminate it.

...
In 1883, Kalākaua’s Cabinet authorized “the Minister of Finance in concurrence with the Premier . . . to conclude a negotiation with Mr. Claus Spreckels for the coinage of Hawaiian money to be exchanged for Government six percent bonds, as initiated by the Premier.” As negotiated, the plan was for Spreckels to buy silver bullion and have it manufactured into Hawaiian dollars, half dollars, quarter dollars, and twelve and one-half cent pieces of a total face value of one million dollars, for which the Hawaiian government would give him a million dollars worth of six percent gold bonds. In contrast, the silver content of the coins was approximately eighty-four percent.

The entire million dollars of Hawaiian silver coins was received in Honolulu prior to December of 1884. It consisted of $500,000 in dollars, $350,000 in half dollars, $125,000 in quarters, and $25,000 in ten cent pieces.

An 1884 statute provided that starting December 1, 1884, the gold coins of the U.S. would be “the standard and legal tender, at their nominal value in the payment of all debts, public and private”; that the standard silver coins of the U.S. and the Hawaiian silver coins should be legal tender up to the amount of ten dollars; that all other coins should be accepted in the treasury at no more than their bullion value, but that, for a period of sixty days following approval of the act, all coins other than those of the United States and Hawai‘i would be received at the treasury at their nominal value in exchange for Hawaiian coins, all coins thus received to be sold and the proceeds of the sale to be delivered into the treasury in gold coins of the United States; if necessary, in order to maintain a proper equilibrium between gold and silver, the Minister of Finance was authorized to sell, in exchange for United States gold coins, any silver coins (i.e. U.S. or Hawai‘i) that might be in the treasury. In addition, the law provided that all outstanding certificates of deposit, except ten dollar certificates, would be redeemable at face value in the U.S. gold coin; when so redeemed they were to be cancelled; and further issues of certificates of deposit were to be based on deposits of U.S. gold coins.

In the case of In re Aliens and Denizens, 5 Haw. 167 (1884), the Hawaii Supreme Court stated that

the Act of 1882 . . . has so enlarged the requisites for naturalization as to make naturalization in many cases impossible. This Act requires of the person wishing to be naturalized, (1) the approval of the King, (2) that he shall have resided within the Kingdom five years or more next preceding his application, (3) that he own taxable real estate within this Kingdom free from encumbrance, (4) that he be not of immoral character, (5) that he be not a refugee from the justice of some other country, (6) that he be not a deserting sailor, marine, soldier or officer, and (7) that the Minister of the Interior be satisfied that the applicant’s admission to naturalization will be for the good of the country.

That the law is illiberal, considering that this Kingdom desires population, and invites and encourages immigration, is manifest. But it is a sufficient answer to say that it is the law of this country at present.

The large scale immigration of Japanese contract laborers began in 1885.

An 1886 statute eliminated the legal tender status of the U.S. quarter, half dollar, and dollar coins, so that after 1886 the circulating money of Hawai‘i consisted of United States gold coins, dimes and half dimes, Hawaiian silver coins and certificates of deposit in denominations of five, ten, twenty, fifty, and one hundred dollars.

Spreckels held more than half of the $1,300,000 in government bonds then outstanding. In 1886, the government used the proceeds from the sale of new bonds to retire the bonds held by Spreckels.
The 1886 Legislature's appropriations totaled $3,856,755.50. The government's estimated receipts for that year totaled $2,336,870.42.

In 1886, Kalakaua approved legislation authorizing the issuance to someone applying therefor a license “to import and sell opium or any preparation of opium, in this Kingdom[.]” The term of the license was four years. The licensee was required to insure that he “will not sell, give or furnish any opium, or preparation of opium, to any native Hawaiian or Japanese, or to any other person who has not received a certificate from some physician stating that opium is the property remedy for the disease from which the bearer is suffering[.]” This 1886 legislation also required any person or persons desiring to purchase or use opium, or any preparation thereof “to obtain a license authorizing the purchase or use of opium or any preparation thereof.” W. D. Alexander described the relevant subsequent events:

The main facts of the case, as proved before the court, are as follows: Early in November, 1886, one, Junius Kaae, a palace parasite, informed a Chinese rice-planter named Tong Kee, alias Aki, that he could have the opium license granted to him if he would pay the sum of $60,000 to the King's private purse, but that he must be in haste because other parties were bidding for the privilege. With some difficulty Aki raised the money, and secretly paid it to Kaae and the King in three instalments between December 3d and December 8th, 1888. Soon afterwards Kaae called on Aki and informed him that one, Kwong Sam Kee, had offered the King $75,000 for the license, and would certainly get it, unless Aki paid $15,000 more. Accordingly Aki borrowed the amount and gave it to the King personally on the 11th.

Shortly after this another Chinese syndicate, headed by Chung Lung, paid the King $80,000 for the same object, but took the precaution to secure the license before handing over the money. Thereupon Aki, finding that he had lost both his money and his license, divulged the whole affair, which was published in the Honolulu papers. He stopped the payment of a note at the bank for $4,000, making his loss $71,000.

It has been seen that on the 30th of June, 1887, Kalakaua promised in writing that he would "cause restitution to be made" of the $71,000 which he had obtained from Aki, under a promise that he (Aki) should receive the license to sell opium, as provided by the Act of 1886.

The Reform cabinet urged the King to settle this claim before the meeting of the Legislature, and it was arranged that the revenues from the Crown lands should be appropriated to that object. When, however, they ascertained that his debts amounted to more than $250,000 they advised the King to make an assignment in trust for the payment of all claims pro rata. Accordingly, a trust deed was executed November 21, 1887, assigning all the Crown land revenues and most of the King's private estate to three trustees for the said purpose, on condition that the complainant would bring no petition or bills before the Legislature, then in session.

Some three months later these trustees refused to approve or pay the Aki claim, on which Aki's executors brought suit against them in the Supreme Court.

After a full hearing of the evidence, Judge Preston decided that the plea of the defendants that the transaction between Aki and the King was illegal could not be entertained, as by the constitution the King "could do no wrong," and "could not be sued or held to account in any court of the Kingdom." Furthermore, as the claimants had agreed to forbear presenting their claim before the Legislature in consideration of the execution of the trust deed, the full court ordered their claim to be paid pro rata with the other approved claims.

In 1886 and 1887, people concerned with Kalakaua's actions and activities formed a secret "Hawaiian League". In The
United States and the Hawaiian Kingdom, Merze Tate reported that “leading merchants, planters, business and professional men, and morticians” were included in its four hundred thirty five members. Its stated purpose was “to secure efficient, decent and honest government in Hawaii.”

In April of 1887, Kal _kaa sent Queen Kapi‘olani, Lili‘uokalani and her husband John Owen Dominis to attend the Golden Jubilee celebrating England’s Queen Victoria’s fifty years on the throne.

Between 1842 and 1887, 731 Chinese persons and three Japanese persons were naturalized in Hawaii’.

In 1887, notice of a public meeting was published in the newspaper. It appears that those who called the meeting included Dr. S.G. Tucker, Lorrin A. Thurston, W.A. Kinny, S.B. Dole, P.C. Jones, W.R. Castle, W.E. Rowell, C. W. Ashford, Major H.M. Benson, A.T. Atkinson, Dr. G.H. Martin, Dr. N.B. Emerson, H. Reimenschneider, and C. Furneaux.

At the public meeting, resolutions were presented. The approved resolutions requested of Kal _kaa the following:

First - That he shall at once and unconditionally dismiss his present Cabinet from office, and we ask that he shall call one of these persons, viz: William L. Green, Henry Waterhouse, Godfrey Brown or Mark P. Robinson to assist him in selecting a new Cabinet, which shall be committed to the policy of securing a new constitution.

Second - That Walter M. Gibson shall be at once dismissed from each and every office held by him under the Government.

Third - In order, so far as possible, to remove the stain now resting on the throne, we request of the King that he shall cause immediate restitution to be made of the sum, to wit: Seventy-one thousand dollars ($71,000), recently obtained by him in violation of law and of his oath of office, under promise that the persons from whom the same was obtained should receive the license to sell opium, as provided in the statute of the year 1886.

Fourth - Whereas, one Junius Kaae was implicated in the obtaining of said seventy-one thousand dollars ($71,000), and has since been, and still is retained in office as Registrar of Conveyances, we request, as a safeguard to the property interests of the country, that said Kaae be at once dismissed from said office, and that the records of our land titles be placed in hands of one in whose integrity the people can safely confide.

Fifth - That we request a specific pledge from the King

(1) That he will not in future interfere either directly or indirectly with the election of representatives.

(2) That he will not interfere with or attempt to unduly influence legislation or legislators.

(3) That he will not interfere with the constitutional administration of his cabinet.

(4) That he will not use his official position or patronages for private ends.

The requests were presented to Kal _kaa, giving him twenty-four hours to reply, and authorizing another public meeting if he refused to agree to them.
Kal_kaua called in the representatives of the United States, Great Britain, France, and Portugal, to whom he offered to transfer his powers as King. This they refused, but advised him to lose no time in forming a new cabinet and signing a new constitution.

In his written reply to the resolutions, Kal_kaua responded:

To Honorable Paul Isenberg and the Gentlemen Composing the Committee of a Meeting of Subjects and Citizens:

Gentlemen: In acknowledging the receipt of the Resolutions adopted at a Mass Meeting held yesterday and presented to Us by you We are pleased to convey through you to Our loyal subjects as well as to the citizens of Honolulu Our expression of good-will and our gratification that Our people have taken the usual constitutional step in presenting their grievances.

To the first proposition contained in the resolutions passed by the meeting, . . . we reply that it has been substantially complied with by the formal resignation of the Ministry, which took place on the 28th day of June, and was accepted on that date, and that we had already requested the Hon. W. L. Green to form a new Cabinet on the day succeeding the resignation of the Cabinet.

To the second proposition, we reply that Mr. Walter M. Gibson has severed all his connections with the Hawaiian Government by resignations.

To the third proposition, we reply that we do not admit the truth of the matter stated therein, but will submit the whole subject to Our new Cabinet and will gladly act according to their advice and will cause restitution to be made by the parties found responsible.

To the fourth proposition, we reply that at Our command Mr. Junius Kaʻea resigned the office of Registrar of Conveyances on the 28th day of June, and his successor has been appointed.

To the fifth proposition, we reply that the specific pledges required of Us are each severally acceded to.

Kal_kaua then appointed his Green-Brown-Thurston-C.W. Ashford Cabinet. This Cabinet participated in the drafting of a new Constitution and presented it to Kal_kaua for his approval. On July 6, 1887, Kal_kaua ignored his oath of office and the constitutional limitations on his power to do so and signed the new Constitution and a proclamation stating that he "being moved thereto by the advice of my Cabinet Council; and in pursuance of such advice did sign, ordain, and publish a new Constitution."

Under each of Hawaiʻi's Constitutions, the King was titular head of the armed forces. The following were Hawaiʻi's Commanders-in-Chief during the periods indicated:

William Pitt Kalanimoku (Pukaua) 1796-1819
Aliʻi Hoapili Ulumaheihei (Pukaua) 1819-1825
Mataio Kekuanaʻoa (Pukaua) 1825-1830
Aliʻi Hoapili Ulumaheihei (Pukaua) 1830-1831
John Adams Kuakini (Pukaua) 1831-1834
Mataio Kekuanaʻoa (ʻAlihikaua) — ex officio 1834-1853
Lieutenant General Prince Alexander Liholiho (ʻAlihikaua) — ex officio 1853-1854
Lieutenant General Prince Lot Kamehameha (‘Alihikaua) – ex officio 1854-1863
King Kamehameha V (C-in-C) 1863-1872
King William Charles Lunalilo (C-in-C) 1873-1874
Lieutenant General John Owen Dominis (C-in-C) 1874-1880
Lieutenant General John Owen Dominis (C-in-C) ex officio 1880-1886
King David Kalakaua (Generalissimo) 1886-1887
Lieutenant General John Owen Dominis (C-in-C) 1886-1887
King David Kalakaua (C-in-C) 1887-1888
King David Kalakaua (C-in-C) 1890-1891
Queen Lydia Lili‘uokalani (C-in-C) 1891-1893

The Blount Report states in part:

[Chief Justice Judd] gives an account of various obnoxious measures advocated by the King which were defeated.

In 1882 he says the race issue was raised by Mr. Gibson, and only two white men were elected to the legislature on the islands.

A bill prohibiting the sale of intoxicating liquors to natives was repealed at this session.

A $10,000,000-loan bill was again introduced, but was shelved in committee. The appropriation bill was swelled to double the estimated receipts of the Government, including $30,000 for coronation expenses, besides large sums for military expenses, foreign embassies, etc.

A bill was reported giving the King power to appoint district justices, which had formerly been done by the justices of the supreme court.

A million of dollars of silver was coined by the King, worth 84 cents to the dollar, which was intended to be exchanged for gold bonds at par, under the loan act of 1882. This proceeding was enjoined by the court. The privy council declared the coin to be of the legal value expressed on their face, subject to the legal-tender act, and they were gradually put into circulation. A profit of $150,000 is said to have been made on this transaction.

In 1884 a reform legislature was elected. A lottery bill, an opium license bill, and an $8,000,000 loan bill were defeated.

In the election for the legislature of 1880 it is alleged that by the use of gin, chiefly furnished by the King, and by the use of his patronage, it was carried against the reform party; that out of twenty-eight candidates, twenty-six were office-holders—one a tax assessor and one the Queen’s secretary. There was only one white man on the Government ticket Gibson’s son-in-law. Only ten reform candidates were elected. In this legislature an opium bill was passed providing for a license for four years, to be granted by the minister of the interior with the consent of the King, for $30,000 per annum.

Another act was passed to create a Hawaiian board of health, consisting of five native doctors, appointed by the King, with power to issue certificates to native kahunas (doctors) to practice medicine.

A $2,000,000-loan bill was passed, which was used largely in taking up bonds on a former loan.
It is claimed that in granting the lottery franchise the King fraudulently obtained $75,000 for the franchise and then sold it to another person, and that subsequently the King was compelled to refund the same.

These are the principal allegations on which the revolution of 1887 is justified.

To all this the answer comes from the reformers: “The native is unfit for government and his power must be curtailed.”

The general belief that the king had accepted what is termed the opium bribe and the failure of his efforts to unite the Samoan Islands with his own Kingdom had a depressing influence on his friends, and his opponents used it with all the effect they could.

The last cabinet prior to the revolution of 1887 was anti-reform. Three of its members were half castes; two of them were and are recognized as lawyers of ability by all.

At this point I invite attention to the following extract from a formal colloquy between Chief Justice Judd and myself touching the means adopted to extort the constitution of 1887, and the fundamental changes wrought through that instrument:

Q. Will you be kind enough to state how this new constitution was established?

A. The two events which brought this matter to a culminating point were (1) the opium steal of $71,000 by which a Chinaman named Aki was made by the King to pay him a bribe of $71,000 of hard coin in order to obtain the exclusive franchise for selling opium, and (2) the expense of the expedition to Samoa in the “Kaimiloa.” A secret league was formed all over the islands, the result of which was the King was asked to promulgate a new constitution containing those provisions that I have before alluded to. It was very adroitly managed by the Ashford’s [sic], and more especially by V. V. Ashford, who obtained the confidence of the King and Mr. Gibson. He was the colonel of the Rifles, and he assured them that if he was paid a certain sum of money and made minister to Canada that he would arrange it so that the movement would be futile.

Q. How was he to do that?

A. By preventing the use of the military, I suppose; and he arranged with the military authorities and Capt. Haley that they should be called out to preserve public order, although it was this large and well-drilled force which made fear that if he didn’t yield things would be very critical for him.

Q. Was that a Government force?

A. It was organized under the laws.

Q. A volunteer organization?

A. Yes.

Q. So that the men in sympathy with the movement of this secret league went INTO it and constituted it under form of law.

A. Of course I do not know what was told the King privately, but I knew that he felt it would be very dangerous to refuse to
promulgate the new constitution. I have no doubt that a great many things were circulated which came to his ears in the way of threats that was unfounded.

Q. What was the outside manifestation?

A. One great feature of it was its secrecy. The King was frightened at this secrecy. It was very well managed. The judges of the supreme court were not told of it until just before the event took place. I think it was the 2d or 3d of July, 1887.

Q. Was there then a mass meeting?

A. There was a large mass meeting held and a set of resolutions was presented to the King requiring that a new ministry be formed by Mr. W. L. Green and one other person, whose name I have forgotten.

Q. Was there any display of force?

A. The Honolulu Rifles were in detachments marched about in different portions of the town, having been called out by the legal military authorities.

Q. Who were the legal military authorities?

A. The governor of the island, Dominis, and Capt. H. Burrill Haley, the adjutant-general.

Q. Were they in sympathy with the movement?

A. No, sir; the officers of the corps were in sympathy with the movement.

Q. Who were they?

A. Ashford and Hebbard. I do not remember all.

Q. Did the governor order them out, not knowing of this state of things?

A. I think he did. I think he knew it, but it was to prevent as I believe, something worse happening. As I said, there were threats made.

Q. Of what sort?

A. I understood that at one time there was a very strong feeling that the King should be forced to abdicate altogether, and it was only the more conservative men born here who said that the King and the Hawaiians should have another opportunity.

Q. Were there not two elements in that movement, one for a republic and the other for restraining the power of the King?

A. Yes.

Q. Were there not two forces in this movement cooperating together up to a certain point to wit, those who were in favor of restraining the King by virtue of the provisions of the constitution of 1887 and those who were in favor of dethroning the King and establishing a republic?
A. I understand that there were, and that the more conservative view prevailed.

Q. And the men who were in favor of a republic were discontented at the outcome?

A. They were, and they didn’t want the Hawaiians to vote at all; and the reason that the Portuguese were allowed to vote was to balance the native vote.

Q. Whose idea was that—was that the idea of the men who made the new constitution?

A. Of the men who made the new constitution.

Q. It was to balance the native vote with the Portuguese vote?

A. That was the idea.

Q. And that would throw the political power into the hands of the intelligence and wealth of the country?

A. That was the aim.

Q. How was this military used?

A. It was put about in squads over the city.

Q. The officers of the corps were really in favor of the movement for the new constitution and were called out by Governor Dominis to preserve order?

A. Yes. After the affair was over he was thanked by a military order from headquarters.

Q. Do you suppose that he was gratified with thanks under the circumstances?

A. Haley said to me when he showed me the order: “It is a little funny to thank a man who kicked you out, but I suppose I’ve got to do it.”

Q. The King acceded to the demand for a new constitution and of a cabinet of given character?

A. In the first place he acceded to the proposition to make a new cabinet named by Mr. Green. The former cabinet, consisting of Mr. Gibson and three Hawaiians, had just resigned a day or two before. In three or four days the cabinet waited upon him with the constitution.

Q. What cabinet?

A. The cabinet consisting of Mr. Green, minister of foreign affairs; Mr. Thurston, minister of the interior; Mr. C. W. Ashford, attorney-general; and Mr. Godfrey Brown, minister of finance. I was seat [sic] for in the afternoon of July 5 to swear the King to the constitution. When I reached the palace they were all there, and the King asked me in Hawaiian whether he had better sign it or not.
I said, "You must follow the advice of your responsible ministers." He signed it.

Q. This ministry had been appointed as the result of the demand of the mass meeting?

A. Yes, sir.

Q. And then having been appointed, they presented him with the constitution of 1887?

A. Yes, sir.

Q. And he signed it?

A. He did.

Q. Was that constitution ever submitted to a popular vote for ratification?

A. No; it was not. There was no direct vote ratifying the constitution, but its provisions requiring that no one should vote unless he had taken an oath to support it, and a large number voted at that first election, was considered a virtual ratification of the constitution.

Q. If they voted at all they were considered as accepting it?

A. Yes, sir I do not think any large number refused to take the oath to it.

Q. It was not contemplated by the mass meeting, nor the cabinet, nor anybody in power to submit the matter of ratification at all?

A. No, it was not. It was considered a revolution. It was a successful revolutionary act.

The first two paragraphs of the July 6, 1887 Constitution state:

WHEREAS, the Constitution of this Kingdom heretofore in force contains many provisions subversive of civil rights and incompatible with enlightened Constitutional Government:

And WHEREAS, it has become imperative in order to restore order and tranquillity and the confidence necessary to a further maintenance of the present Government that a new Constitution should be at once promulgated:

This 1887 Constitution changed various provisions in the 1864 Constitution, as amended. It omitted the statement in the 1864 Constitution that "[t]he King's private lands and other property are inviolable." The name of the "Legislative Assembly" was changed to the "Legislature[.]"

A Cabinet member could be removed upon a vote of want of confidence passed by a majority of all the elective members of the Legislature. Each Cabinet member held a seat ex-officio, in the Legislature, with the right to vote, except on a question of want of confidence in him.

Twenty-four Nobles were to be elected, six from the Island of Hawai‘i, six from the Islands of Maui, Moloka‘i and Lana‘i,
nine from the Island of O‘ahu, and three from the Islands of Kaua‘i and Ni‘ihau. The term of each Noble was six-years and one-third of each division were elected biannually. The only persons eligible to be Nobles were not less than twenty-five year old subjects of the Kingdom who 1) had resided in Hawai‘i for not less than three years, and (2)(a) were the owners of taxable property in the Kingdom of the value of three-thousand dollars over and above all encumbrances, or (b) were in receipt of an annual income of not less than six-hundred dollars. The word “denizen” was not mentioned. The only persons authorized to vote for Nobles were not less than twenty-year old male residents of the Hawaiian Islands who (1) were of Hawaiian, American or European birth or descent, (2) paid their taxes, (3) resided in the Kingdom not less than three years and in the district not less than three months immediately preceding the election, (4) owned and possessed, in their own right, taxable property in the Kingdom of the value of not less than three thousand dollars over and above all encumbrances, or actually received an income of not less than six hundred dollars during the year next preceding their registration for the election, (5) caused their names to be entered on the list of voters for Nobles for their Districts, (6) took an oath to support the Constitution and laws, and (7)

provided, however, that the requirements of a three years residence and of ability to read and comprehend an ordinary newspaper, printed in the Hawaiian, English or some European language, shall not apply to persons residing in the Kingdom at the time of the promulgation of this Constitution, if they shall register and vote at the first election which shall be held under this Constitution.

Twenty-four Representatives were elected biennially. The only persons eligible to be Representatives were not less than twenty-one year old male subjects of the Kingdom, who (1) knew how to read and write either the Hawaiian, English or some European language, (2) understood accounts, (3) had been domiciled in the Kingdom for at least three years, the last of which was the year immediately preceding their election, and (4) owned real estate within the Kingdom of a clear value, over and above all encumbrances, of at least five hundred dollars, or had an annual income of at least two hundred and fifty dollars derived from any property or some lawful employment. The only persons authorized to vote for their district Representatives were not less than twenty-year old males domiciled in Hawaii for no less than one year preceding the election who (1) were “of Hawaiian, American, or European birth or descent”, (2) paid their taxes, (3) if born since the year 1840, knew how to read and write the Hawaiian, English or some European language, (4) caused their names to be entered on the list of his district, (5) took an oath to support the Constitution and laws, and (6)

provided, however that the requirements of being domiciled in the Kingdom for one year immediately preceding the election, and of knowing how to read and write either the Hawaiian, English or some European language, shall not apply to persons residing in this Kingdom at the time of the promulgation of the Constitution, if they shall register and vote at the first election which shall be held under this Constitution.

By a two-thirds vote, the Legislature could override the King’s veto of any bill passed by the Legislature. Justices of the Supreme Court could be removed by impeachment. Legislated constitutional amendments did not require the approval of the King. The first election was required to be held within ninety days after the promulgation of the Constitution.

This Constitution specified:

ARTICLE 22
The Crown is hereby permanently confirmed to His Majesty Kalakaua, and to the Heirs of His body lawfully begotten, and to their lawful Descendants in a direct line; failing whom, the Crown shall descend to Her Royal Highness the Princess Liliuokalani, and the heirs of her body, lawfully begotten, and their lawful descendants in direct a line. The Succession shall be to the senior male child,
and to the heirs of his body; failing a male child, the succession, shall be to the senior female child, and to the heirs of her body. In case there is no heir as above provided, the successor shall be the person whom the Sovereign shall appoint with the consent of the Nobles, and publicly proclaim during the Sovereign’s life; but should there be no such appointed and proclamation, and the Throne should become vacant, then the Cabinet, immediately after the occurring of such vacancy, shall cause a meeting of the Legislature, who shall elect by ballot some native Alii of the Kingdom as Successor to the Throne; and the Successor so elected shall become a new Stirps for the Royal Family; and the Succession from the Sovereign thus elected, shall be regulated by the same law as the present Royal Family of Hawaii.

ARTICLE 23
It shall not be lawful for any member of the Royal Family of Hawaii who may by Law succeed to the Throne, to contract Marriage without the consent of the Reigning Sovereign. Every Marriage so contracted shall be void, and the person so contracting a Marriage, may, by the proclamation of the Reigning Sovereign, be declared to have forfeited His or Her right to the Throne, and after such Proclamation, the Right of Succession shall vest in the next Heir as though such offender were dead.

His Majesty Kalakaua, will, and his Successors shall take the following oath: I solemnly swear in the presence of Almighty God, to maintain the Constitution of the Kingdom whole and inviolate, and to govern in conformity therewith.

As, in substance, the 1864 Constitution stated, the 1887 Constitution expressly stated:

ARTICLE 41.
The Cabinet shall consist of the Minister of Foreign Affairs, the Minister of the Interior, the Minister of Finance, and the Attorney General, and they shall be His Majesty’s special advisors in the executive affairs of the Kingdom; and they shall be ex-officio members of His Majesty’s Privy Council of State. They shall be appointed and commissioned by the King and shall be removed by him, only upon a vote of want of confidence passed by a majority of all the elective members of the Legislature or upon conviction of felony, and shall be subject to impeachment. No act of the King shall have any effect unless it be countersigned by a member of the Cabinet, who by that signature makes himself responsible.

Unlike the 1864 Constitution, the 1887 Constitution stated:

ARTICLE 48.
Every Bill which shall have passed the Legislature, shall, before it becomes law, be presented to the King. If he approve he shall sign it and it shall thereby become law, but, if not, he shall return it, with his objections, to the Legislature, which shall enter the objections at large on their journal and proceed to reconsider it. If after such reconsideration it shall be approved by a two-third vote of all the elective members of the Legislature it shall become a law. In all such cases the votes shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the journal of the Legislature. If any Bill shall not be returned by the King within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature by their adjournment prevents its return, in which case it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature by their adjournment prevents its return, in which case it shall not be a law.

ARTICLE 65.
The Supreme Court shall consist of a Chief Justice, and not less than two Associate Justices, any of whom may hold the Court. The Justices of the Supreme Court shall hold their offices during good behavior, subject to removal upon impeachment, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office. Provided, however, that any Judge of the Supreme Court or any other Court of Record may be removed from office, on resolution passed by two-thirds of all members of the Legislature, for good cause shown to the satisfaction of the King. The Judge against whom the Legislature may be about to proceed, shall receive notice thereof, accompanied by a copy of the causes alleged for his removal, at least ten days before the day on which the Legislature shall act thereon. He shall be heard before the Legislature.

ARTICLE 78.
Wherever by this Constitution any Act is to be done or performed by the King or the Sovereign, it shall unless otherwise expressed, mean that such Act shall be done and performed by the Sovereign by and with the advice and consent of the Cabinet.

The 1887 Constitution required voters to take “an oath to support the Constitution and laws”. The United States decided that the taking of such an oath did not have any effect on a person’s United States citizenship.

A special legislative session in 1887 reduced the number of Supreme Court justices from five to three, effective December 31, 1887. The five justices were Judd, McCully, Preston, Bickerton and Dole. In The King v. Testa, 7 Haw. 201 (1888), the three justices not affected by the legislation decided that the statute was not retroactive.

In Everett v. Baker, 7 Haw. 229 (1888), the Hawaii Supreme Court decided that the King could refuse to approve a bill which had been passed by a majority of the legislature and he could do so without the advice and consent of the Cabinet. The following is a quote from the Court’s opinion:

Under article 48 of the Constitution prescribing the method by which a bill passed by the legislature may become a law, refusal of the King to sign a bill which has been passed by a majority of the legislature does not require for its validity that it be done by the advice and consent of the cabinet, evidenced by the countersignature of the minister, but is the individual right of the King, notwithstanding article 78 of the Constitution, which requires any act to be done by the King “unless otherwise expressed” to be done and performed by him by and with the advice and consent of the cabinet, which means that any act which the Constitution requires to be done by the King shall be done by him with the advice and consent of the cabinet unless the article defining the act to be done shall of itself show that the concurrence of the cabinet is not required. Const. arts. 48, 78.

Soon thereafter, however, in the case of In re Authority of the Cabinet, 7 Haw. 783 (1889), the Hawaii Supreme Court
To His Majesty's Cabinet.

GENTLEMEN: The Justices of the Supreme Court have received your letter of to-day's date in which you state certain circumstances under which you to-day formulated and presented to His Majesty the following statement of principles:

Before going further the Cabinet "desire a thorough understanding with your Majesty upon the following point, viz:

The Government in all its departments must be conducted by the Cabinet, who will be solely and absolutely responsible for such conduct.

Your Majesty shall in future sign all documents and do acts which under the laws or the Constitution require the signature or acts of the Sovereign, when advised so to do by the Cabinet, the Cabinet being solely and absolutely responsible for the signature of any document or act so done or performed by their advice."

You further state that you advised His Majesty that such statement of principles is in accordance with the Constitution and that it was his duty to assent thereto.

You request the opinion of the Justices of the Supreme Court upon the following question, viz:

"Is the authority and responsibility of the Cabinet, as set forth in the above statement of principles, in accordance with and in pursuance of the Constitution, or not?"

We respectfully submit the following reply:

By Article 21 of the Constitution, "the Government of this Kingdom is that of a Constitutional Monarchy," and although the Constitution devolves upon the King as the head of the Government certain powers and directs that certain acts shall be done by him, so far, certainly, as these are executive powers and acts, the exercise of them is controlled by Article 78 of the Constitution which reads that "wherever by this Constitution any act is to be done or performed by the King or Sovereign, it shall, unless otherwise expressed, mean that such act shall be done and performed by and with the advice and consent of the Cabinet."

Article 31 of the Constitution declares that the King's person is sacred and inviolable, and that His Ministers are responsible; and Article 41 prescribes that "no act of the King shall have any effect unless it be countersigned by a member of the Cabinet, who, by that signature, makes himself responsible."

There can be no dual Government. There can be no authority without responsibility. The King is without responsibility. The Constitution confers the responsibility of government upon the Cabinet; they, therefore, have the authority. With this in view, we are unanimously of opinion that the principles formulated by you and presented to His Majesty, above set forth, are in accordance with and in pursuance of the Constitution.

We wish to say further, that on the occasion of His Majesty’s considering the propriety of his approval of an Act of the Legislature of 1887 (which is now Chapter XXV. of the Acts of 1887), the Justices of the Supreme Court, at his request, sent him an opinion upon the proposed Act.

Its title is, “An Act to provide for and declare the construction to be placed upon the words 'The King' or 'The Sovereign' in certain cases.”

The opinion was as follows:
“We see no conflict of this Act with Articles 16 or 48 of the Constitution.

“This Act is consistent with Article 78 of the Constitution, the principle of which is hereby applied in terms to statutes also.

“And we understand that it has always been the true intent of statutes that the acts of the King are done upon the responsibility of his Cabinet, unless it appears from express words or by the very nature of the case that the act is of a personal character.

In the appeal of In re Responsibility of Cabinet, 8 Haw. 566 (1890), the Hawaii Supreme Court decided that it was not necessary for the Cabinet to be unanimous. Only three of the four votes were required.

The following is a list of the members of the Cabinet and the dates of their appointment. Predecessors were out-of-office prior to the appointment of successors.

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FA Samuel Parker
AG William A. Whiting

F 3-10-91 Samuel Parker

AG 7-27-92 Hermann A. Widemann

F 7-28-92 James Mott Smith
AG 8-29-92 Paul Neumann

F 9-12-92 Edward Creamer Macfarlane
I Charles Thomas Gulick

F 11-1-92 William H. Cornwell
FA Joseph K. Nawahi
AG Charles Creighton

F 11-8-92 Peter Cushman Jones
FA Mark P. Robinson
AG Cecil Brown
I George Norton Wilcox

F 1-13-93 William H. Cornwell
FA Samuel Parker
AG Arthur P. Peterson
I John Francis Colburn

The 1887 Constitution permitted otherwise qualified male Portuguese, Norwegian and German immigrants to vote. In Ahlo v. Smith, 8 Haw. 420 (1892), the Hawaii Supreme Court decided that the 1887 Constitution substituted the race status of Hawaiian, American or European birth or descent as a condition for the voting privilege in place of the status of citizenship, which was a requirement under the 1864 Constitution. As a result, a male native of China, who was a naturalized citizen of Hawai‘i and who had a right to vote under the 1864 Constitution, was deprived of that right by the promulgation of the 1887 Constitution. The meaning of the words “of Hawaiian, American or European birth” was not an issue. Neither were the questions (1) who are included within the meaning of the words “American descent” and (2) whether the descent requirement was satisfied if the total of the man’s Hawaiian descent was less than one-half.

The Blount Report states:
Chief Justice Judd, of the supreme court of the Hawaiian Islands, in a formal statement uses this language:

Under every constitution prior to 1887 the ministers were appointed by the King and removed by him; but until Kalakaua’s reign it was a very rare thing that any King changed his ministry. They had a pretty long lease of political life. My father was minister for seven or ten years and Mr. Wyllie for a longer period. It was a very rare political occurrence and made a great sensation when a change was made. Under Kalakaua things were different. I think we had twenty-six different cabinets during his reign.

The record discloses thirteen cabinets. Two of these were directly forced on him by the reformers. Of the others, six were in sympathy with the reformers and eminent in their confidence. The great stir in cabinet changes commenced with the Gibson cabinet in 1882.

The not-less-than seven-year term of the 1875 Treaty commenced on September 9, 1876. At the end of the seven-year term, either party was authorized to terminate it upon a year’s notice.

When Lili’uokalani returned from England, she accused Kalakaua of cowardice for signing the 1887 Constitution.

In 1898, in her book Hawaii’s Story By Hawaii’s Queen, Lili’uokalani wrote her view of why Kalakaua approved the 1887 Constitution: [178]

Kalakaua valued the commercial and industrial prosperity of his kingdom highly. He sought honestly to secure it for every class of people, alien or native, in his dominions, making it second only to the advancement of morals and education. He regarded himself as the responsible arbiter of clashing interests, and his own breast as the ordained meeting-place of the spears of political contention. He was rightly jealous of his prerogatives, because they were responsibilities which no civic body in his kingdom could safely undertake to administer. He freely gave his personal efforts to the securing of a reciprocity treaty with the United States, and sought the co-operation of that great and powerful nation, because he was persuaded it would enrich, or benefit, not one class, but, in a greater or less degree, all his subjects.

For years the “missionary party” had, by means of controlling the cabinets appointed by the king, kept itself in power. Its leaders were constantly intrigueing to make the ministry their tool, or to have in its organization a power for carrying out their own special plans, and securing their own personal benefit. And now, without any provocation on the part of the king, having matured their plans in secret, the men of foreign birth rose one day en masse, called a public meeting, and forced the king, without any appeal to the suffrages of the people, to sign a constitution of their own preparation, a document which deprived the sovereign of all power, made him a mere tool in their hands, and practically took away the franchise from the Hawaiian race. This constitution was never in any way ratified, either by the people, or by their representatives, even after violence had procured the king’s signature to it. Contrary entirely to the intent of the prior constitution drawn by a Hawaiian monarch (under which for twenty-three years the nation had been conducted to prosperity), this draft of 1887 took all power from the ruler, and meant that from that day the “missionary party” took the law into its own hands.

It may be asked, “Why did the king give them his signature?” I answer without hesitation, because he had discovered traitors among his most trusted friends, and knew not in whom he could trust; and because he had every assurance, short of actual demonstration, that the conspirators were ripe for revolution, and had taken measures to have him assassinated if he refused. His movements of late had been watched, and his steps dogged, as though he had been a fugitive from justice. Whenever he attempted
to go out in the evening, either to call at the hotel, or visit any one of his friends’ houses, he was conscious of the presence of enemies who were following stealthily on his track. But, happily, Providence watched over him, and thus he was guarded from personal harm.

He signed that constitution under absolute compulsion. Details of the conspiracy have come to me since from sources upon which I can rely, which lead to the conviction that but for the repugnance or timidity of one of the executive committee, since risen very high in the counsels of the so-called republic, he would have been assassinated. Then they had planned for the immediate abrogation of the monarchy, the declaration of a republic, and a proposal for annexation to be made to the United States. The constitution of the republic was actually framed and agreed upon; but the plot was not fully carried out—more moderate counsels prevailed. They therefore took the very constitution of which I have spoken, the one which had been drafted for a republic, hastily rewrote it so as to answer their ends, and forced Kalakaua to affix thereto his official signature.

It has been known ever since that day as “The Bayonet Constitution,” and the name is well chosen; for the cruel treatment received by the king from the military companies, which had been organized by his enemies under other pretexts, but really to give them the power of coercion, was the chief measure used to enforce his submission. They had illegally come out against him, bearing arms; and it is openly stated that they had prepared measures to be a law unto themselves. Whatever the faults of Mr. Gibson, so long prime minister of Kalakaua, he was an able man, and his only public crime was his loyalty to his king... .

In his book Taking Hawaii, Stephen Dando-Collins reported that in November, 1887, Princess Liliuokalani had been approached by her brother the king to join him in signing away the kingdom’s Crown Lands, so that he could raise a million dollars to pay off his personal debts, incurred from a life of drinking, gambling and traveling that had gained him the title ‘the Merry Monarch’ from his haole detractors. Twice in the one day, Kalakaua came to his sister with the same request. She, determined to preserve the Crown Lands for the people, sent him away disappointed on both occasions. As Kalakaua departed the second time, he bitterly declared Liliuokalani a kipi, or traitor.

On December 6, 1884, the United States and Hawai’i signed a Supplemental Reciprocity Convention. Ratifications were exchanged in Washington on November 9, 1887. This Convention stated in part:

Whereas a Convention was concluded between the United States of America; and His Majesty the King of the Hawaiian Islands, on the thirtieth day of January 1875, concerning commercial reciprocity, which the fifth article thereof, was to continue in force for seven years from the date after it was to come into operation, and further, until the expiration of twelve months after either of the High Contracting Parties should give notice to the other of its wish to terminate the same; and

Whereas, the High Contracting parties consider that the increase and consolidation of their mutual commercial interests would be better promoted by the definite limitation of the duration of the said Convention;

 ARTICLE I
The High Contracting Parties agree, that the time fixed for the duration of the said Convention, shall be definitely extended for a term of seven years from the date of the exchange of ratifications hereof, and further, until the expiration of twelve months after either of the High Contracting Parties shall give notice of the other of its wish to terminate the same, each of the High Contracting Parties being at liberty to give such notice to the other at the end of the said term of seven years or at any time thereafter.
ARTICLE II
His Majesty the King of the Hawaiian Islands grants to the Government of the United States the exclusive right to enter the harbor of the Pearl River in the Island of Oahu, and to establish and maintain there a coaling and repair station for the use of vessels of the United States, and to that end the United States may improve the entrance to said harbor and do all other things needful to the purpose aforesaid.

... 

In correspondence between the two government’s representative on December 8, 1887 the United States Secretary Bayard replied as follows:

No ambiguity or obscurity in that amendment is observable, and I can discern therein no subtraction from Hawaiian Sovereignty over the harbor to which it relates nor any language importing a longer duration for the interpolated Article II than is provide for in article I of the supplementary convention.

... 

At that time, “the harbor of Pearl River” was only potentially a “place available to ships of war or to any deep water vessel[.]” In an 1891 message to Congress, President Harrison strongly recommended that provision be made for improving the harbor of Pearl River and equipping it as a naval station.

In his speech before the opening session of the legislature elected pursuant to the 1887 Constitution, Kal_kaua stated:

I take great pleasure in informing you that the Treaty of Reciprocity with the United States of America has been definitely extended for seven years upon the same terms as those in the original treaty, with the addition of a clause granting to national vessels of the United States the exclusive privilege of entering Pearl River Harbor and establishing there a coaling and repair station. This has been done after mature deliberation and the interchange between my Government and that of the United States of an interpretation of the said clause whereby it is agreed and understood that it does not cede any territory or part with or impair any right of sovereignty or jurisdiction on the part of the Hawaiian Kingdom and that such privilege is coterminous with the treaty.

I regard this as one of the most important events of my reign, and I sincerely believe that it will re-establish the commercial progress and prosperity which began with the Reciprocity Treaty.

The legislature elected pursuant to the 1887 Constitution repealed the 1886 Opium Law.

The father of Robert William Wilcox was Captain William Slocum Wilcox, a native of Newport, Rhode Island. Kalua Makoleokalani was his mother. According to W. D. Alexander,
a secret organization was being formed throughout the islands, and after some progress had been made, Mr. [Robert William] Wilcox was sent for. He returned to Honolulu in April, 1889, formed a rifle club, and began to make preparations for a counter revolution.
The meetings of the league were held in a house belonging to the Princess Liliuokalani. At the subsequent trial it was proved by the defense that the King had latterly come to an understanding with the conspirators, whose object was to restore autocratic rule.

Before light, on the morning of July 30th, 1889, Mr. Wilcox with about one hundred and fifty armed followers marched from the Princess Liliuokalani’s residence in Kapalama and occupied the Government buildings and the palace grounds. No declaration of any kind was made, as they expected the King, who had spent the night at a cottage near the seaside, to come up and proclaim the old constitution of 1864. The Household troops in the barracks remained neutral, and the palace was held against the insurgents by Lieut. Robert Parker, with thirty men by the King’s orders. The King, who did not fully trust the conspirators, retired to his boat-house in the harbor to await results. Meanwhile the volunteer riflemen promptly turned out, and many other citizens took up arms for the Government. Patrols were set about daylight, and a cordon formed later on, so that the insurgents were isolated from the populace outside. At the request of the United States Minister, Mr. Merrill, a body of marines was landed and marched up to the Legation, on the hotel premises, where they remained during the day. The insurgents brought over four field-pieces and ammunition from the barracks, and placed them around the palace.

The Ministry drew up a written summons to them to surrender, which was served on them at the front palace gate, by the Hon. S. M. Damon but they refused to receive it. A conflict immediately commenced between them with three of their field-pieces and the Government sharpshooters, who had occupied the Opera House and some other buildings commanding the palace grounds. The result was that their guns were soon silenced, and they were driven with loss into a wooden building in the palace grounds, called the "Bungalow," where they were besieged during the afternoon. Towards night a heavy rifle fire was opened upon them from all sides, and the roof of the "Bungalow" burst in by giant-powder bombs, which forced them to surrender.

Unfortunately, this was by no means a bloodless affair, as seven of Wilcox’s . . . followers were killed and about a dozen wounded. It was afterwards learned that 10,000 rounds of ammunition had been loaned by the U.S.S. Adams to the Hawaiian Government during the day.

The chief conspirators were afterwards put on trial for treason, with the result that [Albert] Loomens, a Belgian artilleryman, was found guilty and sentenced to imprisonment for life, while Mr. R. W. Wilcox was acquitted by a native jury, on the theory that what he had done was by and with the King’s consent. He now became a popular idol, and had unbounded influence over the Honolulu natives for a time. The Princess Liliuokalani, however, disowned him, and denied all knowledge of the conspiracy.

The sentence of Albert Loomens was later reduced to his being exiled from Hawai’i.

The title of Professor Jon M. Van Dyke’s 2008 book asked "Who Owns the Crown Lands of Hawai’i?". At page 148, Professor Van Dyke wrote:

The 1890 census reported that 13,593 were registered to vote, and of these 8,777 were listed as “natives” and another 777 were “half-castes” - that is, part Hawaiians. Of the remainder, half (2,091) were Portuguese Laborers.

(Footnotes omitted.)

At page 149, Professor Van Dyke wrote that
13,593 men were registered and eligible to vote in the February 1890 election, and of these, 9,554 were of Hawaiian ancestry; “about two-thirds of the voters for representatives were Hawaiians and . . . Hawaiians comprised more than a third of the voters for nobles.” In the February 1890 election, the National Reform Party, led by Robert W. Wilcox, who voiced the dissatisfaction of the Native Hawaiians about the 1887 Constitution and rallied their political enthusiasm, particularly in Honolulu, won fourteen out of the twenty-four seats in the House of Representatives and took all nine of the seats for Nobles on O‘ahu (but lost the other fifteen seats on the neighbor islands). The National Reform Party was able to organize the Legislature (the Nobles and Representatives met together as one body), elect its President and control its committees, and force the members of the “reform” Cabinet, led by Lorrin Thurston, to resign.

The February 1892 election did not break down along racial lines. The elections of 1892 produced a strange assembly, in which no party had a majority. Wilcox and his group formed the Liberal Party, along with people like the Ashford Brothers, who had been active in promoting the [1887] Bayonet Constitution, and they were critical of Queen Lili‘uokalani and called for a constitutional convention. Three conservative parties supported the Queen and stability, generally opposing a constitutional convention and supporting a new trade agreement with the United States. The Liberal Party won only thirteen seats, with the other parties holding thirty-five. Native Hawaiians held twenty-five of the forty-eight seats in the . . . Legislature that met during 1892-93.

(Citations omitted.)

Blount reported that

[The minister of finance informs me that the taxes paid by Americans and Europeans amount to $274,516.74; those by natives, $71,386.82; half castes, $26,868.68; Chinese, $87,266.10; Japanese, $67,326.07; other nationalities, $729.82.

He also informs me that the acreage on which taxes are paid by various nationalities is:

Europeans and Americans, 1,052,492 acres; natives, 257,457 acres; half castes, 531,545 acres; Chinese, 12,324 acres; Japanese, 200 acres; other nationalities, none.

The surveyor-general reports the Crown lands for 1893 as containing 915,288 acres. Of these he reports 94,116 acres available for lease. Of this latter number only 47,000 acres are reported to be good arable land. He likewise reports the Government land as containing 828,370 acres. He reports these estimated in 1890 to be worth $2,128,850. The annual income from them is $67,636. Of this income, $19,500 is from wharfage and $7,800 from rent of land with buildings thereon.

The cane and arable land is estimated at 35,150 acres.

It is important here to recall his statement made to the legislature in 1891, in the following language:

Most Government lands at the present time consist of mere remnants left here and there, and of the worthless and unsalable portions remaining after the rest had been sold.

And in the same communication he declares that between the years 1850 and 1860 nearly all the desirable Government land was
sold, generally to natives.

In 1890 the census report discloses that only 4,695 persons owned real estate in these islands. . . .

In 1890, the legislature approved constitutional amendments endorsed by the National Reform Party to take effect if and when approved by the 1892 legislature:

1. to change the qualification requirement for voting from “residents” to “subjects of the kingdom”;
2. to reduce the value of property requirement to vote for Nobles from $3,000 to $1,000;
3. to require Nobles to be male; and
4. to authorize the legislature to limit and control the activities of immigrants who came to Hawai‘i as agricultural workers.

Only the latter amendment was approved by the 1892 legislature.

When Kalākaua was elected King in 1874, he named his brother William Pitt Lelei‘ihoku as heir to the throne. In 1877, when Lelei‘ihoku died, Kalākaua designated his sister Lydia Lili‘uokalani as his heir apparent and changed her name to Lili‘uokalani. She became Queen when Kalākaua died in January 1891. When Lili‘uokalani became Queen, she took “the following oath: I solemnly swear in the presence of Almighty God, to maintain the Constitution of the Kingdom whole and inviolate, and to govern in conformity therewith.”

Under the McKinley Tariff Administrative Act of 1890, which took effect in April of 1891, the U.S. government paid a bounty to the producers of sugar in the U.S. continent and thereby gave sugar produced in the U.S. continent a benefit not enjoyed by producers of sugar in Hawai‘i. This McKinley Act had a substantial negative impact on Hawai‘i’s sugar industry and economy.

In Hawaii’s Story By Hawaii’s Queen, 218 Lili‘uokalani described relevant events that occurred soon after she became Queen:

The hour of ten arrived and the cabinet met. I inquired at the opening of the cabinet meeting what was the business of the day; to which reply was made that it was necessary that I should sign without any delay their commissions, that thus they might proceed to the discharge of their duties. “But, gentlemen,” said I, “I expect you to send in your resignations before I can act.” My reasoning was, that, if they were now cabinet ministers, why should they appeal to me to appoint them to the places which they already filled? They hesitated, and regarded each other. “No,” I continued, “if you do not resign, I do not see how I can issue to you new commissions.” This was a point to which they did not think I would call attention, a suggestion which they had not foreseen might come from me, and they scarcely knew which way to turn. They thought that, while holding their former commissions, I ought to issue to them new ones over my royal signature. As this did not agree with my views of the matter, I stated to them definitely that it must be a question for future consideration, and that it would be best to refer the point for decision to the Supreme Court. After a lengthy period of the greatest anxiety to me, it was announced by Chief Justice Judd that the decision was in my favor, and that the commissions of the present members of the cabinet expired with the death of the king. 218

The ground on which the ministers had based their scheme was, that the constitution distinctly stated that no change of ministry should take place except by a vote of “want of confidence” passed by the majority of the legislature. But while this was true, the document did not provide in any article for the continuance of the cabinet after the decease of the sovereign. It was, therefore,
held by the chief justice that the ancient custom in this respect remained in force, and that commissions held under the deceased monarch gave no authority under his successor. Messrs. Cummins, Spencer, Brown, and Peterson, accordingly tendered their resignations, which I accepted, and then appointed: Mr. Samuel Parker, Minister of Foreign Affairs; Mr. C. N. Spencer, Minister of the Interior; Mr. H. A. Widemann, Minister of Finance; Mr. W. A. Whiting, Attorney-General; their commissions all bearing date of the 26th of February, 1891. . . .

Liliʻuokalani’s husband, John Owen Dominis, died on August 27, 1911.

In 1892, an “Annexation Club” was formed. It was a group of less than twenty men “to be ready to act, quickly and intelligently, should Liliʻuokalani precipitate the necessity by some move against the constitution, tending to revert to absolutism or anything of the nature.”

The Blount Report states:

In 1892 another legislature was elected. Thrum’s Handbook of information for 1893, whose author, a reformer and annexationist, is intelligent and in the employ of the Provisional Government, and whose work is highly valued by all persons, says, concerning this election:

The result brought to the legislature three rather evenly balanced parties. This, with an admixture of self-interest in certain quarters, has been the means of much delay in the progress of the session, during which there have been no less than three new cabinets on “want of confidence” resolutions.

Judge Widemann, of the national reform party, divides the legislature up thus: “Three parties and some independents. The national reform, reform, and liberal.” There were nine members of the national reform party, fourteen members of the reform, twenty-one liberals, and four independents.” The liberals favored the old mode of selecting nobles; the national reform party was in favor of a new constitution reducing the qualification of voters for nobles, and the reform party was in opposition to both these ideas.

There were a number of members of all these factions aspiring to be cabinet officers. This made certain individuals ignore party lines and form combinations to advance personal interests. The reform party seized upon the situation and made such combinations as voted out cabinet after cabinet until finally what was termed the Wilcox cabinet was appointed. This was made up entirely of reformers. Those members of the national reform and liberal parties who had been acting with the reform party to this point, and expecting representation in the cabinet, being disappointed, set to work to vote out this cabinet, which was finally accomplished.

In 1892, by votes of want of confidence, the Legislature removed a succession of Cabinets appointed by Liliʻuokalani. On November 8, 1892, she appointed the G. N. Wilcox-Robinson-Jones-Brown Cabinet.

Liliʻuokalani supported legislative bills authorizing the sale of a lottery license and an opium license. Appleton’s Annual Cyclopaedia and Roster of Important Events of the Year 1892 states:

The Legislature, on Jan. 11, 1893, passed by a bare majority a bill granting the privilege of establishing a lottery on the promise of an annual payment of $500,000 to the Government. The ministers refused to sign the bill, for which only one white man had voted, and on Jan. 12, by the same majority, a vote of want of confidence was carried only nine days before the day set for the prorogation of Parliament. The Queen signed the lottery bill on January 14, . . . .
On January 13, 1893, after the legislature’s vote of want of confidence ousted the Wilcox Cabinet, Lili‘uokalani appointed the Parker-Colburn-Cornwell-Peterson Cabinet. This Cabinet advised her to approve both bills and she did.

The *History of Later Years of the Hawaiian Monarchy* describes relevant events as follows:

For the purpose of this sketch it is not worth while to give the details of the eight-months’ Legislative session of 1892. During the greater part of the session the leaders of the liberal party combined with the reform party, (which lacked a few votes of a majority), to break the power of the palace party, allied as it was, with the powerful opium and lottery rings. Three cabinets in succession were voted out, because they were considered to represent these latter elements, and to be in favor of retaining the marshal.

The lottery bill was introduced into the Legislature Aug. 30, 1892. A secret canvass had previously been made before any discussion of the measure had taken place, and many unthinkingly signed petitions in its favor, who afterwards regretted the act. As soon as the bill was printed, a powerful opposition sprang up against it, and it was shelved, as was supposed, forever.

A bill providing for a Constitutional convention had been killed early in the session. After a struggle of four months the Queen temporarily yielded, and appointed a cabinet composed of conservative men of high character, who possessed the confidence of the country; viz., Hons. Geo. Wilcox, Minister of the Interior; Mark Robinson, Minister of Foreign Affairs; P. C. Jones, Minister of Finance; and Cecil Brown, Attorney-General. This cabinet distinctly declared its policy in regard to the lottery bill, as well as to “fiat” paper money and other subjects, but did not choose to act on the "burning question" of the marshalship while the Legislature was in session. Its course on this point, and the fact that the liberal party was not represented in it, so exasperated the leaders of that party that they joined hands with the lottery ring and voted for measures which they had previously denounced on the floor of the house. Near the end of the session, in the absence of six of its opponents, the lottery bill was suddenly brought up, rushed through and passed, to the surprise and horror of the community, undoubtedly by lavish bribery, only one white man voting for it. By the same voters an opium license bill was passed, and the Wilcox ministry was voted out January 12th, two days before the close of the session.

The Queen, by whose personal exertions the last measure had been carried, immediately appointed a new cabinet, three of whom had been members of former rejected cabinets, the fourth being the reputed agent of the lottery ring in purchasing Legislative votes. The liberal party leaders were ignored. The cabinet now consisted of Hons. S. Parker, Minister of Foreign Affairs; W. Cornwell, Minister of Finance; Arthur P. Peterson, Attorney-General; and John Colburn, Minister of the Interior. The lottery and opium license bills were signed without further delay.

The public indignation was intense, but no revolutionary action was yet thought of. The attempted coup d'etat, which was sprung upon the country the next day, took the community by surprise, and found it entirely unprepared. There is reason, however, to believe that the plot had been deeply laid long before, to be executed at the close of the Legislative session.

From Liliuokalani’s own published statement to Col. Blount, it appears that she drafted a new Constitution in the early part of the year 1892, and in the following October placed it for revision in the hands of A. P. Peterson, who kept it for a month. A week before the close of the session, she asked him to draft a preamble for it. She had also received assurances of support from Messrs. Parker and Cornwell.

The lottery was expected by the Queen to be a source of revenue, which would render her less dependent on loans. It was also
expected that the lottery company, being outlawed in the United States, could be relied upon to oppose any movement looking
towards annexation.

In *Hawaii’s Story By Hawaii’s Queen*, Lili’uokalani wrote: [239]

Second, — I am charged by my opposers with signing a lottery bill. I have already shown, in the communication of the
cabinet to my brother, and the ruling of the Supreme Court supporting their view, that, according to the "bayonet"
constitution, made and enforced by the missionary party, the sovereign shall and must sign such measures as the cabinet presents for signature. This is, in another form, an absolute denial of the power of the veto. But even had I held veto power, it may be noted here that on
many accounts the bill was popular. No one would have been more benefited [sic] than my accusers. The government of Hawaii
was to take no part in the lottery, but was to receive a fixed and openly stated sum of money for its charter. Among the advantages
guaranteed was that the projectors should build a railroad around the large island of Hawaii, thus employing the people and
benefiting [sic] land-holders.

We were petitioned and besought to grant it by most of the mercantile class of the city, — shopkeepers, mechanics,
manufacturers, — in fact, all the middle class of the people. Nor is the reason at all difficult to state by any one who knows our
community. When the people of native and part native birth prosper, business is good and the community is prosperous. The
prosperity brought by the reciprocity treaty and the sugar plantations had disappointed our expectations. The money went into the
hands of the few, who safely invested in foreign interests and enterprises every dollar of it, save the amount of wages paid to foreign
and Mongolian labor. But the advantages to be received from the charter of this, which in some American localities is called a "gift
enterprise," would be immediately put in circulation among our own people, because spent on much-needed public works, and thus
would bring some little prosperity to them parallel to that enjoyed by foreigners.

I am not defending lotteries. They are not native productions of my country, but introduced into our "heathen" land by
so-called Christians, from a Christian nation, who have erected monuments, universities, and legislative halls by that method. I am
simply explaining what this bill intended, because, by the reports sent to their correspondents in the United States, the missionary
party represented me as a grand vender of lottery tickets, by which I was to become rich and powerful; whereas the scheme, be it
good or bad, would not have been to my individual profit, but to that of my native people.

Third, — I proposed to issue licenses for the importation and sale of opium. I did think it would be wise to adopt measures
for restricting and controlling a trade which it is impossible to suppress. With a Chinese population of over twenty thousand
persons, it is absolutely impossible to prevent smuggling, unlawful trade, bribery, corruption, and every abuse. There were more
scandals connected with the opium traffic than I have the time to notice here. Some of the most prominent citizens have been
connected with these affairs, and frauds have been unearthed even in the custom-house itself. The names of Mr. Parks, of Mr. W. F.
Allen, and more recently of Mr. Henry Waterhouse, have been associated with some very questionable dealings in this drug; and it
may be doubted whether the practice of hushing up such matters is favorable to good morals in any community. The Provisional
Government seems to have had no scruples in the matter; for the sons of the missionaries exported a large quantity of confiscated
opium, and sold it for fifty thousand dollars in British Columbia.

The British government has long since adopted license instead of prohibition, and the statute proposed among the final
acts of my government was drawn from one in use in the British colonies; yet I have still to learn that there has been any proposition
on the part of the pious people of London to dethrone Her Majesty Queen Victoria for issuing such licenses.

In *Liliuokalani, 1893 to James H. Blount*, Lili’uokalani wrote:
The reading of the King’s will took place. . . . I appointed my new cabinet. They were Mr. S. Parker, minister of foreign affairs; Mr. C. N. Spencer, minister of interior; Mr. H. A. Widemann, minister of finance; Mr. W. A. Whiting, attorney-general. I also appointed Mr. C. B. Wilson marshal. Before I appointed my ministers Messrs. Bush and Wilcox called and offered their services, but as Mr. Bush had shown his ingratitude to the late King, and Mr. Wilcox a disposition of disobedience on the occasion of his revolution of 1889, I felt I could not have such men for ministers, and appointed others, which made them very angry.

I began a tour to the different islands with my husband and quite a large retinue. It took us nearly six months to make a complete tour, now and then returning between times to Honolulu on business matters, and in the month of July my husband was taken sick and on the 27th of August, 1891, he breathed his last. I felt his loss very much, as his experience of several years’ service with Kamehameha IV. and V, and also under Lunalilo and Kalakaua’s reign, proved valuable to me. . . .

. . . The day arrived for the opening of the Legislature, and I felt that my troubles had commenced. With such a party of men as those who comprised the Reform party, and with such unscrupulous men as Thurston, W. O. Smith, Alex. Young, L. Marsden, W. C. Wilder, and Henry Baldwin, as leaders, I knew that my cabinet would find it a difficult matter to contend against such a party. Laws were made mostly for their special benefit, and others that would prove injurious to the Hawaiians and other nationalities. They brought in measures which only tended to prolong the session and to give them time for their scheme of annexation to ripen. In the meantime Thurston took a trip to the States to attend to his cyclorama, and at the same time try to make stipulations for annexing these islands.

In the month of August the Reform party began their policy of dismissing the ministry. They made promises to Mr. Cummins of the National Reform, and Bush, Wilcox, and Ashford, of the Liberal party, and P. P. Kanoa of seats in the cabinet if they joined their party, and they did so, besides taking Kamauoha, Iosepa, and another member with them, which made the Reform party very strong. On the 31st of August, for no good cause, the Parker ministry was voted out in accordance with a clause in the constitution of 1887, that any minister could be voted out by a majority of the members of the House for “want of confidence.” It had been decided by myself and cabinet that our policy should be one of economy and retrenchment. This had been our course from the commencement of my reign, binding ourselves strictly to and guiding our course according to the laws and regulations of our Kingdom. The Parker ministry had no sooner gone out than twenty-five Hawaiian members of the House petitioned me to appoint Mr. Parker again. Next day Mr. Baldwin asked for audience and came with a request that I would receive the Hons. Kanoa and Kauhane and ask them to form a cabinet for me.

I received those gentlemen, but they brought with them a petition with a list of names, principally of the reform party, that I would nominate from those names my cabinet. . . . I knew if I yielded to their request I would be yielding my own right under the constitution, which gave me the right to appoint and the house to dismiss.

Two weeks passed and I appointed Minister Parker, Gulick, Macfarlane, and Neumann. The policy of this ministry was retrenchment in all directions, and Mr. Macfarlane, as minister of finance, immediately set to work with that purpose in view, and laid many satisfactory plans for them to pursue. In order to carry out the rigid economies prepared by Mr. Macfarlane, I consented to a reduction of $10,000 in the appropriation for my privy purse and further reductions in “household expenses, state entertainments, and the military.”
It was during this month that a meeting was held at the residence of Mr. Alexander Young, and a discussion arose as to my obstinacy in not appointing one of their number. They called this "constitutional principle." At this meeting it was proposed to dethrone me. The question was asked how it was to be accomplished, when it was stated that Capt. Wiltse of the Boston would assist.

Changes of ministry followed rapidly. The Cornwell cabinet lasted only one hour. Its members were W. H. Cornwell, J. Nawahi, C. T. Gulick, and C. Creighton. Without giving this cabinet any trial they were immediately voted out.

Here I must mention that when the Mafarlane ministry was voted out I wished to send them back to the house again, but Mr. Macfarlane and Mr. Neumann advised to the contrary. I felt loath to give up a cabinet composed of men in whom I had reason to know the community had confidence that their transactions would be straightforward and honest.

The Wilcox (Reform) cabinet came next. They were appointed by stratagem, as I found out afterwards. The policy of this cabinet was retrenchment, no changes in the monetary system of the country, and to make a commercial treaty which would bring us in closer relationship with the United States.

Their first policy they failed to carry out, as they went into all sorts of extravagant measures, such as $5,000 for sending a commission to Washington and that commission were to consist of Thurston, Wilcox, and others with the purpose of annexing these islands; $12,000 to send the band to Chicago, and $50,000 for the Volcano road. All these measures were for Mr. Thurston's private benefit, but were passed in the house. It had always been customary for the ministry to consult the King or sovereign in cabinet council on any measure of importance, but in this instance and on all occasions the cabinet had already decided on those measures, and simply presented them to me for my signature. I had no resource but to acquiesce.

Whenever I expostulated their answer was generally "We have consulted the chief justice, and are of one opinion." I found that I was simply a nonentity, a figurehead, but was content to wait patiently until the next session, when probably they would be voted out.

It required diplomacy to overthrow the Wilcox cabinet and the Liberals used it. The cabinet felt secure because those who worked amongst the members as wire-pullers were so sanguine about their success, but where corruption is practiced there is no stability, and such it proved in this instance.

A short time before the overthrow of the Wilcox cabinet Cummins, Bush, R. W. Wilcox, Ashford, and their followers, finding that their hopes of being in the cabinet would never be realized, left and turned to help the Liberals once more, and with the aid of some of the Nationals they were successful. They did not like the actions of the cabinet when it became known that the ministry had no consideration for the Queen and were carrying things in such a high-handed way.

These members had been deceived by the Thurston party, and they now combined to help the Liberals. Mr. White was the introducer of the bill providing for a constitutional convention; also the opium and lottery bills. He watched his opportunity and railroaded the last two bills through the house, but he failed in regard to the first bill. A vote of want of confidence was then brought in. Three days before members flocked in at Washington Place and wanted to know if I wanted to get rid of my ministers. I said "No, it is not my privilege," they departed and others came and went.

Mr. Colburn and Ashford called and said they understood it was my wish. I answered them as I did the others. Mr. Ashford said "I see, Mr. Colburn, we have made a mistake, but Your Majesty, should it be your desire to be rid of your cabinet, we can be of great
service in bringing it about, but we would expect to have a representation in the new cabinet.” I asked who of their number they would put forward, and Mr. Ashford replied “Mr. Cummins, Bush, and myself.” I made no further reply, and they left.

It was a practice among some of the native members to sell their votes for a consideration. This was taught them by the Thurston party. They would come to me and then return to that party and repeat all that was said, for which they were usually paid something. The Liberals won and the cabinet was voted out, partly because they were so sure of their success and on account of their own corrupt practices.

Mr. Geo. N. Wilcox and Mr. Robinson I have a high consideration for. Mr. P. C. Jones is a hearty sympathizer with his party, while I think Mr. Cecil Brown capable of doing anything that the Reform party directed him to do. Mr. Merger’s vote was the casting vote. It was decided between Mr. Parker and myself that Mr. Widemann was to be a member of the next cabinet and for that reason Mr. Berger voted against the Wilcox cabinet. And so it was, for Mr. Widemann gave his consent and afterwards he withdrew. The next day Mr. Parker, Cornwell, Colburn and Peterson were appointed. These gentlemen were accepted by the majority of the people in the house, who applauded them on their entrance, because they were men of liberal views, although they were not considered representative men, because they were not backed by moneymen.

The same day of their appointment they advised me to sign the opium and lottery bills. I declined at first, as I wanted to please my lady friends, but they said there should be no hesitation on my part, as the house had passed those bills by a large majority, and they had been, signed by the President and committee. I had no option but to sign. It took place on [Friday] the 13th of January, 1893.

During the month of November, 1892, a private note was sent me informing me of the intentions of the American minister, J. L. Stevens, with the aid of some of our residents, to perfect a scheme of annexation, and that the cabinet had knowledge of the fact, but I gave little heed to it at the time.

On the 17th of December, 1892, another note was received, of which, the following is a copy:

Her Majesty Queen Liliuokalani, may it please your Majesty: Madam: Referring to the confidential communication I took the liberty of addressing your Majesty a few weeks ago, about the attitude and utterances of the American representatives here, the perfect correctness of which have been confirmed by subsequent information, I now beg to be allowed to state, that through the same trustworthy source I have been informed that in a very late moment of effusion, some American official gave to understand that he had instructions to press and hurry up an annexation scheme, which he confidently expected to carry through at no distant date, with the help and assistance of the present cabinet.

If your Majesty will kindly weigh this information by the side of the bold open declarations and annexation campaign made at the present time in the Bulletin, by the Rev. Sereno Bishop, the well-known mouthpiece of the annexation party, I think that your Majesty will be able to draw conclusions for yourself, and realize not only that there is yet danger ahead, but that the enemy is in the household, and that the strictest watch ought to be kept on the members of the present cabinet. This again in strictest confidence from Your Majesty’s humble and faithful servant.

The above was written by a gentleman in whose word I have great confidence as a man who had the best interest of Hawaii at heart.

It was on the receipt of this note that I sent for the British commissioner, James H. Wodehouse, and asked his advice on the matter. I asked whether he thought it would be wise for me to invite all the foreign representatives of the diplomatic and consular corps fearing that a disturbance might arise over the political situation. He said he should not interfere with our local matters, and he dissuaded me from the idea, as he said it was like acknowledging that there was actual danger. "Did I think there was any danger!" I
answered, "there might be." The morning of [Saturday] the 14th of January, 1893, arrived with all preparations for the closing of the Legislature. At 10 a.m. I called a cabinet meeting for the purpose of apprising them of their positions in the house and other preliminary instructions. I told them it was my intention to promulgate a new constitution. The cabinet had to meet the Legislature and we adjourned. At 12 p.m. I prorogued the Legislature.

On entering the palace I saw Mr. Wilson at the entrance of the blue room. I went up to him and asked if all was ready. He replied, "Yes." Then I said, "You will have to be brave to day," and I passed into the blue room and sat awaiting my ministers. A half hour passed and they did not come. After a little longer delay they arrived. I immediately judged from their countenances that something was wrong. I had a few days before planned that I would sign the constitution in the throne room and in the presence of the members of the Legislature, the majority of whom had been elected by the people for the purpose of working for a new constitution.

At the commencement of my reign petitions were sent from all parts of the kingdom asking for a new constitution. Mr. Iosepa, of Hana; Kauhi, of Ewa; Nahinu, of Molokai; Kanealii, of Waihee; Kamauoha, of Kohala, and other members came to me repeatedly and asked for a new constitution. Mr. Parker, from the commencement of his ministry, advocated a new constitution, as well as most of my friends, but I was cautious in my answers to them; but to Mr. Parker I had always said it would be a good thing, and he said he would sustain me when the proper opportunity arrived.

A month later I met two members of the Legislature, and started in to make up a new constitution from Kamehameha V and that of 1887. After completing it, I kept it till the month of October, when I placed in the hands of Mr. A. P. Peterson, and asked him to correct it, and if he found any defects to strike them out and to put in such clauses as he thought would be good for the people and for the country. He took it and kept it a whole month. To my Knowledge he consulted many lawyers and others in regard to many points of interest in the document. When it was returned I looked it over and found no changes had been made, so I concluded that it was all right.

A week before the closing of the Legislature I asked Mr. Peterson to make a preamble for my new constitution, but up to the day of prorogation he had not made one. Early in January I mentioned to Capt. Nowlein, of the household guards, and Mr. Wilson, the marshal, my intention to promulgate a new constitution, and to prepare themselves to quell any riot or out break from the opposition. They assured me they would be ready, and I gave strict injunctions of secrecy and showed Mr. Wilson a plan of the throne room on the day of the signing.

Mr. Parker and Mr. Cornwell had given me assurances of their support before their appointment as ministers, while Mr. Peterson understood that such was my intention, and although I had not mentioned it to Mr. Colburn, he had heard of it already from Mr. Peterson.

It appears that immediately on their learning of my intentions Mr. Colburn, on the morning of [Saturday] the 14th of January, immediately acted the part of a traitor by going to Mr. Hartwell, a lawyer, and informed him of my intentions, and of course received instructions from him to strongly advise me to abandon the idea. This, then, was the cause of the delay and my long waiting in the blue room. The members of the diplomatic corps had been invited; also the members of the supreme bench and members of the Legislature, besides a committee of the Hui Kalaiaina. The latter were invited to be present because it was through them that many petitions had been sent to me. When the ministers arrived I told them everything in the throne room was ready and the guests were awaiting our presence; that we must not keep them waiting. I was surprised when the cabinet informed me that they did not think it advisable for me to take such a step, that there was danger of an uprising, etc. I told them that I would not have undertaken such a step if they had not encouraged me. They had led me out to the edge of a precipice and now were leaving me to take the leap alone. It was humiliating. I said, "Why not give the people the constitution and I will bear the brunt of all the blame afterwards."
Peterson said, "We have not read the constitution." I told him he had had it in his possession a whole month.

The three ministers left Mr. Parker to try to dissuade me from my purpose, and in the meantime they all (Peterson, Cornwell, and Colburn) went to the Government building to inform Thurston and his party of the stand I took. Of course they were instructed not to yield. When they went over everything was peaceful and quiet, and the guests waiting patiently in the throne room.

The ministers returned and I asked them to read the constitution over. At the end I asked them what they saw injurious in the document. Mr. Peterson said there were some points which he thought were not exactly suited. I told him the Legislature could make the amendments, he begged that I should wait for two weeks; in the meantime they would be ready to present it to me. With these assurances I yielded, and we adjourned to the throne room. I stated to the guests present my reasons for inviting their presence. It was to promulgate a new constitution at the request of my people; that the constitution of 1887 was imperfect and full of defects. Turning to the chief justice I asked, "Is it not so, Mr. Judd?" and he answered in the affirmative, in the presence of all the members assembled.

I then informed the people assembled that under the advice of my ministers, I had yielded, as they had promised that, on some future day I could give them a new constitution. I then asked them to return to their homes and keep the peace.

W. D. Alexander reported:

At length about 4 P. M. the Queen returned to the Throne Room, fresh from her contest with the Cabinet, with anger and defiance in her looks and bearing, but controlling herself by a supreme effort of will. Ascending the dais, she made an address in Hawaiian, of which the following is a fair translation:

Princes, Nobles and Representatives:

I have listened to the thousands of voices of my people that have come to me, and I am prepared to grant their request. The present Constitution is full of defects, as the Chief-Justice here will testify, as questions regarding it have so often come before him for settlement. It is so faulty that I think a new one should be granted. I have prepared one in which the rights of all have been regarded a Constitution suited to the wishes of the people. I was ready and expected to proclaim the new Constitution today, as a suitable occasion for it, and thus satisfy the wishes of my dear people. But, with deep regret, I say that I have met with obstacles that prevent it. Return to your homes peaceably and quietly, and continue to look toward me, and I will look toward you. Keep me ever in your love. I am obliged to postpone the granting of the Constitution for a few days. I must confer with my Cabinet, and when after you return home you may see it, receive it graciously. You have my love, and with sorrow I now dismiss you."

A few moments later the Queen went out upon the upper balcony of the Palace and addressed the crowd, who were almost exclusively natives. She told them that on account of the perfidy of her Ministers she was unable to give them the Constitution which she had promised them, but that she would take the earliest opportunity of procuring it for them. The crowd then gave three cheers.

The newspaper Ka Leo o ka Lahui, issued on the morning of [Monday] the 16th, gave the text of this latter speech, of which the following is a literal translation:
"O ye people who love the chief, I hereby say to you that I am now ready to proclaim the new Constitution for my Kingdom, thinking that it would be successful; but behold, obstacles have arisen. Therefore, I say unto you, loving people, go with good hope, and do not be disturbed or troubled in your minds, because within the next few days now coming I will proclaim the new Constitution."[

"The Executive officers of the law (the Cabinet), knew the errors in the new Constitution, but they said nothing. Therefore I hope that the thing which you, my people, so much desire, will be accomplished; it is also my strong desire."

Representative White then proceeded to the front steps of the Palace and began an address. He told the crowd that the Cabinet had betrayed them, and that instead of going home peacefully, they should go into the Palace and kill and bury them. Attempts were made to stop him which he resisted, saying he would never close his mouth until the new Constitution was granted. Finally he yielded to the expostulations of Col. Jas. H. Boyd and others, threw up his hands and said that he was "pau," done for the present. After this the audience dispersed and the Hui Kalaaina filed out, appearing very much dejected. A few minutes later Messrs. Parker and Cornwell came over to the Government building together, looking as though they had passed through a very severe ordeal. . . .

Mr. Thurston, who stood by, however, said, "Must we continue to live in this way, with this peril hanging over our heads, uncertain whether we may not wake up any morning and find our liberties gone." . . .

On Monday, January 16, 1893, Liliʻuokalani proclaimed in writing that

[h]er Majesty’s Ministers desire to express their appreciation for the quiet and order which has prevailed in this community since the events of Saturday, and are authorized to say that the position taken by Her Majesty in regard to the promulgation of a new Constitution, was under stress of Her native subjects.

Authority is given for the assurance that any changes desired in the fundamental law of the land will be sought only by methods provided in the Constitution itself.

Her majesty’s Ministers request all citizens to accept the assurance of Her Majesty in the same spirit in which it is given.

(Signed),  LILIUKALANISAMUEL PARKER, Minister of Foreign AffairsW. H. CORNWELL, Minister of FinanceJOHN F. COLBURN, Minister of the InteriorA. P. PETERSON, Attorney- General

IOLANI PALACE, January 16th, 1893

The “PREAMBLE” to Liliʻuokalani’s proposed Constitution states:

Whereas the constitution of this Kingdom contains many provisions inconsistent, ambiguous and contradictory in its terms, and is subversive and restrictive of civil and popular rights, and incompatible with enlightened constitutional monarchical government; and Whereas the prayers of my people, coming in the form of petitions from all parts of this Kingdom, to myself and to the Legislature, asking for a new constitution embodying in it provisions equal rights among all my subjects; which prayer to the Legislature of this Kingdom has not been duly recognized by that body through undue and unjust influences; and Whereas it has become imperative in order to restore order and tranquility, and to gratify the just demand of my subjects for a new constitution to be remodeled upon the most liberal and popular form of Constitutional Monarchical Government, that a new constitution be at once promulgated.
This proposed Constitution is substantially the same as the 1864 Constitution as amended except: (1) it authorized (a) the Queen to appoint the Nobles for life; (b) a majority of all of the members of the Legislative Assembly to remove the members of the Cabinet; (c) the Legislative Assembly, by a two-thirds vote of all of its members, to over-ride the Queen’s disapproval of any bill or resolution approved by the Legislative Assembly; (d) no more than twenty-four Nobles; and (e) no less than twenty-four and no more than forty-eight representatives; (2) it required Representatives and voters for Representatives to be male subjects of the Kingdom and required voters for Representatives to be possessed of real property in the Kingdom, to the value over and above all encumbrances of one hundred and fifty dollars, or a leasehold property on which the rent is twenty-five dollars per year, or of an income of not less than seventy-five dollars per year, derived from any property or some lawful employment; and (3) it reduced the terms of the Justices of the Hawaii Supreme Court from life to six-years.

This proposed Constitution specified:

The Crown is hereby permanently confirmed to Her Majesty Liliuokalani and to the heirs of her body lawfully begotten, and to their lawful descendants in a direct line; failing whom, the Crown shall descend to Her Royal Highness the Princess Victoria Kaiulani and the heirs of her own body lawfully begotten, and their descendant in a direct line; failing whom, the Crown shall descend to His Royal Highness the Prince David Kawananakoa and the heirs of his body lawfully begotten, and their descendant in a direct line; failing whom, the Crown shall descend to His Royal Highness the Prince Jonah Kuhio Kalanianaole and the heirs of his body lawfully begotten, and their lawful descendant in the direct line. The succession shall be to the senior male child and to the heirs of his body; failing a male child the succession shall be to the senior female child and to the heirs of her body. In case there is no heir, as above provided, then the successor shall be the person whom the Sovereign shall appoint, with the consent of the nobles, and publicly proclaimed during the Sovereign’s life; but should there be no such vacancy, shall cause a meeting of the legislative assembly, who shall elect by ballot some native ali of the Kingdom as successor to the throne, and the successor so elected shall become a new stirps for a royal family; and the succession from the Sovereign thus elected shall be regulated by the same law as the present royal family of Hawaii.

It shall not be lawful for any member of the royal family of Hawaii who may by law succeed to the Throne to contract marriage without the consent of the reigning Sovereign. Every marriage so contracted shall be void, and the person so contracting a marriage may, by the proclamation of the reigning Sovereign, be declared to have forfeited his or her right to the Throne, and after such proclamation the right of succession shall vest in the next heir as though such offender were dead.

On Tuesday, January 17, 1893, a group of residents initially named the Annexation Club and subsequently named the Committee of Safety, took possession of the Government Building, the Archives and the Treasury and announced the following:

Proclamation

In its earlier history Hawaii possessed a Constitutional Government honestly and economically administered in the public interest.

The Crown called to its assistance as advisers able, honest and conservative men whose integrity was unquestioned even by their political opponents.

The stability of the Government was assured; armed resistance and revolution unthinkable, popular rights were respected and the privileges of the subject from time to time increased and the prerogatives of the Sovereign diminished by the voluntary acts of the
successive Kings.

With very few exceptions this state of affairs continued until the expiration of the first few years of the reign of His late Majesty Kalakaua. At this time a change was discernible in the spirit animating the chief executive and in the influences surrounding the Throne. A steadily increasing disposition was manifested on the part of the King, to extend the Royal prerogatives; to favor adventurers and persons of no character or standing in the community; to encroach upon the rights and privileges of the people by steadily increasing corruption of electors, and by means of the power and influence of office holders and other corrupt means to illegitimately influence the elections, resulting in the final absolute control of not only the executive and legislative; but to a certain extent the judicial departments of the government, in the interest of absolutism.

This finally resulted in the revulsion of feeling and popular uprising of 1887, which wrested from the King a large portion of his ill-gotten powers.

The leaders of this movement were not seeking personal aggrandizement, political power or the suppression of the native government. If this had been their object it could easily have been accomplished, for they had the absolute control of the situation.

Their object was to secure responsible government through a representative Cabinet, supported by and responsible to the people's elected representatives. A clause to this effect was inserted in the Constitution and subsequently enacted by law by the Legislature, specifically covering the ground that, in all matters concerning the State the Sovereign was to act by and with the advice of the Cabinet and only by and with such advice.

The King willingly agreed to such proposition, expressed regret for the past, and volunteered promises for the future.

Almost from the date of such agreement and promises, up to the time of his death, the history of the Government has been a continual struggle between the King on the one hand and the Cabinet and the Legislature on the other, the former constantly endeavoring by every available form of influence and evasion to ignore his promises and agreements and regain his lost powers.

This conflict upon several occasions came to a crisis, followed each time by submission on the part of His Majesty, by renewed expressions of regret and promises to abide by the constitutional and legal restrictions in the future.

In each instance such promise was kept until a further opportunity presented itself, when the conflict was renewed in defiance and regardless of all previous pledges.

Upon the accession of Her Majesty Liliuokalani, for a brief period the hope prevailed that a new policy would be adopted. This hope was soon blasted by her immediately entering into conflict with the existing Cabinet, who held office with the approval of a large majority of the Legislature, resulting in the triumph of the Queen and the removal of the Cabinet. The appointment of a new Cabinet subservient to her wishes and their continuance in office until a recent date gave no opportunity for further indication of the policy which would be pursued by Her Majesty until the opening of the Legislature in May of 1892.

The recent history of that session has shown a stubborn determination on the part of Her Majesty to follow the tactics of her late brother, and in all possible ways to secure an extension of the royal prerogatives and an abridgment of popular rights.

During the latter part of the session, the Legislature was replete with corruption; bribery and other illegitimate influences were
openly utilized to secure the desired end, resulting in the final complete overthrow of all opposition and the inauguration of a Cabinet arbitrarily selected by Her Majesty in complete defiance of constitutional principles and popular representation.

Notwithstanding such result the defeated party peacefully submitted to the situation.

Not content with her victory, Her Majesty proceeded on the last day of the session to arbitrarily arrogate to herself the right to promulgate a new Constitution, which proposed among other things to disfranchise over one-fourth of the voters and the owners of nine-tenths of the private property of the Kingdom, to abolish the elected upper House of the Legislature and to substitute in place thereof an appointive one to be appointed by the Sovereign.

The constitutional evolution indicated has slowly and steadily, though reluctantly, and regretfully, convinced an overwhelming majority of the conservative and responsible members of the community that independent, constitutional, representative and responsible government, able to protect itself from revolutionary uprisings and royal aggression is no longer possible in Hawaii under the existing system of government.

Five uprisings or conspiracies against the government have occurred within five years and seven months. It is firmly believed that the culminating revolutionary attempt of last Saturday will, unless radical measures are taken, wreck our already damaged credit abroad and precipitate to final ruin our already overstrained financial condition; and the guarantees of protection to life, liberty and property will steadily decrease and the political situation rapidly grow worse.

In this belief, and also in the firm belief that the action hereby taken is, and will be for the best personal, political and property interests of every citizen of the land.

We, citizens and residents of the Hawaiian Islands, organized and acting for the public safety and the common good, hereby proclaim as follows:

1. The Hawaiian Monarchical system of Government is hereby abrogated.

2. A Provisional Government for the control and management of public affairs and the protection of the public peace is hereby established, to exist until terms of union with the United States of America have been negotiated and agreed upon.

3. Such Provisional Government shall consist of an Executive Council of four members, who are hereby declared to be S. B. DOLE, J. A. KING, P. C. JONES, W. O. SMITH, Who shall administer the Executive Departments of the Government, the first named acting as President and Chairman of such Council and administering the Department of Foreign Affairs, and the others severally administering the Department of Interior, Finance and Attorney-General, respectively, in the order in which they are above enumerated, according to existing Hawaiian Law as far as may be consistent with this Proclamation; and also of an Advisory Council which shall consist of fourteen members who are hereby declared to be

S. M. DAMON
Such Advisory Council shall also have general legislative authority.

Such Executive and Advisory Councils shall, acting jointly, have power to remove any member of either Council and to fill such or any other vacancy.

4. All officers under the existing Government are hereby requested to continue to exercise their functions and perform the duties of their respective offices, with the exception of the following named persons:

QUEEN LIUOOKALANI,
CHARLES B. WILSON, Marshal,
SAMUEL PARKER, Minister of Foreign Affairs,
W. H. CORNWELL, Minister of Finance,
JOHN F. COLBURN, Minister of the Interior,
ARTHUR P. PETERSON, Attorney-General,

who are hereby removed from office.

5. All Hawaiian Laws and Constitutional principles not inconsistent herewith shall continue in force until further order of the Executive and Advisory Councils.

(Signed) HENRY E. COOPER, Chairman

ANDREW BROWN
THEODORE F. LANSING
JOHN EMMELUTH
C. BOLTE
ED. SUHR
HENRY WATERHOUSE,
W. C. WILDER
F. W. MCCHESNEY
WM. O. SMITH
LORRIN A. THURSTON,
Committee of Safety
Honolulu, H. I., January 17th, 1893

According to the Blount Report, the citizenship of each of the members of the Committee of Safety was:

Henry E. Cooper, American;
Andrew Brown, Scotchman;
Theodore F. Lansing, American;
John Emmeluth, American;
C. Bolte, citizen of Hawai‘i;
Ed Duhr, German;
Henry Waterhouse, citizen of Hawai‘i;
W. C. Wilder, citizen of Hawai‘i;
F. W. McChesney, American;
Wm. O. Smith, citizen of Hawai‘i;
Lorrin A. Thurston, citizen of Hawai‘i;
Wm. R. Castle, citizen of Hawai‘i;
J. A. McCandless, American.

The citizenship of other involved individuals was:

S. M. Damon, citizen of Hawai‘i;
W. G. Ashley, American;
E. D. Tenney, American;
F. J. Wilhelm, American.

The Cabinet called a conference of the diplomatic corps at 1 P.M. John L. Stevens, the American minister at Honolulu, declined to attend, but the representatives of Great Britain, France, Portugal and Japan met with the Cabinet in the Foreign Office. According to Samuel Parker, they advised the Cabinet “to make no resistance” to the coming revolution.

The Blount Report notes the following communications:

Department of Foreign Affairs,
Honolulu, January 17, 1893.
His Excellency JOHN L. STEVENS,
Envoy Extraordinary and Minister Plenipotentiary, etc.:

Sir: Her Hawaiian Majesty’s Government, having been informed that certain persons to them unknown, have issued proclamation declaring a Provisional Government to exist in opposition to Her Majesty’s Government and having pretended to depose the Queen, her cabinet and marshal, and that certain treasonable persons at present occupy the Government building in Honolulu with an armed force, and pretending that your excellency, on behalf of the United States of America, has recognized such Provisional Government Her Majesty’s cabinet asks respectfully, has your excellency recognized said Provisional Government, and, if not, Her Majesty’s Government under the above existing circumstances
respectfully requests the assistance of your Government in preserving the peace of the country.

We have the honor to be your excellency's obedient servants,

Samuel Parker,
Minister Foreign Affairs.
Wm. H. Cornwell,
Minister of Finance.
John F. Colburn,
Minister of the Interior.
A.P. Peterson,
Attorney-General.

In it will be observed the declaration that the Provisional Government is claiming to have had his recognition. The reply of Mr. Stevens is not to be found in the records or files of the legation, but on those records appears the following entry:

United States Legation,
Honolulu, January 17, 1893.

About 4 to 5 p. m. of this date—am not certain of the precise time—the note on file from the four ministers of the deposed Queen, inquiring if I had recognized the Provisional Government, came to my hands while I was lying sick on the couch. Not far from 5 p. m.—I did not think to look at my watch—I addressed a short note to Hon. Samuel Parker; Hon. Wm. H. Cornwell, Hon. John F. Colburn, and Hon. A. P. Peterson, no longer regarding them as ministers, informing them that I had recognized the Provisional Government.

John L. Stevens,
United States Minister.

Members of the Committee of Safety advised Lili'uokalani to surrender to superior force and, if she so desired, to do so under protest and to appeal to the U.S. Government for redress. In a written message signed by Lili'uokalani and her four Cabinet Ministers, Lili'uokalani responded to the Provisional Government as follows:

I, Liliuokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a Provisional Government of and for this Kingdom. That I yield to the superior force of the [U.S.], whose minister plenipotentiary, His Excellency John L. Stevens, has caused [U.S.] troops to be landed at Honolulu and declared that he would support the said Provisional Government.

Now, to avoid any collision of armed forces, and perhaps the loss of life, I do, under this protest and impelled by said forces, yield my authority until such time as the Government of the [U.S.] shall, upon the facts being presented to it, undo the action of its representative and reinstate me in the authority which I claim as the constitutional sovereign of the Hawaiian Islands.

The next day, Lili'uokalani sent the following written message to President Harrison:

His Excellency BENJAMIN HARRISON, President of the [U.S.]: MY GREAT AND GOOD FRIEND: It is with deep regret that I address you on this occasion. Some of my subjects, aided by aliens, have renounced their loyalty and revolted against the constitutional government of my Kingdom. They have attempted to depose me and to establish a provisional government, in direct conflict with
the organic law of this Kingdom . . . . I pray you, therefore, my good friend, that you will not allow any conclusions to be reached by you until my envoy arrives . . . .

The Provisional Government repealed the opium and lottery licensing laws.

At the request of the Provisional Government, President Harrison asked Congress to approve a treaty of annexation submitted to him by the Provisional Government. President Cleveland succeeded President Harrison before Congress acted on President Harrison’s request.

President Cleveland appointed the Hon. James H. Blount as Special Commissioner to come to the Hawaiian Islands, conduct an investigation, and submit a written report.

The time it took for messages to travel between Hawai‘i and Washington D.C. depended on the method used. Prior to 1902, the fastest way was by steamship between Hawai‘i and San Francisco and by cable between San Francisco and Washington D.C.

October 18, 1893 Communication by U.S. Secretary of State Walter Q. Gresham to U.S. President Grover Cleveland.

The full and impartial reports submitted by the Hon. James H. Blount, your special commissioner to the Hawaiian Islands, established the following facts:

Queen Liliuokalani announced her intention on Saturday, January 14, 1893, to proclaim a new constitution, but the opposition of her ministers and other induced her to speedily change her purpose and make public announcement of that fact.

At a meeting in Honolulu, late on the afternoon of that day, a so-called committee of public safety, consisting of thirteen men, being all or nearly all who were present, was appointed “to consider the situation and devise ways and means for the maintenance of the public peace and the protection of life and property,” and at a meeting of this committee on the 15th, or the forenoon of the 16th of January, it was resolved amongst other things that a provisional government be created “to exist until terms of union with the United States of America have been negotiated and agreed upon.” At a mass meeting which assembled at 2 p.m. on the last named day, the Queen and her supporters were condemned and denounced, and the committee was continued and all its act approved.

Later the same afternoon the committee addressed a letter to John L. Stevens, the American minister at Honolulu, stating that the lives and property of the people were in peril and appealing to him and the United States forces at his command for assistance. This communication concluded “we are unable to protect ourselves without aid, and therefore hope for the protection of the United States forces.” On receipt of this letter Mr. Stevens requested Capt. Wiltse, commander of the U.S.S. Boston, to land a force “for the protection of the United States legation, United States consulate, and to secure the safety of American life and property.” The well armed troops, accompanied by two gatling guns, were promptly landed and marched through the quiet streets of Honolulu to a public hall, previously secured by Mr. Stevens for their accommodation. This hall was just across the street form the government building, and in plain view of the Queen’s palace. The reason for thus locating the military will presently appear. The governor of the Island immediately addressed to Mr. Stevens a communication protesting against the act as an unwarranted invasion of Hawaiian soil and reminding him that the proper authorities had never denied permission to the naval forces of the United States to land for drill or any other proper purpose.
About the same time the Queen’s minister of foreign affairs sent a note to Mr. Stevens asking why the troops had been landed and informing him that the proper authorities were able and willing to afford full protection to the American legation and all American interests in Honolulu. Only evasive replies were sent to these communications.

While there were no manifestations of excitement or alarm in the city, and the people were ignorant of the contemplated movements, the committee entered the Government building, after first ascertaining that it was unguarded, and read a proclamation declaring that the existing Government was overthrown and a Provisional Government established in its place, “to exist until terms of union with the United States of America have been negotiated and agreed upon.” No audience was present when the proclamation was read, but during the reading 40 to 50 men, some of them indifferently armed, entered the room. The executive and advisory councils mentioned in the proclamation at once addressed a communication to Mr. Stevens, informing him that the monarchy had been abrogated and a provisional government established. This communication concluded:

Such Provisional Government has been proclaimed, is now in possession of the Government departmental buildings, the archives, and the treasury, and is in control of the city. We hereby request that you will, on behalf of the United States, recognize it as the existing de facto Government of the Hawaiian Islands and afford to it the moral support of your Government, and, if necessary, the support of American troops to assist in preserving the public peace.

On receipt of this communication, Mr. Stevens immediately recognized the new Government and, in a letter addressed to Sanford B. Dole, its President, informed him that he had done so. Dole replied:

Honolulu, January 17, 1893

Sir: I acknowledge receipt of your valued communication of this day, recognizing the Hawaiian Provisional Government, and express deep appreciation of the same.

We have conferred with the ministers of the late Government, and have made demand upon the marshal to surrender the station house. We are not actually yet in possession of the station house, but as night is approaching and our forces may be insufficient to maintain order, we request the immediate support of the United States forces, and would request that the commander of the United States forces take command of our military forces, so that they may act together for the protection of the city.

Respectfully, yours,

Sanford B. Dole,
Chairman Executive Council.

Note of Mr. Stevens at the end of the above communication.

The above request not complied with.

The station house was occupied by a well armed force, under the command of a resolute capable, officer. The same afternoon the Queen, her ministers, representatives of the Provisional Government, and other held a conference at the palace. Refusing to recognize the new authority or surrender to it, she was informed that the Provisional Government had the support of the American minister, and, if necessary, would be maintained by the military force of the United States then present; that any demonstration on her part would precipitate a conflict with that force; that she could not, with hope of success, engage in war with the United States, and that resistance would result in a useless sacrifice of life. Mr. Damon, one of the chief leader of the movement, and afterwards vice-president of the Provisional Government, informed the Queen that she could surrender under protest and her case would be
considered later at Washington. Believing that, under the circumstances, submission was a duty, and that her case would be fairly considered by the President of the United States, the Queen finally yielded and sent to the Provisional Government the paper, which reads:

I, Liliʻuokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a provisional government of and for this Kingdom.

That I yield to the superior force of the United States of America whose Minister Plenipotentiary, His Excellency John L. Stevens, has caused United States troops to be landed at Honolulu and declared that he would support the provisional government.

Now to avoid any collision of armed forces, and perhaps the loss of life, I do this under protest and impelled by said force yield my authority until such time as the Government of the United States shall, upon facts being presented to it, undo the action of its representatives and reinstate me in the authority which I claim as the Constitutional Sovereign of the Hawaiian Islands.

When this paper was prepared at the conclusion of the conference, and signed by the Queen and her ministers, a number of persons, including one or more representatives of the Provisional Government, who were still present and understood its contents, by their silence, at least, acquiesced in its statements, and, when it was carried to President Dole, he indorsed upon it, Received from the hands of the late cabinet this 17th day of January, 1893, without challenging the truth of any of its assertions. Indeed, it was not claimed on the 17th day of January, or for some time thereafter, by any of the designated officers of the Provisional Government or any annexationist that the Queen surrendered otherwise than as stated in her protest.

In his dispatch to Mr. Foster of January 18, describing the so-called revolution, Mr. Stevens says:

The committee of public safety forthwith took possession of the Government building, archives, and treasury, and installed the Provisional Government at the head of the respective departments. This being an accomplished fact, I promptly recognized the Provisional Government as the de facto government of the Hawaiian Islands.

In Secretary Foster's communication of February 15 to the President, laying before him the treaty of annexation, with the view to obtaining the advice and consent of the Senate thereto, he says:

At the time the Provisional Government took possession of the Government building no troops or officers of the United States were present or took any part whatever in the proceedings. No public recognition was accorded to the Provisional Government by the United States minister until after the Queen's abdication, and when they were in effective possession of the Government building, the archives, the treasury, the barracks, the police station, and all the potential machinery of the Government.

Similar language is found in an official letter addressed to Secretary Foster on February 3 by the special commissioners sent to Washington by the Provisional Government to negotiate a treaty of annexation.

These statements are utterly at variance with the evidence, documentary and oral, contained in Mr. Blount's reports. They are contradicted by declarations and letters of President Dole and other annexationists and by Mr. Stevens' own verbal admissions to Mr. Blount. The Provisional Government was recognized when it had little other than a paper existence, and when the legitimate government was in full possession and control of the palace, the barracks, and the police station. Mr. Stevens' well known hostility and the threatening presence of the force landed from the Boston was all that could then have excited serious apprehension in the minds of the Queen, her officers, and loyal supporters.

It is fair to say that Secretary Foster's statements were based upon information which he had received from Mr. Stevens and the special
commissioners, but I am unable to see that they were deceived. The troops were landed, not to protect American life and property, but to aid in overthrowing the existing government. Their very presence implied coercive measures against it.

In a statement given to Mr. Blount, by Admiral Skerret, the ranking naval officer at Honolulu, he says:

If the troops were landed simply to protect American citizens and interests, they were badly stationed in Arion Hall, but if the intention was to aid the Provisional Government they were wisely stationed.

This hall was so situated that the troops in it easily commanded the Government building, and the proclamation was real under the protection of American guns. At an early stage of the movement, if not at the beginning, Mr. Stevens promised the annexationists that as soon as they obtained possession of the Government building and there read a proclamation of the character above referred to, he would at once recognize them as a de facto government, and support them by landing a force from our war ship then in the harbor, and he kept that promise. This assurance was the inspiration on the movement, and without it the annexationists would not have exposed themselves to the consequences of failure. They relied upon no military force of their own, for they had none worthy of the name. The Provisional Government was established by the action of the American minister and the presence of the troops landed from the Boston, and its continued existence is due to the belief of the Hawaiians that if they made an effort to overthrow it, they would encounter the armed forces of the United States.

The earnest appeals to the American minister for military protection by the officers of that Government, after it had been recognized, show the utter absurdity of the claim that it was established by a successful revolution of the people of the Islands. Those appeals were a confession by the men who made them of their weakness and timidity. Courageous men, conscious of their strength and the justice of their cause, do not thus act. It is not now claimed that a majority of the people, having the right to vote under the constitution of 1887, ever favored the existing authority or annexation to this or any other country. They earnestly desire that the government of their choice shall be restored and its independence respected.

Mr. Blount states that while at Honolulu he did not meet a single annexationist who expressed willingness to submit the question to a vote of the people, nor did he talk with one on that subject who did not insist that if the Islands were annexed suffrage should be so restricted as to give complete control to foreigners or whites. Representative annexationists have repeatedly made similar statements to the undersigned.

The Government of Hawaii surrendered its authority under a threat of war, until such time only as the Government of the United States, upon the facts being presented to it, should reinstate the constitutional sovereign, and the Provisional Government was created to exist until terms of union with the United States of America have been negotiated and agreed upon. A careful consideration of the fact will, I think, convince you that the treaty which was withdrawn from the Senate for further consideration should not be resubmitted for its action thereon.

Should not the great wrong done to a feeble but independent State by an abuse of the authority of the United States be undone by restoring the legitimate government? Anything short of that will not, I respectfully submit, satisfy the demands of justice.

Can the United States consistently insist that other nations shall respect the independence of Hawaii while not respecting it themselves? Our Government was the first to recognize the independence of the Islands and it should be the last to acquire sovereignty over them by force and fraud.

Respectfully submitted.
Although Blount conducted his investigation in Hawai‘i, he did not interview any member of the Committee of Safety nor any officer of the U.S.S. Boston.

October 18, 1893   Gresham (U.S. State Department) to Willis (U.S. Envoy Extraordinary and Minister Plenipotentiary)

You will . . . inform the Queen that, when reinstated, the President expects that she will pursue a magnanimous course by granting full amnesty to all who participated in the movement against her, including persons who are, or have been, officially or otherwise, connected with the Provisional Government, depriving them of no right or privilege which they enjoyed before the so-called revolution. All obligations created by the Provisional Government in due course of administration should be assumed.

November 16, 1893   Willis to Gresham

. . . Monday the 13th . . . , the Queen, . . . , called at the legation . . .

. . .

I then made known to [the Queen] the President’s sincere regret that, through the unauthorized intervention of the United States, she had been obliged to surrender her sovereignty, and his hope that, with her consent and cooperation, the wrong done to her and to her people might be redressed. To this, she bowed her acknowledgments.

I then said to her, “The President expects and believes that when reinstated you will show forgiveness and magnanimity; that you will wish to be the Queen of all the people, both native and foreign born; that you will make haste to secure their love and loyalty and to establish peace, friendship and good government.” To this she made no reply. After waiting a moment, I continued “The President not only tenders you his sympathy but wishes to help you . . . .” I then asked her, Should you be restored to the throne, would you grant full amnesty as to life and property to all those persons who have been or who are now in the Provisional Government, or who have been instrumental in the overthrow of your government. She hesitated a moment and then slowly and calmly answered: “There are certain laws of my Government by which I shall abide. My decision would be, as the law directs, that such persons should be beheaded and their property confiscated to the Government.” I then said, repeating very distinctly her words, “It is your feeling that these people should be beheaded and their property confiscated?” She replied, “It is.” I then said to her, “Do you fully understand the meaning of every word which I have said to you, and of every word which you have said to me, and, if so, do you still have the same opinion?” Her answer was, “I have understood and mean all I have said, but I might leave the decision of this to my ministers.” To this I replied, “Suppose it was necessary to make a decision before you appointed any ministers, and that you were asked to issue a royal proclamation of general amnesty, would you do it?” She answered, “I have no legal right to do that, and I would not do it.” Pausing a moment she continued, “These people were the cause of the revolution and constitution of 1887. There will never be any peace while they are here. They must be sent out of the country, or punished, and their property confiscated.” I then said, “I have no further communication to make to you now, and will have none until I hear from my Government, which will probably be three or four weeks.”

Nothing was said for several minutes, when I asked her whether she was willing to give me the names of four of her most trusted friends, as I might, within a day or two, consider it my duty to hold a consultation with them in her presence. She assented, and gave me these names: J. O. Carter, . . . .

November 24, 1893   Gresham to Willis

. . . You will insist upon amnesty and recognition of obligations of the Provisional Government as essential conditions of restoration.
All interests will be promoted by prompt action.

December 3, 1893  Gresham to Willis

Should the Queen refuse assent to the written conditions you will at once inform her that the President will cease interposition in her behalf, and that while he deems it his duty to endeavor to restore to the sovereign the constitutional government of the Islands, his further efforts in that direction will depend upon the Queen's unqualified agreement that all obligations created by the Provisional Government in a proper course of administration shall be assumed, and upon such pledges by her as will prevent the adoption of any measures of proscription or punishment for what has been done in the past by those setting up or supporting the Provisional Government.

December 18, 1893 President Cleveland to Congress

To the Senate and House of Representatives:

In my recent annual message to the Congress I briefly referred to our relations with Hawaii and expressed the intention of transmitting further information on the subject when additional advices permitted.

Though I am not able now to report a definite change in the actual situation, I am convinced that the difficulties lately created both here and in Hawaii and now standing in the way of a solution through Executive action of the problem presented, render it proper and expedient, that the matter should be referred to the broader authority and discretion of Congress, with a full explanation of the endeavor thus far made to deal with the emergency and a statement of the considerations which have governed my action.

I suppose that right and justice should determine the path to be followed in treating this subject. If national honesty is to be disregarded and a desire for territorial extension, or dissatisfaction with a form of government not our own, ought to regulate our conduct, I have entirely misapprehended the mission and character of our Government and the behavior which the conscience of our people demands of their public servants.

When the present Administration entered upon its duties the Senate had under consideration a treaty providing for the annexation of the Hawaiian Islands to the territory of the United States. Surely under our Constitution and laws the enlargement of our limits is a manifestation of the highest attribute of sovereignty, and if entered upon as an Executive act, all things relating to the transaction should be clear and free from suspicion. Additional importance attached to this particular treaty of annexation, because it contemplated a departure from unbroken American tradition in providing for the addition to our territory of islands of the sea more than two thousand miles removed from our nearest coast.

These considerations might not of themselves call for interference with the completion of a treaty entered upon by a previous Administration, but it appeared from the documents accompanying the treaty when submitted to the Senate, that the ownership of Hawaii was tendered to us by a provisional government set up to succeed the constitutional ruler of the islands, who had been dethroned, and it did not appear that such provisional government had the sanction of either popular revolution or suffrage. Two other remarkable features of the transaction naturally attracted attention. One was the extraordinary haste - not to say precipitancy - characterizing all the transactions connected with the treaty. It appeared that a so-called Committee of Safety, ostensibly the source of the revolt against the constitutional Government of Hawaii, was organized on Saturday, the 14th day of January; that on Monday, the 16th, the United States forces were landed at Honolulu from a naval vessel lying in its harbor; that on the 17th the
scheme of a provisional government was perfected, and a proclamation naming its officers was on the same day prepared and read at the Government building; that immediately thereupon the United States Minister recognized the provisional government thus created; that two days afterwards, on the 19th day of January, commissioners representing such government sailed for this country in a steamer especially chartered for the occasion, arriving in San Francisco on the 28th day of January, and in Washington on the 3rd day of February; that on the next day they had their first interview with the Secretary of State, and another on the 11th, when the treaty of annexation was practically agreed upon, and that on the 14th it was formally concluded and on the 15th transmitted to the Senate. Thus between the initiation of the scheme for a provisional government in Hawaii on the 14th day of January and the submission to the Senate of the treaty of annexation concluded with such government, the entire interval was thirty-two days, fifteen of which were spent by the Hawaiian Commissioners in their journey to Washington.

In the next place, upon the face of the papers submitted with the treaty, it clearly appeared that there was open and undetermined an issue of fact of the most vital importance. The message of the President accompanying the treaty declared that "the overthrow of the monarchy was not in any way promoted by this Government," and in a letter to the President from the Secretary of State also submitted to the Senate with the treaty, the following message occurs: "At the time the provisional government took possession of the Government buildings no troops or officers of the United States were present or took any part whatever in the proceedings. No public recognition was accorded to the provisional government by the United States Minister until after the Queen's abdication and when they were in effective possession of the Government buildings, the archives, the treasury, the barracks, the police station, and all the potential machinery of the Government." But a protest also accompanied said treaty, signed by the Queen and her ministers at the time she made way for the provisional government, which explicitly stated that she yielded to the superior force of the United States, whose Minister had caused United States troops to be landed at Honolulu and declared that he would support such provisional government.

The truth or falsity of this protest was surely of the first importance. If true, nothing but the concealment of its truth could induce our Government to negotiate with the semblance of a government thus created, nor could a treaty resulting from the acts stated in the protest have been knowingly deemed worthy of consideration by the Senate. Yet the truth or falsity of the protest had not been investigated.

I conceived it to be my duty therefore to withdraw the treaty from the Senate for examination, and meanwhile to cause an accurate, full, and impartial investigation to be made of the facts attending the subversion of the constitutional Government of Hawaii and the installment in its place of the provisional government. I selected for the work of investigation the Hon. James H. Blount, of Georgia, whose service of eighteen years as a member of the House of Georgia, and whose experience as chairman of the Committee of Foreign Affairs in that body, and his consequent familiarity with international topics, joined with his high character and honorable reputation, seemed to render him peculiarly fitted for the duties entrusted to him. His report detailing his action under the instructions given to him and the conclusions derived from his investigation accompany this message.

These conclusions do not rest for their acceptance entirely upon Mr. Blount's honesty and ability as a man, nor upon his acumen and impartiality as an investigator. They are accompanied by the evidence upon which they are based, which evidence is also herewith transmitted, and from which it seems to me no other deductions could possibly be reached than those arrived at by the Commissioner.

The report with its accompanying proofs, and such other evidence as is now before the Congress or is herewith submitted, justifies in my opinion the statement that when the President was led to submit the treaty to the Senate with the declaration that "the overthrow of the monarchy was not in any way promoted by this Government", and when the Senate was induced to receive and discuss it on that basis, both President and Senate were misled.
The attempt will not be made in this communication to touch upon all the facts which throw light upon the progress and consummation of this scheme of annexation. A very brief and imperfect reference to the facts and evidence at hand will exhibit its character and the incidents in which it had its birth.

It is unnecessary to set forth the reasons which in January, 1893, led a considerable proportion of American and other foreign merchants and traders residing at Honolulu to favor the annexation of Hawaii to the United States. It is sufficient to note the fact and to observe that the project was one which was zealously promoted by the Minister representing the United States in that country. He evidently had an ardent desire that it should become a fact accomplished by his agency and during his ministry, and was not inconveniently scrupulous as to the means employed to that end. On the 19th day of November, 1892, nearly two months before the first overt act tending towards the subversion of the Hawaiian Government and the attempted transfer of Hawaiian territory to the United States, he addressed a long letter to the Secretary of State in which the case for annexation was elaborately argued, on moral, political, and economical grounds. He refers to the loss of the Hawaiian sugar interests from the operation of the McKinley bill, and the tendency to still further depreciation of sugar property unless some positive measure of relief is granted. He strongly inveighs against the existing Hawaiian Government and emphatically declares for annexation. He says: "In truth the monarchy here is an absurd anachronism. It has nothing on which it logically or legitimately stands. The feudal basis on which it once stood no longer existing, the monarchy now is only an impediment to good government - an obstruction to the prosperity and progress of the islands."

He further says: "As a crown colony of Great Britain or a Territory of the United States the government modifications could be made readily and good administration of the law secured. Destiny and the vast future interests of the United States in the Pacific clearly indicate who at no distant day must be responsible for the government of these islands. Under a territorial government they could be as easily governed as any of the existing Territories of the United States." *** "Hawaii has reached the parting of the ways. She must now take the road which leads to Asia, or the other which outlets her in America, gives her an American civilization, and binds her to the care of American destiny." He also declares: "One of two courses seems to me absolutely necessary to be followed, either bold and vigorous measures for annexation or a 'customs union,' an ocean cable from the Californian coast to Honolulu, Pearl Harbor perpetually ceded to the United States, with an implied but not expressly stipulated American protectorate over the islands. I believe the former to be the better, that which will prove much the more advantageous to the islands, and the cheapest and least embarrassing in the end to the United States. If it was wise for the United States through Secretary Marcy thirty-eight years ago to offer to expend $100,000 to secure a treaty of annexation, it certainly cannot be chimerical or unwise to expend $100,000 to secure annexation in the near future. To-day the United States has five times the wealth she possessed in 1854, and the reasons now existing for annexation are much stronger than they were then. I cannot refrain from expressing the opinion with emphasis that the golden hour is near at hand."

These declarations certainly show a disposition and condition of mind, which may be usefully recalled when interpreting the significance of the Minister's conceded acts or when considering the probabilities of such conduct on his part as may not be admitted.

In this view it seems proper to also quote from a letter written by the Minister to the Secretary of State on the 8th day of March, 1892, nearly a year prior to the first step taken toward annexation. After stating the possibility that the existing Government of Hawaii might be overturned by an orderly and peaceful revolution, Minister Stevens writes as follows: "Ordinarily in like circumstances, the rule seems to be to limit the landing and movement of United States forces in foreign waters and dominion exclusively to the protection of the United States legation and of the lives and property of American citizens. But as the relations of the United States to Hawaii are exceptional, and in former years the United States officials here took somewhat exceptional action in
circumstances of disorder, I desire to know how far the present Minister and naval commander may deviate from established international rules and precedents in the contingencies indicated in the first part of this dispatch."

To a minister of this temper full of zeal for annexation there seemed to arise in January, 1893, the precise opportunity for which he was watchfully waiting - an opportunity which by timely "deviation from established international rules and precedents" might be improved to successfully accomplish the great object in view; and we are quite prepared for the exultant enthusiasm with which in a letter to the State Department dated February 1, 1893, he declares: "The Hawaiian pear is now fully ripe and this is the golden hour for the United States to pluck it."

As a further illustration of the activity of this diplomatic representative, attention is called to the fact that on the day the above letter was written, apparently unable longer to restrain his ardor, he issued a proclamation whereby "in the name of the United States" he assumed the protection of the Hawaiian Islands and declared that said action was "taken pending and subject to negotiations at Washington." Of course this assumption of a protectorate was promptly disavowed by our Government, but the American flag remained over the Government building at Honolulu and the forces remained on guard until April, and after Mr. Blount's arrival on the scene, when both were removed.

A brief statement of the occurrences that led to the subversion of the constitutional Government of Hawaii in the interests of annexation to the United States will exhibit the true complexion of that transaction.

On Saturday, January 14, 1893, the Queen of Hawaii, who had been contemplating the proclamation of a new constitution, had, in deference to the wishes and remonstrances of her cabinet, renounced the project for the present at least. Taking this relinquished purpose as a basis of action, citizens of Honolulu numbering from fifty to one hundred, mostly resident aliens, met in a private office and selected a so-called Committee of Safety, composed of thirteen persons, seven of whom were foreign subjects, and consisted of five Americans, one Englishman, and one German. This committee, though its designs were not revealed, had in view nothing less than annexation to the United States, and between Saturday, the 14th, and the following Monday, the 16th of January - though exactly what action was taken may not be clearly disclosed - they were certainly in communication with the United States Minister. On Monday morning the Queen and her cabinet made public proclamation, with a notice which was specially served upon the representatives of all foreign governments, that any changes in the constitution would be sought only in the methods provided by that instrument. Nevertheless, at the call and under the auspices of the Committee of Safety, a mass meeting of citizens was held on that day to protest against the Queen's alleged illegal and unlawful proceedings and purposes. Even at this meeting the Committee of Safety continued to disguise their real purpose and contented themselves with procuring the passage of a resolution denouncing the Queen and empowering the committee to devise ways and means "to secure the permanent maintenance of law and order and the protection of life, liberty, and property in Hawaii." This meeting adjourned between three and four o'clock in the afternoon. On the same day, and immediately after such adjournment, the committee, unwilling to take further steps without the cooperation of the United States Minister, addressed him a note representing that the public safety was menaced and that lives and property were in danger, and concluded as follows: "We are unable to protect ourselves without aid, and therefore pray for the protection of the United States forces." Whatever may be thought of the other contents of this note, the absolute truth of this latter statement is incontestable. When the note was written and delivered, the committee, so far as it appears, had neither a man or a gun at their command, and after its delivery they became so panic-stricken at their stricken position that they sent some of their number to interview the Minister and request him to land the United States forces till the next morning. But he replied that the troops had been ordered, and whether the committee were ready or not the landing should take place. And so it happened that on the 16th day of January, 1893, between four and five o'clock in the afternoon, a detachment of marines from the United States Steamer Boston, with two pieces of artillery, landed at Honolulu. The men, upwards of 160 in all, were supplied with double cartridge belts filled with ammunition and with haversacks and canteens, and were accompanied by a hospital corps with stretchers and medical supplies.
This military demonstration upon the soil of Honolulu was of itself an act of war, unless made either with the consent of the
Government of Hawaii or for the bona fide purpose of protecting the imperilled lives and property of citizens of the United States.
But there is no pretense of any such consent on the part of the Government of the Queen, which at that time was undisputed and
was both the de facto and the de jure government. In point of fact the existing government instead of requesting the presence of an
armed force protested against it. There is as little basis for the pretense that such forces were landed for the security of American life
and property. If so, they would have been stationed in the vicinity of such property and so as to protect it, instead of at a distance
and so as to command the Hawaiian Government building and palace. Admiral Skerrett, the officer in command of our naval force
on the Pacific station, has frankly stated that in his opinion the location of the troops was inadvisable if they were landed for the
protection of American citizens whose residences and places of business, as well as the legation and consulate, were in a distant part
of the city, but the location selected was a wise one if the forces were landed for the purpose of supporting the provisional
government. If any peril to life and property calling for any such martial array had existed, Great Britain and other foreign powers
interested would not have been behind the United States in activity to protect their citizens. But they made no sign in that direction.
When these armed men were landed, the city of Honolulu was in its customary orderly and peaceful condition. There was no
symptom of riot or disturbance in any quarter. Men, women, and children were about the streets as usual, and nothing varied the
ordinary routine or disturbed the ordinary tranquility, except the landing of the Boston’s marines and their march through the town
to the quarters assigned them. Indeed, the fact that after having called for the landing of the United States forces on the plea of
danger to life and property the Committee of Safety themselves requested the Minister to postpone action, exposed the
untruthfulness of their representations of present peril to life and property. The peril they saw was an anticipation growing out of
guilty intentions on their part and something which, though not then existing, they knew would certainly follow their attempt to
overthrow the Government of the Queen without the aid of the United States forces.

Thus it appears that Hawaii was taken possession of by the United States forces without the consent or wish of the government of
the islands, or of anybody else so far as shown, except the United States Minister.

Therefore the military occupation of Honolulu by the United States on the day mentioned was wholly without justification, either as
an occupation by consent or as an occupation necessitated by dangers threatening American life and property. It must be accounted
for in some other way and on some other ground, and its real motive and purpose are neither obscure nor far to seek.

The United States forces being now on the scene and favorably stationed, the committee proceeded to carry out their original
scheme. They met the next morning, Tuesday, the 17th, perfected the plan of temporary government, and fixed upon its principal
officers, ten of whom were drawn from the thirteen members of the Committee of Safety. Between one and two o’clock, by squads
and by different routes to avoid notice, and having first taken the precaution of ascertaining whether there was any one there to
oppose them, they proceeded to the Government building to proclaim the new government. No sign of opposition was manifest,
and thereupon an American citizen began to read the proclamation from the steps of the Government building almost entirely
without auditors. It is said that before the reading was finished quite a concourse of persons, variously estimated at from 50 to 100,
some armed and some unarmed, gathered about the committee to give them aid and confidence. This statement is not important,
since the one controlling factor in the whole affair was unquestionably the United States marines, who, drawn up under arms and
with artillery in readiness only seventy-six yards distant, dominated the situation.

The provisional government thus proclaimed was by the terms of the proclamation “to exist until terms of union with the United
States had been negotiated and agreed upon”. The United States Minister, pursuant to prior agreement, recognized this government
within an hour after the reading of the proclamation, and before five o’clock, in answer to an inquiry on behalf of the Queen and her
内阁, announced that he had done so.
When our Minister recognized the provisional government the only basis upon which it rested was the fact that the Committee of Safety had in the manner above stated declared it to exist. It was neither a government de facto nor de jure. That it was not in such possession of the Government property and agencies as entitled it to recognition is conclusively proved by a note found in the files of the Legation at Honolulu, addressed by the declared head of the provisional government to Minister Stevens, dated January 17, 1893, in which he acknowledges with expressions of appreciation the Minister's recognition of the provisional government, and states that it is not yet in the possession of the station house (the place where a large number of the Queen's troops were quartered), though the same had been demanded of the Queen's officers in charge. Nevertheless, this wrongful recognition by our Minister placed the Government of the Queen in a position of most perilous perplexity. On the one hand she had possession of the palace, of the barracks, and of the police station, and had at her command at least five hundred fully armed men and several pieces of artillery. Indeed, the whole military force of her kingdom was on her side and at her disposal, while the Committee of Safety, by actual search, had discovered that there were but very few arms in Honolulu that were not in the service of the Government. In this state of things if the Queen could have dealt with the insurgents alone her course would have been plain and the result unmistakable. But the United States had allied itself with her enemies, had recognized them as the true Government of Hawaii, and had put her and her adherents in the position of opposition against lawful authority. She knew that she could not withstand the power of the United States, but she believed that she might safely trust to its justice. Accordingly, some hours after the recognition of the provisional government by the United States Minister, the palace, the barracks, and the police station, with all the military resources of the country, were delivered up by the Queen upon the representation made to her that her cause would thereafter be reviewed at Washington, and while protesting that she surrendered to the superior force of the United States, whose Minister had caused United States troops to be landed at Honolulu and declared that he would support the provisional government, and that she yielded her authority to prevent collision of armed forces and loss of life and only until such time as the United States, upon the facts being presented to it, should undo the action of its representative and reinstate her in the authority she claimed as the constitutional sovereign of the Hawaiian Islands.

This protest was delivered to the chief of the provisional government, who endorsed thereon his acknowledgment of its receipt. The terms of the protest were read without dissent by those assuming to constitute the provisional government, who were certainly charged with the knowledge that the Queen instead of finally abandoning her power had appealed to the justice of the United States for reinstatement in her authority; and yet the provisional government with this unanswered protest in its hand hastened to negotiate with the United States for the permanent banishment of the Queen from power and for the sale of her kingdom.

Our country was in danger of occupying the position of having actually set up a temporary government on foreign soil for the purpose of acquiring through that agency territory which we had wrongfully put in its possession. The control of both sides of a bargain acquired in such a manner is called by a familiar and unpleasant name when found in private transactions. We are not without a precedent showing how scrupulously we avoided such accusations in former days. After the people of Texas had declared their independence of Mexico they resolved that on the acknowledgment of their independence by the United States they would seek admission into the Union. Several months after the battle of San Jacinto, by which Texan independence was practically assured and established, President Jackson declined to recognize it, alleging as one of his reasons that in the circumstances it became us "to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claim of our neighbors to a territory with a view to its subsequent acquisition by ourselves". This is in marked contrast with the hasty recognition of a government openly and concededly set up for the purpose of tendering to us territorial annexation.

I believe that a candid and thorough examination of the facts will force the conviction that the provisional government owes its existence to an armed invasion by the United States. Fair-minded people with the evidence before them will hardly claim that the Hawaiian Government was overthrown by the people of the islands or that the provisional government had ever existed with their consent. I do not understand that any member of this government claims that the people would uphold it by their suffrages if they were allowed to vote on the question.
While naturally sympathizing with every effort to establish a republican form of government, it has been the settled policy of the United States to concede to people of foreign countries the same freedom and independence in the management of their domestic affairs that we have always claimed for ourselves; and it has been our practice to recognize revolutionary governments as soon as it became apparent that they were supported by the people. For illustration of this rule I need only to refer to the revolution in Brazil in 1889, when our Minister was instructed to recognize the Republic "so soon as a majority of the people of Brazil should have signified their assent to its establishment and maintenance"; to the revolution in Chile in 1891, when our Minister was directed to recognize the new government "if it was accepted by the people"; and to the revolution in Venezuela in 1892, when our recognition was accorded on condition that the new government was "fully established, in possession of the power of the nation, and accepted by the people."

As I apprehend the situation, we are brought face to face with the following conditions:

The lawful Government of Hawaii was overthrown without the drawing of a sword or the firing of a shot by a process every step of which, it may be safely asserted, is directly traceable to and dependent for its success upon the agency of the United States acting through its diplomatic and naval representatives.

But for the notorious predilections of the United States Minister for annexation, the Committee of Safety, which should be called the Committee of Annexation, would never have existed.

But for the landing of the United States forces upon false pretexts respecting the danger to life and property the committee would never have exposed themselves to the pains and penalties of treason by undertaking the subversion of the Queen's Government.

But for the presence of the United States forces in the immediate vicinity and in position to afford all needed protection and support the committee would not have proclaimed the provisional government from the steps of the Government building.

And finally, but for the lawless occupation of Honolulu under false pretexts by the United States forces, and but for Minister Stevens' recognition of the provisional government when the United States forces were its sole support and constituted its only military strength, the Queen and her Government would never have yielded to the provisional government, even for a time and for the sole purpose of submitting her case to the enlightened justice of the United States.

Believing, therefore, that the United States could not, under the circumstances disclosed, annex the islands without justly incurring the imputation of acquiring them by unjustifiable methods, I shall not again submit the treaty of annexation to the Senate for its consideration, and in the instructions to Minister Willis, a copy of which accompanies this message, I have directed him to so inform the provisional government.

But in the present instance our duty does not, in my opinion, end with refusing to consummate this questionable transaction. It has been the boast of our government that it seeks to do justice in all things without regard to the strength or weakness of those with whom it deals. I mistake the American people if they favor the odious doctrine that there is no such thing as international morality, that there is one law for a strong nation and another for a weak one, and that even by indirection a strong power may with impunity despoil a weak one of its territory.

By an act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress, the Government of a feeble but friendly and confiding people has been overthrown. A substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people requires we should endeavor to repair.
The provisional government has not assumed a republican or other constitutional form, but has remained a mere executive council or oligarchy, set up without the assent of the people. It has not sought to find a permanent basis of popular support and has given no evidence of an intention to do so. Indeed, the representatives of that government assert that the people of Hawaii are unfit for popular government and frankly avow that they can be best ruled by arbitrary or despotic power.

The law of nations is founded upon reason and justice, and the rules of conduct governing individual relations between citizens or subjects of a civilized state are equally applicable as between enlightened nations. The considerations that international law is without a court for its enforcement, and that obedience to its commands practically depends upon good faith, instead of upon the mandate of a superior tribunal, only give additional sanction to the law itself and brand any deliberate infraction of it not merely as a wrong but as a disgrace. A man of true honor protects the unwritten word which binds his conscience more scrupulously, if possible, than he does the bond a breach of which subjects him to legal liabilities; and the United States in aiming to maintain itself as one of the most enlightened of nations would do its citizens gross injustice if it applied to its international relations any other than a high standard of honor and morality. On that ground the United States cannot properly be put in the position of countenancing a wrong after its commission any more than in that of consenting to it in advance. On that ground it cannot allow itself to refuse to redress an injury inflicted through an abuse of power by officers clothed with its authority and wearing its uniform; and on the same ground, if a feeble but friendly state is in danger of being robbed of its independence and its sovereignty by a misuse of the name and power of the United States, the United States cannot fail to vindicate its honor and its sense of justice by an earnest effort to make all possible reparation.

These principles apply to the present case with irresistible force when the special conditions of the Queen’s surrender of her sovereignty are recalled. She surrendered not to the provisional government, but to the United States. She surrendered not absolutely and permanently, but temporarily and conditionally until such time as the facts could be considered by the United States. Furthermore, the provisional government acquiesced in her surrender in that manner and on those terms, not only by tacit consent, but through the positive acts of some members of that government who urged her peaceable submission, not merely to avoid bloodshed, but because she could place implicit reliance upon the justice of the United States, and that the whole subject would be finally considered at Washington.

I have not, however, overlooked an incident of this unfortunate affair which remains to be mentioned. The members of the provisional government and their supporters, though not entitled to extreme sympathy, have been led to their present predicament of revolt against the Government of the Queen by the indefensible encouragement and assistance of our diplomatic representative. This fact may entitle them to claim that in our effort to rectify the wrong committed some regard should be had for their safety. This sentiment is strongly seconded by my anxiety to do nothing which would invite either harsh retaliation on the part of the Queen or violence and bloodshed in any quarter. In the belief that the Queen, as well as her enemies, would be willing to adopt such a course as would meet these conditions, and in view of the fact that both the Queen and the provisional government had at one time apparently acquiesced in a reference of the entire case to the United States Government, and considering the further fact that in any event the provisional government by its own declared limitation was only “to exist until terms of union with the United States of America have been negotiated and agreed upon,” I hoped that after the assurance to the members of that government that such union could not be consummated I might compass a peaceful adjustment of the difficulty.

Actuated by these desires and purposes, and not unmindful of the inherent perplexities of the situation nor of the limitations upon my power, I instructed Minister Willis to advise the Queen and her supporters of my desire to aid in the restoration of the status existing before the lawless landing of the United States forces at Honolulu on the 16th of January last, if such restoration could be effected upon terms providing for clemency as well as justice to all parties concerned. The conditions suggested, as the instructions show, contemplate a general amnesty to those concerned in setting up the provisional government and a recognition of all its bona fide acts and obligations. In short, they require that the past should be buried, and that the restored Government should reassume its
authority as if its continuity had not been interrupted. These conditions have not proved acceptable to the Queen, and though she
has been informed that they will be insisted upon, and that, unless acceded to, the efforts of the President to aid in the restoration of
her Government will cease, I have not thus far learned that she is willing to yield them her acquiescence. The check which my plans
have thus encountered has prevented their presentation to the members of the provisional government, while unfortunate public
misrepresentations of the situation and exaggerated statements of the sentiments of our people have obviously injured the
prospects of successful Executive mediation.

I therefore submit this communication with its accompanying exhibits, embracing Mr. Blount’s report, the evidence and statements
taken by him at Honolulu, the instructions given to both Mr. Blount and Minister Willis, and correspondence connected with the
affair in hand.

In commending this subject to the extended powers and wide discretion of the Congress, I desire to add the assurance that I shall be
much gratified to cooperate in any legislative plan which may be devised for the solution of the problem before us which is
consistent with American honor, integrity, and morality.

December 19, 1893
Willis to Gresham

SIR: On Monday [December 18, 1893] afternoon . . . , Mr. Carter called at the legation and read to me a note to him, just received
from the Queen, in which she unreservedly consented, when restored as the constitutional sovereign, to grant amnesty and assume
all obligations of the Provisional Government.

. . . .

Lili‘uokalani’s change of mind was communicated to Willis, Gresham and President Cleveland after President Cleveland
had sent his message to Congress “commending this subject to the extended powers and wide discretion of the Congress[.]”

Lili‘uokalani described her conversations with Willis as follows: [245]

On entering the house of Mr. Willis, Mr. Mills directed me into the parlor, while he and Mr. Robertson entered the
opposite room. A Japanese screen divided the apartments. I was seated on the sofa when Mr. Willis, entering, took a chair, and sat
down just in front of me, near the screen. He informed me that he was the bearer of the kindest greetings from President Cleveland,
and that the President would do all in his power to undo the wrong which had been done. He then asked if I would consent to sign a
proclamation of general amnesty, stating that I would grant complete protection and pardon to those who had overthrown my
government. I told him that I would consult my ministers on the matter. The suggestion did not meet with his approval.

I well knew, and it has been conclusively shown in this history, that my actions could not be binding or in any way
recognized unless supported by the ministers in a cabinet meeting. This was according to law, and according to the constitution
these very persons had forced upon the nation. Perhaps Mr. Willis thought that all he had to do was to propose, and then that my
place was to acquiesce. But he asked again for my judgment of the matter as it stood, and seemed determined to obtain an
expression of opinion from me. I told him that, as to granting amnesty, it was beyond my powers as a constitutional sovereign. That
it was a matter for the privy council and for the cabinet. That our laws read that those who are guilty of treason should suffer the
penalty of death.

He then wished to know if I would carry out that law. I said that I would be more inclined personally to punish them by
banishment, and confiscation of their property to the government. He inquired again if such was my decision. I regarded the
interview as an informal conversation between two persons as to the best thing for the future of my country, but I repeated to him my wish to consult my ministers before deciding any definite action. This terminated the consultation, excepting that Mr. Willis specially requested me not to mention anything concerning the matter to any person whomsoever, and assure me he would write home to the government he represented.

He did so. It was a long month before he could receive any reply; but when it came he communicated the fact to me, and asked for another interview at his house. This time he also inquired if there was any other person I would like to have with me. I suggested the name of Mr. J. O. Carter, at which the American minister seemed to be highly pleased. So at the stated hour we all met. This time Mr. Willis had present as his stenographer Mr. Ellis C. Mills, afterwards American consul-general at Honolulu. He first read to me some notes of our former interview. . . . Whatever the paper was, Mr. Willis finished the reading of it, and asked me if it was correct. I replied, "Yes."

Doubtless, had I held the document in my hand, and had I been permitted to read and examine it, for the eye perceives words that full unheeded on the ear, I should then have noticed that there was a clause which declared that I was to have my opponents beheaded. That is a form of punishment which has never been used in the Hawaiian Islands, either before or since the coming of foreigners. Mr. Willis then asked me if my views were the same as when we met the first time; and I again said "Yes," or words to that effect. Mr. Carter inquired if I rescinded so much of Mr. Willis's report as related to the execution of the death penalty upon those in revolt. To this I replied, "I do in that respect."

At the interview held Saturday, Dec. 16, I did decline to promise executive clemency, and gave as my reason that, this being the second offence of these individuals, they were regarded as dangerous to the community. That their very residence would be a constant [menace]; that there never would be peace in my country, or harmony amongst the people of different nations residing with us as long as such a disturbing element remained, especially after they had once been successful in seizing the reins of government. But on Monday, Dec. 18, Mr. Willis came to Washington Place; and again acting under the advice of Hon. J. O. Carter, I gave him a document recognizing the high sense of justice which had prompted the action of Mr. Cleveland, and agreeing that, in view of his wishes, the individuals setting up or supporting the Provisional Government should have full amnesty in their persons and their property, if they would work together with me in trying to restore peace and prosperity to our beautiful and once happy islands.

It was most unfortunate that the American minister should have so misrepresented me, or that I should have so misunderstood him, . . . , or that I should have been so overburdened by the many aspects of the painful situation as to be ignorant or unconscious of the importance of the precise words read in my presence. The only official communication made by me was to the effect that there should be perfect amnesty, and this was made in recognition of President Cleveland's courtesy and justice. (P249)

On December 19, 1893, knowing that Lili'uokalani had consented to President Cleveland's conditions but being unaware that President Cleveland had referred the matter to Congress, Willis presented the Provisional Government with a demand that Lili'uokalani be restored to the throne.

December 23, 1893  Dole  (Sanford B. Dole, Provisional Government’s Minister of Foreign Affairs) to Willis:

Sir: Your excellency’s communication of December 19, announcing the conclusion which the President of the United States of
America has finally arrived at respecting the application of this Government for a treaty of political union with that country, and referring also to the domestic affairs of these islands, has had the consideration of the Government.

While it is with deep disappointment that we learn that the important proposition which we have submitted to the Government of the United States, and which was at first favorably considered by it, has at length been rejected, we have experienced a sense of relief that we are now favored with the first official information upon the subject that has been received through a period of over nine months.

While we accept the decision of the President of the United States, declining further to consider the annexation proposition, as the final conclusion of the present administration, we do not feel inclined to regard it as the last word of the American Government upon this subject, for the history of the mutual relations of the two countries, of American effort and influence in building up the Christian civilization which has so conspicuously aided in giving this country an honorable place among independent nations, the geographical position of these islands, and the important and, to both countries, profitable reciprocal commercial interests which have long existed, together with our weakness as a sovereign nation, all point with convincing force to political union between the two countries as the necessary logical result from the circumstances mentioned. This conviction is emphasized by the favorable expression, of American statesmen over a long period in favor of annexation, conspicuous among whom are the names of W. L. Marcy, William H. Seward, Hamilton Fish, and James G. Blaine, all former Secretaries of State, and especially so by the action of your last administration in negotiating a treaty of annexation with this Government and sending it to the Senate with a view to its ratification.

We shall therefore continue the project of political union with the United States as a conspicuous feature of our foreign policy, confidently hoping that sooner or later it will be crowned with success, to the lasting benefit of both countries.

The additional portion of your communication referring to our domestic affairs with a view of interfering therein, is a new departure in the relations of the two governments. Your information that the President of the United States expects this Government “to promptly relinquish to her (meaning the ex-Queen) her constitutional authority,” with the question “are you willing to abide by the decision of the President?” might well be dismissed in a single word, but for the circumstance that your communication contains, as it appears to me, misstatements and erroneous conclusions based thereon, that are so prejudicial to this Government that I cannot permit them to pass unchallenged; moreover, the importance and menacing character of this proposition make it appropriate for me to discuss somewhat fully the questions raised by it.

We do not recognize the right of the President of the United States to interfere in our domestic affairs. Such right could be conferred upon him by the act of this Government, and by that alone, or it could be acquired by conquest. This I understand to be the American doctrine, conspicuously announced from time to time by the authorities of your Government.

President Jackson said in his message to Congress in 1836: “The uniform policy and practice of the United States is to avoid all interference in disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party, without reference to the merits of the original controversy.”

This principle of international law has been consistently recognized during the “whole past intercourse of the two countries, and was recently reaffirmed in the instructions given by Secretary Gresham to Commissioner Blount on March 11, 1893, and by the latter published in the newspapers in Honolulu in a letter of his own to the Hawaiian public. The words of these instructions which I refer to are as follows: “The United States claim no right to interfere in the political or domestic affairs or in the internal conflicts of the Hawaiian Islands other than as herein stated (referring to the protection of American citizens) or for the purpose of maintaining any
treaty or other rights which they possess.” The treaties between the two countries confer no right of interference.

Upon what, then, Mr. Minister, does the President of the United States base his right of interference? Your communication is without information upon this point, excepting such as maybe contained in the following brief and vague sentences: "She (the ex-Queen) was advised and assured by her ministers and leaders of the movement for the overthrow of her government that if she surrendered under protest her case would afterward be fairly considered by the President of the United States. The Queen finally yielded to the armed forces of the United States, then quartered in Honolulu, relying on the good faith and honor of the President, when informed of what had occurred, to undo the action of the minister and reinstate her and the authority which she claimed as the constitutional sovereign of the Hawaiian Islands.” Also, "it becomes my further duty to advise you, sir, the Executive of the Provisional Government, and your ministers, of the President’s determination of the question which your action and that of the Queen devolved upon him, and that you are expected to promptly relinquish to her constitutional authority."

I understand that the first quotation is referred to in the following words of the second, "which your action and that of the Queen devolved upon him" (the President of the United States), and that the President has arrived at his conclusions from Commissioner Blount’s report. We have had as yet no opportunity of examining this document, but from extracts published in the papers and for reasons set forth hereafter, we are not disposed to submit the fate of Hawaii to its statements and conclusions. As a matter of fact no member of the executive of the Provisional Government has conferred with the ex-Queen, either verbally or otherwise, from the time the new Government was proclaimed till now, with the exception of one or two notices which were sent to her by myself in regard to her removal from the palace and relating to the guards which the Government first allowed her and perhaps others of a like nature. I infer that a conversation which Mr. Damon, then a member of the advisory council, is reported by Mr. Blount to have had with the ex-Queen on January 17, and which has been quoted in the newspapers, is the basis of this astounding claim of the President of the United States of his authority to adjudicate upon our right as a government to exist.

Mr. Damon, on the occasion mentioned, was allowed to accompany the cabinet of the former Government, who had been in conference with me and my associates, to meet the ex-Queen. He went informally, without instructions and without authority to represent the Government or to assure the ex-Queen "that if she surrendered under protest her case would afterwards be fairly considered by the President of the United States.” Our ultimatum had already been given to the members of the ex-cabinet who had been in conference with us. What Mr. Damon said to the ex-Queen he said on his individual responsibility and did not report it to us. Mr. Blount’s report of his remarks on that occasion furnish to the Government its first information of the nature of those remarks. Admitting for argument’s sake that the Government had authorized such assurances, what was "her case" that was afterwards to "be fairly considered by the President of the United States?"

Was it the question of her right to subvert the Hawaiian constitution and to proclaim a new one to suit herself, or was it her claim to be restored to the sovereignty, or was it her claim against the United States for the alleged unwarrantable acts of Minister Stevens, or was it all these in the alternative; who can say? But if it had been all of these, or any of them, it could not have been more clearly and finally decided by the President of the United States in favor of the Provisional Government than when he recognized it without qualification and received its accredited commissioners, negotiated a treaty of annexation with them, received its accredited envoy extraordinary and minister plenipotentiary, and accredited successively two envos extraordinary and ministers plenipotentiary to it; the ex-Queen in the meantime being represented in Washington by her agent who had full access to the Department of State. The whole business of the Government with the President of the United States is set forth in the correspondence between the two governments and the acts and statements of the minister of this Government at Washington and the annexation commissioners accredited to it. If we have submitted our right to exist to the United States, the fact will appear in that correspondence and the acts of our minister and commissioners. Such agreement must be shown as the foundation of the right of your Government to interfere, for an arbitrator can be created only by the act of two parties. The ex-Queen sent her attorney to Washington to plead her claim for
a reinstatement in power, or failing that for a money allowance or damages. This attorney was refused passage on the Government dispatch boat, which was sent to San Francisco with the annexation commissioners and their message. The departure of this vessel was less than two days after the new Government was declared, and the refusal was made promptly upon receiving the request therefor either on the day the Government was declared or on the next day.

If an intention to submit the question of the reinstatement of the ex-Queen had existed, why should her attorney have been refused passage on this boat? The ex-Queen’s letter to President Harrison dated January 18, the day after the new Government was proclaimed, makes no allusion to any understanding between her and the Government for arbitration. Her letter is as follows:

His Excellency Benjamin Harrison,
President of the United States:

My Great and Good Friend: It is with deep regret that I address you on this occasion. Some of my subjects aided by aliens, have renounced their loyalty and revolted against the constitutional Government of my Kingdom. They have attempted to depose me and to establish a provisional government in direct conflict with the organic law of this Kingdom. Upon receiving incontestible proof that his excellency the minister plenipotentiary of the United States, aided and abetted their unlawful movements and caused United States troops to be landed for that purpose, I submitted to force, believing that he would not have acted in that manner unless by the authority of the Government which he represents.

This action on my part was prompted by three reasons: The futility of a conflict with the United States; the desire to avoid violence, bloodshed and the destruction of life and property, and the certainty which I feel that you and your Government will right whatever wrongs may have been inflicted upon us in the promises.

In due time a statement of the true facts relating to this matter will be laid before you, and I live in the hope that you will judge uprightly and justly between myself and my enemies. This appeal is not made for myself personally, but for my people, who have hitherto always enjoyed the friendship and protection of the United States.

My opponents have taken the only vessel which could be obtained here for the purpose, and hearing of their intention to send a delegation of their number to present their side of this conflict before you, I requested the favor of sending by the same vessel an envoy to you, to lay before you my statement, as the facts appear to myself and my loyal subjects.

This request has been refused, and I now ask you that injustice to myself and to my people that no steps be taken by the Government of the United States until my cause can be heard by you. I shall be able to dispatch an envoy about the 3d of February, as that will be the first available opportunity hence, and he will reach you by every possible haste that there may be no delay in the settlement of this matter.

I pray you, therefore, my good friend, that you will not allow any conclusions to be reached by you until my envoy arrives.

I beg to assure you of the continuance of my highest consideration.

LILIUOKALANI R.

Honolulu, January 18, 1893.

If any understanding had existed at that time between her and the Government to submit the question of her restoration to the United States, some reference to such an understanding would naturally have appeared in this letter, as every reason would have existed for calling the attention of the President to that fact; especially as she then knew that her attorney would be seriously delayed in reaching Washington. But there is not a word from which such an understanding can be predicated. The Government sent its
commissioners to Washington for the sole object of procuring the confirmation of the recognition by Minister Stevens of the new Government and to enter into negotiations for political union with the United States. The protest of the ex-Queen, made on January 17, is equally with the letter devoid of evidence of any mutual understanding for a submission of her claim to the throne to the United States. It is very evidently a protest against the alleged action of Minister Stevens as well as the new Government, and contains a notice of her appeal to the United States.

The document was received exactly as it would have been received if it had come through the mail. The indorsement of its receipt upon the paper was made at the request of the individual who brought it as evidence of its safe delivery. As to the ex-Queen's notice of her appeal to the United States, it was a matter of indifference to us. Such an appeal could not have been prevented, as the mail service was in operation as usual.

That such a notice, and our receipt of it without comment, should be made a foundation of a claim that we had submitted our right to exist as a government to the United States had never occurred to us until suggested to us by your Government. The protest is as follows:

I, Liliuokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a provisional government of and for this Kingdom.

That I yield to the superior force of the United States of America, whose minister plenipotentiary, his excellency John L. Stevens, has caused United States troops to be landed at Honolulu, and declared that he would support the said Provisional Government.

Now, to avoid any collision of armed forces, and perhaps the loss of life, I do, under this protest, and impelled by said force, yield my authority until such time as the Government of the United States shall, upon the facts being presented to it, undo the action of its representative and reinstate me in the authority which I claim as the constitutional sovereign of the Hawaiian Islands.

Done at Honolulu the 17th day of January, A. D. 1893.

Liliuokalani, R.

Samuel Parker, Minister of Foreign Affairs.

William H. Cornwell, Minister of Finance.

John F. Colburn, Minister of the Interior.

A. P. Peterson, Attorney-General.

S. B. Dole, Esq., and others,

Composing the Provisional Government of the Hawaiian Islands. (Indorsed:) Received by the hands of the late cabinet this 17th day of January, A. D. 1893. Sanford B. Dole, chairman of executive council of Provisional Government.

You may not be aware, but such is the fact, that at no time until the presentation of the claim of the President of the United States of his right to interfere in the internal affairs of this country, by you on December 19, has this Government been officially informed by the United States Government that any such course was contemplated. And not until the publication of Mr. Gresham's letter to the
President of the United States on the Hawaiian question had we any reliable intimation of such a policy. The adherents of the ex-
Queen have indeed claimed from time to time that such was the case, but we have never been able to attach serious importance to
their rumors to that effect, feeling secure in our perfect diplomatic relations with your country, and relying upon the friendship and
fairness of a government whose dealings with us had ever shown full recognition of our independence as a sovereign power,
without any tendency to take advantage of the disparity of strength between the two countries.

If your contention that President Cleveland believes that this Government and the ex-Queen have submitted their respective claims
to the sovereignty of this country to the adjudication of the United States is correct, then, may I ask, when and where has the
President held his court of arbitration? This Government has had no notice of the sitting of such a tribunal and no opportunity of
presenting evidence of its claims. If Mr. Blount’s investigations were apart of the proceedings of such a court, this Government did
not know it and was never informed of it; indeed, as I have mentioned above, we never knew until the publication of Secretary
Gresham’s letter to President Cleveland a few weeks ago, that the American Executive had a policy of interference under
contemplation. Even if we had known that Mr. Blount was authoritatively acting as a commissioner to take evidence upon the
question of the restoration of the ex-Queen, the methods adopted by him in making his investigations were, I submit, unsuitable to
such an examination or any examination upon which human interests were to be adjudicated.

As I am reliably informed, he selected his witnesses and examined them in secret, freely using leading questions, giving no
opportunity for a cross-examination, and often not permitting such explanations by witnesses themselves as they desired to make of
evidence which he had drawn from them. Is it hardly necessary for me to suggest that under such a mode of examination some
witnesses would be almost helpless in the hands of an astute lawyer, and might he drawn into saying things which would be only
half-truths, and standing alone would be misleading or even false in effect. Is it likely that an investigation conducted in this manner
could result in a fair, full, and truthful statement of the case in point? Surely the destinies of a friendly Government, admitting by way
of argument that the right of arbitration exists, may not be disposed of upon an ex parte and secret investigation made without the
knowledge of such Government or an opportunity by it to be heard or even to know who the witnesses were.

Mr. Blount came here as a stranger and at once entered upon his duties. He devoted himself to the work of collecting information,
both by the examination of witnesses and the collection of statistics and other documentary matter, with great energy and industry,
giving up, substantially, his whole time to its prosecution. He was here but a few months, and during that time was so occupied with
this work that he had little opportunity left for receiving those impressions of the state of affairs which could best have come to him,
incidentally, through a wide social intercourse with the people of the country and a personal acquaintance with its various
communities and educational and industrial enterprises. He saw the country from his cottage in the center of Honolulu mainly
through the eyes of the witnesses whom he examined. Under these circumstances is it probable that the most earnest of men would
be able to form a statement that could safely be relied upon as the basis of a decision upon the question of the standing of a
government?

In view, therefore, of all the facts in relation to the question of the President’s authority to interfere and concerning which the
members of the executive were actors and eye-witnesses, I am able to assure your excellency that by no action of this Government,
on the 17th day of January last or since that time, has the authority devolved upon the President of the United States to interfere in
the internal affairs of this country through any conscious act or expression of this Government with such an intention.

You state in your communication --

"After a patient examination of Mr. Blount’s reports the President is satisfied that the movement against the Queen if not instigated
was encouraged and supported by the representative of this Government at Honolulu; that he promised in advance to aid her
enemies in an effort to overthrow the Hawaiian Government and set up by force a new government in its place; that he kept his
promise by causing a detachment of troops to be landed from the Boston on the 16th of January, 1893, and by recognizing the
Provisional Government the next day when it was too feeble to defend itself and the Constitutional Government was able to successfully maintain its authority against any threatening force other than that of the United States already landed.”

Without entering into a discussion of the facts I beg to state in reply that I am unable to judge of the correctness of Mr. Blount’s report from which the President’s conclusions were drawn, as I have had no opportunity of examining such report. But I desire to specifically and emphatically deny the correctness of each and every one of the allegations of fact contained in the above-quoted statement; yet, as the President has arrived at a positive opinion in his own mind in the matter, I will refer to it from his standpoint.

My position, is briefly, this: If the American forces illegally assisted the revolutionists in the establishment of the Provisional Government that Government is not responsible for their wrong-doing. It was purely a private matter for discipline between the United States Government and its own officers. There is, I submit, no precedent in international law for the theory that such action of the American troops has conferred upon the United States authority over the internal affairs of this Government. Should it be true, as you have suggested, that the American Government made itself responsible to the Queen, who, it is alleged lost her throne through such action, that is not a matter for me to discuss, except to submit that if such be the case, it is a matter for the American Government and her to settle between them. This Government, a recognized sovereign power, equal in authority with the United States Government and enjoying diplomatic relations with it, can not be destroyed by it for the sake of discharging its obligations to the ex-Queen.

Upon these grounds, Mr. Minister, in behalf of my Government I respectfully protest against the usurpation of its authority as suggested by the language of your communication. It is difficult for a stranger like yourself, and much more for the President of the United States, with his pressing responsibilities, his crowding cares and his want of familiarity with the condition and history of this country and the inner life of its people, to obtain a clear insight into the real state of affairs and to understand the social currents, the race feelings and the customs and traditions which all contribute to the political outlook. We, who have grown up here or who have adopted this country as our home, are conscious of the difficulty of maintaining a stable government here. A community which is made up of five races, of which the larger part but dimly appreciate the significance and value of representative institutions, offers political problems which may well tax the wisdom of the most experienced statesman.

For long years a large and influential part of this community, including many foreigners and native Hawaiians, have observed with deep regret the retrogressive tendencies of the Hawaiian monarchy, and have honorably striven against them, and have sought through legislative work, the newspapers, and by personal appeal and individual influence to support and emphasize the representative features of the monarchy and to create a public sentiment favorable thereto, and thereby to avert the catastrophe that seemed inevitable if such tendencies were not restrained.

These efforts have been met by the last two sovereigns in a spirit of aggressive hostility. The struggle became at length a well-defined issue between royal prerogative and the right of representative government, and most bitterly and unscrupulously has it been carried on in the interests of the former. The King’s privilege of importing goods for his own use without paying the duties thereon was abused to the extent of admitting large quantities of liquors, with which to debauch the electorate. He promoted the election of Government officers, both executive and judicial, to the legislative assembly, and freely appointed to office elected members thereof.

In the legislature of 1886, of which I was a member, the party supporting the Government was largely in the majority, and nearly every member of such majority held some appointment from the Government, and some of them as many as two or three, thereby effectually placing the legislative branch of the Government under the personal and absolute control of the King. The constitutional encroachments, lawless extravagance, and scandalous and open sales of patronage and privilege to the highest bidder by Kalakaua brought in at length the revolution of 1887, which had the full sympathy and moral support of all the diplomatic representatives in
Honolulu, including Minister Merrill, who was at that time President Cleveland’s minister here.

This revolution was not an annexation movement in any sense, but tended toward an independent republic, but, when it had the monarchy in its power, conservative counsels prevailed, and a new lease of life was allowed that institution on the condition of royal fidelity to the new constitution, which was then promulgated and which greatly curtailed the powers of the sovereign. Kalakaua was not faithful to this compact, and sought as far as possible to evade its stipulations. The insurrection of 1889 was connived at by him, and the household guards under his control were not allowed to take part in suppressing it. The Princess Liliuokalani was in full sympathy with this movement, being a party to it, and furnished her suburban residence to the insurgents for their meetings. The arrangements were there made, and the insurgents marched thence for their attack upon the Government. The affair was suppressed in a few hours of fighting, with some loss of life to the insurgents, by the party which carried through the revolution of 1887.

The ex-Queen’s rule was even more reckless and retrogressive than her brother’s. Less politic than he, and with less knowledge of affairs, she had more determination and was equally unreliable and deficient in moral principle. She, to all appearance, unhesitatingly took the oath of office to govern according to the constitution, and evidently regarding it merely as a formal ceremony began, according to her own testimony to Mr. Blount, to lay her plans to destroy the constitution and replace it with one of her own creation. With a like disregard of its sanctions, she made the most determined efforts to control all of the appointments to office, both executive and judicial. The session of the legislature of 1892 was the longest that had ever occurred in our history, and was characterized by a most obstinate struggle for personal control of the Government and the legislature on the part of the Queen. This was strenuously resisted by the opposition.

During this contest four ministerial cabinets were appointed and unseated, and the lottery-franchise bill, which had been withdrawn early in the session for want of sufficient support, was at the last moment, when the opposition was weakened by the absence of several of its members, again brought forward and passed through the exercise of improper and illegitimate influences upon the legislators, among which were personal appeals on the part of the Queen to them. The cabinet which represented the opposition and the majority of the legislature which the Queen had been compelled to appoint was unseated by similar means, and with a new cabinet of her own choice the legislature was prorogued. This lottery franchise was of a character corresponding with similar institutions which have been driven out of every State of the American Union by an indignant public sentiment. If it had been established here it would in a brief period have obtained full control of the Government patronage and corrupted the social and political life of the people.

Although the situation at the close of the session was deeply discouraging to the community, it was accepted without any intention of meeting it by other than legal means. The attempted coup d’etat of the Queen followed, and her ministers, threatened with violence, fled to the citizens for assistance and protection; then it was that the uprising against the Queen took place, and, gathering force from day to day, resulted in the proclamation of the Provisional Government and the abrogation of the monarchy on the third day thereafter.

No man can correctly say that the Queen owed her downfall to the interference of American forces. The revolution was carried through by the representatives, now largely reinforced, of the same public sentiment which forced the monarchy to its knees in 1887, which suppressed the insurrection of 1889, and which for twenty years has been battling for representative government in this country. If the American forces had been absent the revolution would have taken place, for the sufficient causes for it had nothing to do with their presence.

I, therefore, in all friendship of the Government of the United States, which you represent, and desiring to cherish the good will of the great American people, submit the answer of my Government to your proposition, and ask that you will transmit the same to the
President of the United States for his consideration.

Though the Provisional Government is far from being "a great power" and could not long resist the forces of the United States in a hostile attack, we deem our position to be impregnable under all legal precedents, under the principles of diplomatic intercourse, and in the forum of conscience. We have done your Government no wrong; no charge of discourtesy is or can be brought against us. Our only issue with your people has been that, because we revered its institutions of civil liberty, we have desired to have them extended to our own distracted country, and because we honor its flag and deeming that its beneficent and authoritative presence would be for the best interests of all of our people, we have stood ready to add our country, a new star, to its glory, and to consummate a union which we believed would be as much for the benefit of your country as ours. If this is an offense, we plead guilty to it.

I am instructed to inform you, Mr. Minister, that the Provisional Government of the Hawaiian Islands respectfully and unhesitatingly declines to entertain the proposition of the President of the United States that it should surrender its authority to the ex-Queen.

This answer is made not only upon the grounds hereinbefore set forth, but upon our sense of duty and loyalty to the brave men whose commissions we hold, who have faithfully stood by us in the hour of trial, and whose will is the only earthly authority we recognize. We can not betray the sacred trust they have placed in our hands, a trust which represents the cause of Christian civilization in the interests of the whole people of these islands.

January 12, 1894        Gresham to Willis

....

The President sincerely regrets that the Provisional Government refuses to acquiesce in the conclusion which his sense of right and duty and a due regard for our national honor constrained him to reach and submit as a measure of justice to the people of the Hawaiian Islands and their deposed sovereign....

....

On the 18th ultimo the President sent a special message to Congress communicating copies of Mr. Blount's reports and the instructions given to him and to you. On the same day, answering a resolution of the House of Representatives, he sent copies of all correspondence since March 4, 1889, on the political affairs and relations of Hawaii.... The President therein announced that the conditions of restoration suggested by him to the Queen had not proved acceptable to her, and that since the instructions sent to you to insist upon those conditions he had not learned that the Queen was willing to assent to them. The President thereupon submitted the subject to the more extended powers and wider discretion of Congress, adding the assurance that he would be gratified to cooperate in any legitimate plan which might be devised for a solution of the problem consistent with American honor, integrity, and morality.

Your reports show that on further reflection the Queen gave her unqualified assent in writing to the conditions suggested, but that the Provisional Government refuses to acquiesce in the President's decision.

The matter now being in the hands of Congress, the President will keep that body fully advised of the situation.....

From December 27, 1893 to February 26, 1894, the Senate Committee on Foreign Relations, under Chairman Morgan, held hearings only in Washington D.C. and then delivered the Morgan Report to the full Senate. In part, the Morgan Report states:
When we claim the right to interfere in the domestic affairs of Hawaii, as we would not interfere with those of a European nation, we must also admit her right to whatever advantages there may be in the closeness and interdependence of our relations, and her right to question us as to any conflicts of policy between Mr. Harrison and Mr. Cleveland that may be justly said to work a disadvantage to the interests of Hawaii, if there are any.

And another principle which does not apply in our dealings with European powers comes into application in this case to influence the rights of Hawaii in her intercourse with the U.S. Hawaii is a U.S. state, and is embraced in the U.S. commercial and military system. This fact has been frequently and firmly stated by our Government, and is the ground on which is rested that peculiar and far-reaching declaration so often and so earnestly made, that the U.S. will not admit the right of any foreign government to acquire any interest or control in the Hawaiian Islands that is in any way prejudicial or even threatening toward the interests of the U.S. or her people. This is at least a moral suzerainty over Hawaii. In this attitude of the two Governments, Hawaii must be entitled to demand of the U.S. an indulgent consideration, if not an active sympathy, when she is endeavoring to accomplish what every other U.S. state has achieved—the release of her people from the odious antirepublican regime which denies to the people the right to govern themselves, and subordinates them to the supposed divine right of a monarch, whose title to such divinity originated in the most slavish conditions of pagan barbarity.

The point at which it is alleged that there was a questionable interference by our minister and our Navy with the affairs of Hawaii was the landing of troops from the ship Boston in Honolulu on the 16th day of January, 1893, at 5 o'clock in the afternoon. That ship, on which the minister was a passenger, had been off on a practice cruise at Hilo, a distance of nearly 100 miles, since the 4th day of January. On her return to the harbor a condition of affairs existed in Honolulu which led naturally to the apprehension that violence or civil commotion would ensue, in which the peace and security of U.S. citizens residing in that city would be put in peril, as had been done on three or more separate occasions previously when changes occurred or were about to occur in the government of Hawaii. Whatever we may conclude were the real causes of the situation then present in Honolulu, the fact is that there was a complete paralysis of executive government in Hawaii. The action of the Queen in an effort to overturn the constitution of 1887, to which she had sworn obedience and support, had been accepted and treated by a large and powerful body of the people as a violation of her constitutional obligations, revolutionary in its character and purposes and that it amounted to an act of abdication on her part, so far as her powers and the rights of the people under the constitution of 1887 were concerned. This state of opinion and this condition of the executive head of the Hawaiian Government neutralized its power to protect American citizens and other foreigners in their treaty rights, and also their rights under the laws of Hawaii. There was not in Honolulu at that time any efficient executive power through which the rights of USA citizens residing there could be protected in accordance with the local laws. It is evident that the Queen’s Government at that time had no power to prevent the landing of troops from any quarter, no power to protect itself against invasion, no power to conduct civil government, so far as the executive was concerned, if the effort to exert such power was antagonized by any opposing body of people in considerable numbers. Indeed, no effort seems to have been made to exert the civil authority except through the presence of a small and inefficient body of policemen. The authority of the Queen was not respected by the people; it was opposed, and no force appeared to be used for the purpose of overcoming the opposition. It yielded to a silent but ominous opposition. Without reference to the question whether, in strict law, the action of the Queen in her effort to overturn the constitution of 1887, and to substitute one by a proclamation which she had prepared, was a revolution in government, or an effort at revolution, or amounted to an actual abdication, the result was that an interregnum existed.

If we give full effect to the contention that this interregnum occurred because of the apprehensions of the Queen that force would be used by the U.S. to compel her abdication, those apprehensions could not have occurred before the landing of the troops from the Boston, or, if they existed, they were idle, unfounded, and unjust toward the United States. It was her conduct, opposed by her people, or a large portion of them, that paralyzed the executive authority and left the citizens of the United States in Honolulu...
without the protection of any law, unless it was such as should be extended to them by the [USA] minister, in conjunction with the arms of the [USA] then on board the Boston.

It will appear hereafter in this report that there is well-settled authority for the position that at the moment when the Queen made public her decision to absolve herself from her oath to support the constitution of 1887 her abdication was complete, if the people chose so to regard it. That constitution and the Queen’s oath to support it was the only foundation for her regal authority and, when she announced that her oath was annulled in its effect upon her own conscience, she could no longer rightfully hold office under that constitution. In such matters the word of the Queen, once sedately uttered, fixes a condition that is irrevocable unless by the consent of those whose condition or rights would be injuriously affected by its subsequent withdrawal;

... Whether the people would permit the restoration of the Queen, or whether they would constitute a new executive head of the Government of Hawaii, was a matter then undetermined, and as to that the Government of the [USA] had but one concern, and that was that the interregnum should be ended, the executive head of the Government should be supplied, and the laws of Hawaii and the treaty rights of [U.S.] citizens should have full effect, peacefully, in the protection of their rights and interests. When the Queen found that her Government was opposed by a strong body of the people she did not attempt to reassemble the Legislature, but left the public safety in charge of a committee of thirteen men, organized by those who were endeavoring to preserve the peace and to restore the Government to its full constitutional powers by choosing an executive head. This condition of things continued from Saturday until the succeeding Tuesday, during all of which time the citizens of the United States residing in Honolulu had no protection of law, except such as was guarantied to them by the presence of the Boston in the bay of Honolulu, or the moral influence of the [USA] legation and consulate.

When the Kamehameha dynasty ended, the monarchy in Hawaii was doomed to a necessary dissolution. The five kings of that family, assisted by their premiers, who were Kanaka women, and by such missionaries as Judd, Bingham, Chamberlain, Coan, Goodrich, and Damon maintained the progress of civilization and prosperity, but when Kalakaua was elected king, the most surprising and disgraceful corruptions infected the Government. Without detailing in this report the constant decline from bad to worse, which the evidence discloses, without contradiction or explanation, when Liliuokalani was enthroned the monarchy was a mere shell and was in condition to crumble on the slightest touch of firm opposition. Under her brief rule, it was kept alive by the care and forbearing tolerance of the conservative white people, who owned $50,000,000 of the property in Hawaii, until they saw that the Queen and her party had determined to grasp absolute power and destroy the constitution and the rights of the white people. When they were compelled to act in self-defense the monarchy disappeared. It required nothing but the determined action of what was called the missionary party to prostrate the monarchy, and that action had been taken before the troops from the Boston landed.

There was then no executive head of the Government of Hawaii; it had perished.

In a country where there is no power of the law to protect the citizens of the [U.S.] there can be no law of nations nor any rule of comity that can rightfully prevent our flag from giving shelter to them under the protection of our arms, and this without reference to any distress it may give to the Queen who generated the confusion, or any advantage it might give to the people who are disputing her right to resume or to hold her regal powers. In every country where there is no effective chief executive authority, whether it is a newly-discovered island where only savage government prevails, or one where the government is paralyzed by internal feuds, it is the right, claimed and exercised by all civilized nations, to enter such a country with sovereign authority to assert and protect the rights of its citizens and their property, and to remain there without the invitation of anybody until civil government shall have been established that is adequate, in a satisfactory sense, for their protection.
The committee agree that such was the condition of the Hawaiian Government at the time that the troops were landed in Honolulu from the steam warship Boston; that there was then an interregnum in Hawaii as respects the executive office; that there was no executive power to enforce the laws of Hawaii, and that it was the right of the United States to land troops upon those islands at any place where it was necessary in the opinion of our minister to protect our citizens.

... 

Civilization and constitutional government in Hawaii are the foster children of the [U.S.] Christian missionaries. It can not be justly charged to the men and women who inaugurated this era of humanity, light, and justice in those islands that either they or their posterity or their followers, whether native or foreign, have faltered in their devotion to their exalted purposes. They have not pursued any devious course in their conduct, nor have they done any wrong or harm to the Hawaiian people or their native rulers. They have not betrayed any trust confided to them, nor have they encouraged any vice or pandered to any degrading sentiment or practice among those people. Among the native Hawaiians, where they found paganism in the most abhorrent forms of idolatry, debauchery, disease, ignorance and cruelty 75 years ago, they planted and established, with the free consent and eager encouragement of those natives and without the shedding of blood, the Christian ordinance of marriage, supplanting polygamy; a reverence for the character of women and a respect for their rights; the Christian Sabbath and freedom of religious faith and worship, as foundations of society and of the state; universal education, including the kings and the peasantry; temperance in place of the orgies of drunkenness that were all-pervading; and the separate holdings of lands upon which the people built their homes. In doing these benevolent works the [USA] missionary did not attempt to assume the powers and functions of political government. As education, enlightenment, and the evident benefits of civilization revealed to those in authority the necessity of wise and faithful counsels in building up and regulating the government to meet those new conditions, the kings invited some of the best qualified and most trusted of these worthy men to aid them in developing and conducting the civil government. As a predicate for this work they freely consented to and even suggested the giving up of some of their absolute powers and to place others under the constraint of constitutional limitations. They created an advisory council and a legislature and converted Hawaii from an absolute despotism into a land of law. The cabinet ministers thus chosen from the missionary element were retained in office during very long periods, thus establishing the confidence of the kings and the people in their integrity, wisdom, and loyalty to the Government. No charge of defection or dishonesty was ever made against any of these public servants during the reign of the Kamehamehas, nor indeed at any time. They acquired property in moderate values by honest means, and labored to exhibit to the people the advantages of industry, frugality, economy, and thrift.

The progressive elevation of the country and of the people from the very depravity of paganism into an enlightened and educated commonwealth and the growth of their industries and wealth will be seen at a glance in the statements of the most important events and in the tables showing the most important results of their work and influence, which are set forth in the evidence accompanying this report. This array of undisputed facts shows that, with Christianity and education as the basis, there has come over Hawaii the most rapid and successful improvement in political, industrial, and commercial conditions that has marked the course of any people in Christendom.

... 

The evidence submitted by the committee, in addition to that which was presented by Mr. Blount, having been taken under circumstances more favorable to the development of the whole truth with regard to the situation, has, in the opinion of the committee, established the fact that the revolutionary movement in Hawaii originated with Liliuokalani, and was promoted, provided for, and, as she believed, secured by the passage of ... the lottery bill through the Legislature, from which she expected to derive a revenue sufficient to secure the ultimate success of her purpose, which was distinctly and maturely devised to abolish the
constitution of 1887, and to assume to herself absolute power, free from constitutional restraint of any serious character. The fact cannot be ignored that this revolutionary movement of Liliuokalani, which had its development in the selection of a new cabinet to supplant one which had the support of all the conservative elements in the islands, was set on foot and accomplished during the absence of the [USA] minister on board the ship Boston during the ten days which preceded the prorogation of the Legislature. The astonishment with which this movement was received by the American emigrants and other white people residing in Hawaii, and its inauguration in the absence of the Boston and of the [USA] minister, show that those people, with great anxiety, recognized the fact that it was directed against them and their interests and welfare and that when it was completed they would become its victims. These convictions excited the serious apprehensions of all the white people in those islands that a crisis was brought about in which not only their rights in Hawaii, and under the constitution, were to be injuriously affected, but that the ultimate result would be that they would be driven from the islands or, remaining there, would be put at the mercy of those who chose to prey upon their property. This class of people, who were intended to be ostracized, supply nine-tenths of the entire tax receipts of the Kingdom; and they were conscious that the purpose was to inflict taxation upon them without representation, or else to confiscate their estates and drive them out of the country. This produced alarm and agitation, which resulted in the counter movement set on foot by the people to meet and overcome the revolution which Lili’uokalani had projected and had endeavored to accomplish.

That of right it belongs wholly to the people of the Hawaiian Islands to establish and maintain their own form of government and domestic polity; that the [U.S.] ought in no wise to interfere therewith; and that any intervention in the political affairs of these islands by any other government will be regarded as an act unfriendly to the [U.S.].

On May 31, 1894, Congress, in its Turpie Resolution, prohibited any further intervention by the President and other government officials against the Provisional Government. President Cleveland recognized the Provisional Government as the legitimate successor to the treaties between the U.S. and the Kingdom of Hawai‘i.

On July 4, 1894, the Provisional Government declared that Hawaiʻi was the Republic of Hawaii.


Albert Kukailimoku Kunuikea was the son of Kamehameha IV and his mistress Jane Lahilahi, a daughter of John Young.

Reverend John Kauhane was the pastor of Punalu‘u, in the district of Ka‘u, who served in the legislatures of the Kingdom and the Republic.

The 1894 Constitution authorized a fifteen member Senate and a fifteen member House. A person otherwise eligible to
vote for Senators was not eligible unless he owned real property of a net value not less than $1,500 or owned personal property of a net value not less than $3,000 or, during the previous year, had an income not less than $600. The President was elected by the Legislature. To be elected, he needed the favorable votes of a majority of the Senate and of a majority of the House and Senate combined.

On January 6, 1895, royalists commenced a counter-revolution to restore the Constitutional Monarchy. Robert William Wilcox was the military leader. Minor battles were fought at Diamond Head, in M_ili‘ili and in M_noa. By January 16, all royalist troops had been arrested. Wilcox was tried for treason, convicted and sentenced to death. Thereafter, his sentence was commuted to 35 years in prison. On January 1, 1898, he was pardoned by Sanford B. Dole, President of the Republic.

On January 16, 1896, after a cache of arms allegedly had been discovered in her gardens, Lili‘uokalani was taken into custody and placed under house arrest in ‘Iolani Palace.

Lili‘uokalani was prosecuted for “misprision of treason,” because she allegedly knew that guns and bombs for the counter-revolution had been hidden in the flower bed of her personal residence at Washington Place. A military tribunal found her guilty. She was sentenced to five years imprisonment at hard labor and a fine of $10,000. She was not required to do hard labor and her prison was ‘Iolani Palace. After eight months she placed under house arrest at Washington Place by President Sanford B. Dole. A year later she was granted a full pardon. President Dole gave her a passport to travel to Washington D.C. to visit her friends and in-laws.

In Hawaii’s Story By Hawaii’s Queen, Lili‘okalani described the relevant events as follows:

Weary with waiting, impatient under the wrongs they were suffering. Preparations were undoubtedly made amongst some in sympathy with the monarchy to overthrow the oligarchy. How and where these were carried on, I will not say. I have no right to disclose any secrets given in trust to me. To the time of which I now write their actions had been peaceful, out of respect and obedience to their queen. If, goaded by their wrongs, I could no longer hold them in check with reason, if they were now, by one accord, determined to break away, and endeavor, by a bold stroke, to win back their nationality, why should I prohibit the outburst of patriotism? I told them that if the mass of the native people chose to rise, and try to throw off the yoke, I would say nothing against it, but I could not approve of mere rioting. [263]

The knowledge of the secreting of arms on my premises, the distribution of munitions of war amongst the people who were guarding my house and grounds, has been imputed to me. Whether any arms were brought there, where they were, or what they were, I never took occasions to inquire. I never saw a single pistol or rifle by day or by night. I remember that I had occasion to scold my gardener for the disturbed condition in which I often found my plants. It seemed as though some persons had been digging up the ground, and replacing the disturbed soil. But no arms were secreted by me or by my orders about the place, from the roof to the cellar, or from one end to the other of the garden, nor were any kept there to my knowledge, save parlor rigles and harmless old-fashioned muskets.
his party was in readiness. This must have been about eight o’clock in the evening, as the meeting in the Congregational church had just begun as Captain Nowlein bade me farewell. . . . [265]

Now, as to the disturbance itself. At six o’clock in the afternoon on the sixth day of January, it was telephoned from Diamond Head that there was a conspiracy developed into action, and that the parties engaged therein would be found at the house of Mr. Henry Bertelmann. Captain Robert Waipa Parker took some half dozen native policemen with him, and started for the locality. On their way, they stopped at the house of Mr. Charles L. Carter, son of the Hon. H.A.F. Carter, whom they informed of the nature of their errand. Upon hearing it, Mr. Carter immediately said that he would like to go with them, and “have a little fun too,” and suited the action to the word by clapping two pistols into his belt. When they arrived at the Bertelmann place there was some resistance, and shots were exchanged between the police and the persons assembled there. In the course of the fray Mr. Carter was shot. . . .[266]

In 1895, after the failure of the Wilcox rebellion to restore the monarchy, Liliʻuokalani signed two documents:

ISLAND OF OAHU,

HONOLULU, Jan. 24, 1895.

TO THE HON. SANFORD BALLARD DOLE, President of the Republic of Hawaii:

SIR: -- After full and free consultation with my personal friends and with my legal advisors, both before and since my detention by military order in the Executive building, and acting in conformity with their advice, and also upon my own free volition, and in pursuance of my unalterable belief and understanding of my duty to the people of Hawaii, and to their highest and best interests, and also for the sake of those misguided Hawaiians and others who have recently engaged in rebellion against the Republic, and in an attempt to restore me to the position of queen, which I held prior to the 17th day of January, A. D. 1893, and without any claim that shall become entitled, by reason of anything that I may now say or do, to any other or different treatment or consideration at the hands of the Government than I otherwise could and might legally receive, I now desire to express and make known, and do hereby express and make known, to yourself, as the only lawful and recognized head of the Government, and to all the people of the Hawaiian Islands, whether or not they have yet become citizens of the Republic, or are or have been adherents of the late monarchy, and also to all diplomatic and other foreign representatives in the Hawaiian Islands, to all of whom I respectfully request you to cause this statement and action of mine to be made known as soon as may be, as follows, namely:

First. In order to avoid any possibility of doubt or misunderstanding although I do not think that any doubt or misunderstanding is either proper or possible, I hereby do fully and unequivocally admit and declare that the Government of the Republic of Hawaii is the only lawful Government of the Hawaiian Islands, and that the late Hawaiian monarchy is finally and forever ended, and no longer of any legal or actual validity, force or effect whatsoever; and I do hereby forever absolve all persons whomsoever, whether in the Hawaiian Islands or elsewhere, from all and every manner of allegiance, or official obligation or duty, to me and my heirs and successors forever, and I hereby declare to all such persons in the Hawaiian Islands that I consider them as bound in duty and honor henceforth to support and sustain the Government of the Republic of Hawaii.

Second. For myself, my heirs and successors, I do hereby and without any mental reservation or modification, and fully, finally, unequivocally, irrevocably, and forever abdicate, renounce and release unto the Government of the Republic of Hawaii and the legitimate successors forever all claims or pretensions whatsoever to the late throne of Hawaii, or to the late monarchy of Hawaii, or to any past, or to the existing, or to any future Government of Hawaii, or under or by reason of any present or formerly existing
constitution, statute, law, position, right or claim of any and every kind, name or nature whatsoever, and whether the same consist of pecuniary or property considerations, or of personal status, hereby forever renouncing, disowning and disclaiming all rights, claims, demands, privileges, honors, emoluments, titles and prerogatives whatsoever, under or by virtue of any former, or the existing Government, constitution, statute, law or custom of the Hawaiian Islands whatsoever, save and excepting only such rights and privileges as belong to me in common with all private citizens of, or residents in the Republic of Hawaii.

Third. I do hereby respectfully implore for such misguided Hawaiians and others as have been concerned in the late rebellion against the Republic of Hawaii, such degree of executive clemency as the Government may deem to be consistent with its duty to the community, and such as a due regard for its violated laws may permit.

Fourth. It is my sincere desire henceforth to live in absolute privacy and retirement from all publicity, or even appearance of being concerned in the public affairs of the Hawaiian Islands, further than to express, as I now do and shall always continue to do, my most sincere hope for the welfare and prosperity of its people, under and subject to the Government of the Republic of Hawaii.

Fifth. I hereby offer and present my duly certified oath of allegiance to the Republic of Hawaii.

Sixth. I have caused the foregoing statement to be prepared and drawn, and have signed the same without having received the slightest suggestion from the President of Hawaii, or from any member of the Government of Hawaii, concerning the same or any part thereof, or concerning any action or course of my own in the premises.

Relying upon the magnanimity of the Government of the Republic, and upon its protection.

I have the honor to be, Mr. President,

Very respectfully,

Your most obedient servant,

(Signed) LILIUOKALANI DOMINIS.

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OATH OF LOYALTY TO THE REPUBLIC OF HAWAII

Honolulu, Island of Oahu ss.

Hawaiian Islands.

I, Liliuokalani Dominis, do solemnly swear in the presence of Almighty God that I will support the Constitution, Laws and Government of the Republic of Hawaii, and will not, either directly or indirectly, encourage or assist in the restoration or establishment of a Monarchial form of Government in the Hawaiian Islands.

[signed] Liliuokalani Dominis
In 1896, the law requiring a license to perform the hula in public was repealed.

When President McKinley succeeded President Cleveland, the Republic of Hawaii sought annexation by the U.S. This move coincided with the desire of the U.S. to expand geographically by acquiring certain overseas territories, including Hawai‘i, and to do so before one of the other seriously interested countries (Great Britain, France, Germany and Japan) did so.

In The 1897 Petitions Protesting Annexation (1998), Noenoe K. Silva wrote:

When William McKinley won the presidential election in November of 1896, the question of Hawaii’s annexation to the U.S. was again opened. The previous president, Grover Cleveland, was a friend of Queen Liliuokalani. He had remained opposed to annexation until the end of his term, but McKinley was open to persuasion by U.S. expansionists and by annexationists from Hawaii. He agreed to meet with a committee of annexationists from Hawaii, Lorrin Thurston, Francis Hatch and William Kinney. After negotiations, in June of 1897, McKinley signed a treaty of annexation with these representatives of the Republic of Hawaii. The President then submitted the treaty to the U.S. Senate for approval.

The Hui Aloha Aina for Women, the Hui Aloha Aina for Men, and the Hui Kalaiaina formed a coalition to oppose the treaty. Together, these three organizations represented a majority of the Kanaka Maoli (Native Hawaiians). Hui Kalaiaina had originally been formed after the Bayonet Constitution of 1887 as a vehicle for Kanaka Maoli political power. The two Hui Aloha Aina organizations were founded just after the overthrow of the Native government in 1893, expressly to support the Queen and to oppose U.S. annexation.

The Kanaka Maoli believed that the American government was committed to their stated principles of justice and of government of the people, by the people, and for the people. They believed that once the U.S. President and members of Congress saw that the great majority of Hawaiian citizens opposed the annexation, the principles of fairness would prevail, that is, their Native government would be restored. The three huis therefore began to organize mass petition drives. The heading on Hui Aloha Aina’s petition read:

PALAPALA HOOPII KUE HOOHUI AINA, Petition Protesting Annexation

On September 6, 1897, the Hui Aloha Aina held a halawai makaainana - a mass meeting - at Palace Square, which thousands of poe aloha aina - patriots - attended. President James Kaulia gave a rousing speech, saying “We, the nation (lahui) will never consent to the annexation of our lands, until the very last patriot lives.” He said agreeing to annexation was like agreeing to be buried alive. He predicted that annexation would open the door for many foreigners to come here, and to take jobs and resources away from the Native people. He asked, “Then where will we live?” The crowd answered, “In the mountains,” which figuratively means, “we shall be homeless.” He asserted that a mass refusal by the people could prevent the annexation: “If the nation remains steadfast in its protest of annexation, the Senate can continue to strive until the rock walls of Iolani Palace crumble, and never will Hawaii be annexed to America!” The annexationist newspapers had published threats that the leaders of the mass meeting would be arrested for treason, but Mr. Kaulia assured the people that their assembly was legal. He said that it was because the brains of the
government could not push over the brains of the Kanaka Maoli that the government had to resort to weapons of war. (At this time, Hawaii was ruled by a haole - European-American - oligarchy called the Republic of Hawaii that had deprived the Native people of political participation.) He said, “Let us take up the honorable field of struggle, brain against brain.” He told the people, “Do not be afraid, be steadfast in aloha for your land and be united in thought. Protest forever the annexation of Hawaii until the very last aloha aina [lives]!” The crowd cheered.

Following Kaulia, David Kalauokalani, President of the Hui Kalaiaina, explained the details of the annexation treaty to the crowd. He told them that the Republic of Hawaii had agreed to give full government authority over to the United States, reserving nothing. It would also give all the government’s money, the government and crown lands, government buildings, harbors, bays, military forts, military armaments and warships, and all resources claimed by the government of the Hawaiian Islands. Furthermore, he explained, the laws of the United States would not extend to the Hawaiian Islands, but the Congress of the U.S. would decide how Hawaii was to be governed. It was uncertain whether the Kanaka Maoli would have the right to vote. He said those who favored annexation would want to deny Kanaka Maoli voting rights because, from the very beginning, they have known that the Kanaka Maoli would overwhelmingly vote against annexation and anyone who supported it. This is the reason they were always afraid to put a vote to the people.

A resolution protesting the annexation was read to the crowd, who approved it. It was announced that U.S. Senator Morgan, an advocate of annexation, would be arriving soon, and that there would be another mass meeting held while he was here.

The petition drive started at about this time. Very soon afterwards, Mrs. Abigail Kuaihelani Campbell, President of the Women’s branch of the Hui Aloha Aina, and Mrs. Emma Aima Nawahi boarded the inter-island ship the Kinau for Hilo on a signature gathering mission.

On September 14, Senator Morgan and four congressmen from the U.S. indeed arrived. On the same day, Mr. Enoch Johnson and Mr. Simon Peter Kanoa boarded the Claudine for Maui, and Mrs. Kaikioewa Ulukou departed for Kauai - all bound to gather signatures on those islands. The Hui Aloha Aina paid all of their expenses.

At the same time, there was a branch of the Hui Aloha Aina active at Kalaupapa (on the island of Molokai) where people with leprosy were imprisoned. The President of the Kalaupapa branch was Mr. Robert M. Kaaoao, who not only gathered signatures on the protest petitions, but had also organized a full day’s activities to commemorate the Queen’s birthday on September 2. The activities included a prayer service; boating, swimming, running, horse, and donkey races; as well as pole climbing and apple eating contests.

When Mrs. Campbell and Mrs. Nawahi arrived in Hilo harbor, they were greeted with honors. A delegation of the Hilo chapter of the Hui, consisting of Mr. Henry West, Mrs. Hattie Nailima, Mrs. Kekona Pilipo, and Mrs. J.A. Akamu met them at the harbor. The Hilo delegation showered them with leis, and proclaimed that a Hawaiian double-hulled canoe would carry them into the harbor. They had decorated five seats on the beautiful vessel with leis of maile, lehua, and other flowers, and had a Hawaiian flag waving at the back. The people of Laupahoehoe had sent welcome gifts of opihi, limu, and fish. Mrs. Campbell and Mrs. Nawahi attended meetings of the Hui Aloha Aina all over the Hilo and Puna area, and returned with thousands of signatures.

Meanwhile Mrs. Laura Mahelona was working hard in Kona and Kau; she was the committee member delegated to gather signatures there of both men and women. She traveled from North Kona south to Kau, leaving blank petitions with instructions everywhere she went. She told the chapter presidents to get the petitions signed and return them in a few days when her ship would stop again at the same harbors. When she returned, signed petitions were ready at every harbor. When she landed at each port, she
was welcomed by the women of the Hui Aloha Aina branches, carrying leis over their arms, and when she returned to the boat, her clothes couldn't be seen because she was completely covered by leis. Mrs. Mahelona gathered 4,216 signatures.

Mrs. Kaikioewa Ulukou gathered 2,375 on the island of Kauai.

Mr. Simon P. Kanoa gathered 1,944 in the district of Hana, Maui.

When all the work was done, there were over 21,000 signatures—men’s and women’s in about equal numbers. When one considers that the population of Native Hawaiians at the time was less than 40,000, this is an impressive number.

The Hui Kalaiaina also had a substantial membership—they conducted their own petition drive at the same time, collecting about 17,000 signatures.

The Hui Aloha Aina held another mass meeting on October 8, 1897, and at that time decided to send delegates to Washington D.C. to present the petitions to President McKinley and to the Congress.

The executive committees of the three hui met and decided to send four delegates: James Kaulia of Hui Aloha Aina, David Kalauokalani of Hui Kalaiaina, with John Richardson, and with William Auld as secretary. All four were Kanaka Maoli. This was an important sign to the nation. Some people had written in the papers that previous delegates to Washington had failed because they were not Kanaka Maoli, or because they were too wealthy to truly have the nation’s well-being in mind at all times. It is important to note that although a women’s representative did not travel to Washington, Mrs. Campbell, President of the women’s branch of Hui Aloha Aina, was part of the decision-making committee, and was viewed as a leader of the nation along with the men.

The four Elele Lahui - National Delegates - left Hawaii on November 20, 1897. In San Francisco on November 28, they commemorated La Kuokoa - Hawaiian Independence Day.

They arrived in Washington on December 6, the day that the Senate opened. They first met briefly with Queen Liliuokalani, who was staying in Washington. Then they met Senator Richard Pettigrew who took them in to the Senate’s opening ceremonies. After the ceremonies, they returned to Ebbitt House where the Queen was staying, and where they would also stay. Someone told them at that time that their trip to Washington was useless, since it was known that there 58 votes on the side of annexation, with only 2 more votes needed for the treaty to pass. They said they didn’t answer but remained as quiet as doves. They spoke amongst themselves later, however, to plan what to do.

The next day, December 7, they met again with the Queen to consider how to present the petitions. They chose the Queen as chair of their Washington committee. Together, they decided to present the petitions of Hui Aloha Aina only, because the substance of the two sets of petitions was different. Hui Aloha Aina’s was called “petition protesting annexation,” but the Hui Kalaiaina’s petitions called for the monarchy to be restored. They agreed that they did not want to appear divided, as if they had different goals.

The day after that, the delegates met with Senator Hoar, who was against annexation. They braved snow, cold and slippery streets to get to the Senator’s residence. They said the “elemakule” (old man) greeted them with a handshake. He asked them what the people of Hawaii thought about annexation. John Richardson, the spokesman, explained everything. While he was explaining, they could see tears welling up in the old man’s eyes. Richardson told him that they brought petitions signed by the whole nation protesting the annexation. Senator Hoar told them to submit the petitions to him, and he would bring them before the Senate, and
then to the Foreign Relations Committee. David Kalauokalani of Hui Kalaiaina also submitted his endorsement of those petitions (so that the U.S. would know both huis had the same goal). On December 9, Senator Hoar read the text of the petitions to the Senate and had them formally accepted. The delegates were present, seated in the area where people are allowed to observe the Senate proceedings.

On December 10, the delegates met with Secretary of State John Sherman, and Kalauokalani submitted a memorial protesting annexation (Ka Memoriala a ka Lahui) to him.

In the following days, the delegates met with many different Senators and Congressmen. Senators Pettigrew and White encouraged them in the hope that the annexation treaty would be defeated. They said that they were asked a lot of questions about Japan or England trying to annex Hawaii. They answered that either of them could have taken Hawaii if they had wanted to any time in the past five years. Why would they wait for America to try before they did so? They also reminded the U.S. Congressmen that Hawaii had remained independent for fifty years, partly because of the 1843 resolution signed by Great Britain and France guaranteeing Hawaii’s independence.

By the time they left Washington on February 27, there were only 46 votes in the Senate on the pro-annexation side, down from 58 when they had arrived. Forty-six votes was far too few for the treaty to pass -- sixty votes were necessary.

Senator Pettigrew and Senator Turpie insisted that the Kanaka Maoli of Hawaii be given a chance to vote on annexation. But Senator Morgan and the other pro-annexation Senators knew that if a vote were taken, it would be overwhelmingly in favor of Hawaii’s independence. In a report, these Senators wrote, “If a requirement should be made by the United States of a plebiscite [vote] to determine the question of annexation, it would work a revolution in Hawaii which would abolish its constitution.” They knew, in other words, that if the people were allowed to vote, not only would they reject annexation, they would also reject the haole Republic that had been forced upon them against their will.

Three of the delegates, James Kaulia, David Kalauokalani, and William Auld returned to Honolulu victorious, sure that the treaty would fail, as indeed it did. They had carried the hard work and hopes of the whole nation to Washington in the form of the protest petitions. They had succeeded in persuading many senators to vote against the treaty. They left behind John Richardson to continue the work, along with Queen Liliuokalani, her secretary Joseph Heleluhe, and her devoted friend, J.O. Carter.

One annexation crisis was over, but another was soon to follow. This same year, the peoples of Cuba and the Philippines were fighting wars of independence against Spain. The United States also declared war on Spain after the U.S. warship, the Maine was blown up in a harbor in Cuba. The reason that the Maine was even in Cuba is questionable, since the U.S. had not been involved until it involved itself by sending the ship there. Be that as it may, the United States was at war. Suddenly, the empire-builders of the United States were saying that they needed to send military troops on ships to the Philippines to fight Spain. For this, they said they needed Hawaii. In the midst of the fever of war, a Joint Resolution of Congress called the Newlands Resolution passed by a simple majority of each house, making Hawaii a territory of the United States. That was in July of 1898; the flag of the United States was hoisted over Hawaii on August 12th.

The Kanaka Maoli continued to protest. The Hui Kalaiaina concentrated on persevering to undo the annexation, and restore the Native government. Hui Aloha Aina began to work towards securing full civil and political rights for Hawaiian citizens in the U.S. territorial system. In 1900, the two huis banded together as one political organization called the Home Rule Party. David Kalauokalani was elected President, and James Kaulia as Vice-President. This was the party that elected Robert Kalanihiapo Wilcox as (non-voting) Delegate to the U.S. Congress.
James Keauluna Kaulia continued his work for his nation until the day of his death at age 41, in 1902. On that Sunday, he spent the morning at the jail house trying to help prisoners assert their rights. After church and lunch, he lay down for a nap from which he never woke up. He died of heart failure.

David Kalauokalani lived until 1915, also serving his people all of his life. He served as a senator in the territorial legislature, and as a member of the Board of Health. His son, also named David, became the first clerk of the City and County of Honolulu.

Mrs. Kuaihelani Campbell served as President of Hui Aloha Aina for its entire existence. She later became well-known as a benefactor for the ill and poor among her people, and for her many charitable deeds. She married Samuel Parker in 1902. Her daughter Abigail married Prince David Kawananakoa at about the same time, and Mrs. Campbell-Parker thereby became an ancestor to the royal family remaining in Hawaii today. She passed away in 1908.

Mrs. Emma Aima Nawahi kept the newspaper Ke Aloha Aina running for many years as its owner and business manager. She sold it in 1910. She also remained active in charities until her death in 1935.

The petitions protesting annexation, consisting of five hundred fifty-six pages, are now held in the National Archives in Washington D.C.

The Kanaka Maoli continue to protest today. We have never relinquished our national sovereignty. Kanaka Maoli are working on state, national, and international levels to have our existence as a nation recognized. Kanaka Maoli also continue to resist and protest every encroachment upon our inherent rights to this land, our ocean and fresh waters, and all the other natural resources of Hawaii. We are insisting as well on our rights to keep our language and cultural traditions, and the land itself, alive.

(Footnotes omitted.)

In De Lima v. Bidwell, 182 U.S. 1, 21 S.Ct. 743 (1901), the United States Supreme Court stated:

One of the ordinary incidents of a treaty is the cession of territory. It is not too much to say it is the rule, rather than the exception, that a treaty of peace, following upon a war, provides for a cession of territory to the victorious party. It was said by Chief Justice Marshall in American Ins. Co. v. 356 Bales of Cotton, 1 Pet. 511, 542, 7 L. ed. 242, 255; “The Constitution confers absolutely upon the government of the Union the powers of making war and of making treaties; consequently that government possesses the power of acquiring territory, either by conquest or by treaty.” The territory thus acquired is acquired as absolutely as if the annexation were made, as in the case of Texas and Hawaii, by an act of Congress.

The U.S. Supreme Court’s opinion in Territory of Hawaii v. Mankichi, 190 U.S. 197, 209-15, 23 S.Ct. 787, 787-790 (1903), describes the 1898 annexation:

... By a joint resolution adopted by Congress, July 7, 1898 (...), known as the Newlands resolution, and with the consent of the Republic of Hawaii, signified in the manner provided in its Constitution, the Hawaiian islands and their dependencies were annexed as a part of the territory of the [U.S.], and subject to the sovereign dominion thereof, ... Though the resolution was passed July 7, the formal transfer was not made until August 12, when, at noon of that day, the American flag was raised over the government house, and the islands ceded with appropriate ceremonies to a representative of the [U.S.]. Under the conditions named
in this resolution, the Hawaiian islands lands remained under the name of the Republic of Hawaii until June 14, 1900, when they were formally incorporated by act of Congress under the name of the territory of Hawaii. . . .

The Newlands Resolution stated that “[t]here shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.”

The Republic of Hawaii became the Territory of Hawai‘i in 1900 when President McKinley signed the Organic Act. From that time, U.S. law was applicable in the Territory of Hawai‘i. The Organic Act specified that the executive power of the Territorial government was assigned to a Governor who was appointed by the President of the U.S., with the consent of the U.S. Senate. The Governor’s term was four years unless sooner removed by the President. The three Hawaii Supreme Court Justices were appointed by the President, with the consent of the Senate. Each of the three Justices had a seven-year term, unless sooner removed by the President. The Hawai‘i Circuit Court Judges were appointed by the President and each had a six-year term, unless sooner removed by the President. All persons who were citizens of the Republic of Hawaii on August 12, 1898, became citizens of the U.S. The only citizens who had the right to vote were resident citizens who were not less than twenty-one years of age and who were able to speak, read and write the English or Hawaiian language. This Act further specified that all contracts made since August twelfth, eighteen hundred and ninety-eight, by which persons are held for service for a definite term, are hereby declared null and void and terminated, and no law shall be passed to enforce said contracts in any way; and it shall be the duty of the United States marshal to at once notify such persons so held of the termination of their contracts.

The voters elected a Delegate to Congress who had a seat and the right to participate in debate, but not the right to vote, in the House of Representatives.

The U.S. Supreme Court’s opinion in O’Donoghue v. U.S., 289 U.S. 516, 537, 53 S.Ct. 740, 745-46 (1933), describes and explains the status and expectations of a U.S. Territory:

There thus arises an evident difference between the words ‘the territory’ and ‘a territory’ of the United States. The former merely designates a particular part or parts of the earth’s surface—the imperially extensive real estate holdings of the nation; the latter is a governmental subdivision which happened to be called a ‘territory,’ but which quite as well could have been called a ‘colony’ or a ‘province.’ ‘The Territories,’ it was said in First National Bank v. County of Yankton, 101 U.S. 129, 133, 25 L.Ed. 1046, ‘are but political subdivisions of the outlying dominion of the United States.’ Since the Constitution provides for the admission by Congress of new states (article 4, s 3, cl. 1), it properly may be said that the outlying continental public domain, of which the United States was the proprietor, was, from the beginning, destined for admission as a state or states into the Union; and that as a preliminary step toward that foreordained end-to-tide over the period of ineligibility-Congress, from time to time, created territorial governments, the existence of which was necessarily limited to the period of pupilage. In that view it is not unreasonable to conclude that the makers of the Constitution could never have intended to give *538 permanent tenure of office or irreducible compensation to a judge who was to serve during this limited and sometimes very brief period under a purely provisional government which, in all cases probably and in some cases certainly, would cease to exist during his incumbency of the office.

The impermanent character of these governments has often been noted. Thus, it has been said, ‘The territorial state is one of pupilage at best,’ Nelson v. United States (C.C.) 30 F. 112, 115; ‘A territory, under the constitution and laws of the United States, is an inchoate state,’ Ex parte Morgan, (D.C.) 20 F. 298, 305; ‘During the term of their pupilage as Territories, they are mere dependencies
of the United States.’ Snow v. United States, 18 Wall. 317, 320, 21 L.Ed. 784. And in Pollard’s Lessee v. Hagan et al., 3 How. 212, 224, 11 L.Ed. 565, the court characterizes them as ‘the temporary territorial governments.’

In 1900, Lili‘uokalani wrote in her diary that “Tho’ for a moment it [the overthrow] cost me a pang of pain for my people it was only momentary, for the present has a hope for the future of my people.”

In his 1903 autobiography, Senator George Hoar (R. Mass) attributes the following quote to Lili‘uokalani: “The best thing for [Native Hawaiians] that could have happened was to belong to the United States.”

Queen Kapi‘olani had two sisters - Victoria Kinoiki Kekaulike and Virginia Kapo‘oloku Po‘omaikelani. Victoria and David Pi‘ikoi had three sons - David, Edward and Jonah. Virginia adopted Edward as her h _nai son. Kapi‘olani and Kal _kaua adopted David La‘amea Kahalepouli Kinoiki Kaw _nanakoa Pi‘ikoi and Jonah K _hi _Kalaniana’ole Pi‘ikoi as their h _nai sons.

After Kal _kaua’s brother William Pitt Lelei _hoku died in 1877, Kal _kaua designated as heirs to the throne (1) Lili‘uokalani, (2) Ka‘iulani, and (3) David La‘amea Kahalepouli Kinoiki Kaw _nanakoa Pi‘ikoi.

Ka‘iulani died in 1899. Thereafter, David established the House of Kaw _nanakoa to succeed the House of Kal _kaua.

In 1877, wealthy Scotch-Irish American sugar planter James Campbell married Abigail Kuaihelani Maipinepine. They had eight children. Four died young. The remaining four were Abigail Wahi‘ika’ahu‘ula Campbell, Alice Kamokila Campbell, Beatrice Campbell and Muriel Campbell.

In 1902, David married Abigail Wahi‘ika’ahu‘ula Campbell who assumed the title of princess. Their children were Princess Abigail Kapi‘olani (1903–1961), Prince Edward David Kal _kaua (1904–1953), and Princess Lydia Lili‘uokalani (1905–1969).


Princess Abigail Kapi‘olani Kaw _nanakoa married Andy Lambert. They had three children: Edward (Dudie), Virginia Po‘omaikelani and Ester Kapi‘olani. Upon her divorce from Andy Lambert, the Princess resumed her maiden name and Kaw _nanakoa became the last name of their children.

Princess Lydia Lili‘uokalani Kaw _nanakoa married William Jeremiah Ellerbrock and they had one child, Abigail Kinoiki Kekaulike Kaw _nanakoa Ellerbrock. At the age of six, she was adopted as the h _nai daughter of her grandmother, Princess
Abigail Wahi‘ika‘ahu‘ula Campbell Kawananakoa. Upon the adoption, the surname “Ellerbrock” was eliminated.

In the 1900 race for Delegate to Congress, Prince David ran as a Democrat, Robert William Wilcox ran as a member of the Home Rule Party, and Samuel Palmer Parker ran as a Republican. Wilcox won the election.

In 1901, radio-telegraph service was instituted between the five major Hawaiian Islands.

Paid for by Matson Navigation Company, the Moana Hotel opened in 1901. It is the first hotel in Waikiki.

In 1901, before any state in the United States did so, Hawaii started imposing income taxes on individuals. In 1894, Congress had enacted a flat rate Federal income tax, but it had been ruled unconstitutional the following year by the U.S. Supreme Court because it was a direct tax not apportioned according to the population of each state. The 16th amendment, ratified in 1913, removed this objection by allowing the Federal government to tax the income of individuals without regard to the population of each State.

In 1902, Prince Jonah Kuhio Kalaniana‘ole Pi‘ikoi resigned from the Home Rule Party, joined the Republican Party and sought election as Delegate to Congress. His opponent, Wilcox, was endorsed by the Democrat party. Prince Kuhio won the election. He served as Delegate until his death in 1922.

A trans-pacific telegraph cable linked the continental U.S. to Hawaii in 1902.

The mass production of pineapples began in Hawaii in the early 1900s.

After Hawaii became a Territory of the U.S., other ethnic groups were brought to Hawaii as contract laborers to work for the sugar or pineapple plantations. These ethnic groups and the year of the arrival of the first group of each are as follows: Puerto Ricans (1900), Okinawans (1900), Koreans (1903), Filipinos (1906), Spaniards (1907) and Russians (1909).

The U.S. Naturalization Act of 1790 limited naturalized citizenship to immigrants who were “free white persons” of “good moral character. In 1870, the law extended the naturalization eligibility to “aliens of African nativity and to persons of African descent.” The Naturalization Act of 1906 specified “[t]hat no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not speak the English language[.]” An exception was made for those physically unable to speak.

In 1903, Hawaii’s Legislature and Governor asked Congress to authorize a constitutional convention in Hawaii to adopt a constitution that would be Hawaii’s Constitution when it became a State. Congress did not act in response to this request.

In 1908, the dredging of the channel at Pearl Harbor began.

In 1912, a transpacific radio-telegraph service linked San Francisco with Hawaii.
In 1919, Pearl Harbor was formally dedicated by the U.S. Navy.

In 1919, Prince Jonah K._hi introduced a bill in Congress for Hawai‘i statehood. Almost every subsequent Congress had a Hawai‘i statehood bill to consider.

The Merchant Marine Act of 1920, also known as the Jones Act, requires that all goods transported by water between U.S. ports be carried on U.S.-flag ships, constructed in the United States, owned by U.S. citizens, and crewed by U.S. citizens and U.S. permanent residents.

On July 9, 1921, as urged by Kuhio, the Hawaiian Homes Commission Act became law. It dedicated 203,500 acres of Hawai‘i’s Ceded Lands in trust for the benefit and use of all persons of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778.

In _Ahuna v. Department of Hawaiian Home Lands_, 64 Haw. 327, 640 P.2d 1161 (1982), the opinion by Chief Justice Richardson states in part:

> It is generally acknowledged that the primary purpose of the HHCA was the rehabilitation of native Hawaiians. Senator John H. Wise, a member of the “Legislative Commission of the Territory (of Hawaii),” and one of the authors of the HHCA, described the law as a plan for the rehabilitation of the Hawaiian people. . . .

> . . . Ex-Secretary of Interior Franklin K. Lane testified before the House Committee on the Territories:

> One thing that impressed me . . . was the fact that the natives of the islands . . . are falling off rapidly in numbers and many of them are in poverty . . .

H.R.Rep.No. 839, 66th Cong., 2d Sess. 4 (1920) (emphasis added). . . . The Committee on the Territories described in part the general policy underlying the bill for the enactment of the HHCA in these words:

> Your committee is . . . of the opinion that (1) the Hawaiian must be placed upon the land in order to insure his rehabilitation; . . .


The federal government ultimately responded to the plight of the native Hawaiians and enacted the HHCA, placing over 200,000 acres of land for the use and benefit of the native people under the aegis of the Hawaiian Homes Commission. . . .

In the United States, naturalization was limited to aliens being free white persons and to aliens of African nativity and to persons of African descent. In 1922, in _Takao Ozawa v. U.S._, 260 U.S. 178, 43 S.Ct. 65, the U.S. Supreme Court concluded that Ozawa was not eligible for naturalization because he was “a person of the Japanese race born in Japan[.]” The Court noted that “the test afforded by the mere color of the skin of each individual is impracticable” and concluded “the words ‘white person’ were meant to indicate only a person of what is popularly known as the Caucasian race.” The Court further explained that
The determination that the words 'white person' are synonymous with the words "a person of the Caucasian race" simplifies the problem, although it does not entirely dispose of it. Controversies have arisen and will no doubt arise again in respect of the proper classification of individuals in border line cases. The effect of the conclusion that the words 'white person' means a Caucasian is not to establish a sharp line of demarcation between those who are entitled and those who are not entitled to naturalization, but rather a zone of more or less debatable ground outside of which, upon the one hand, are those clearly eligible, and outside of which, upon the other hand, are those clearly ineligible for citizenship. Individual cases falling within this zone must be determined as they arise from time to time by what this court has called, in another connection (Davidson v. New Orleans, 96 U. S. 97, 104, 24 L. Ed. 616), 'the gradual process of judicial inclusion and exclusion.'

In 1899, Gibson's daughter and son-in-law formed Maunalei Sugar Company, headquartered in Keomuku, Lana'i. The company failed in 1901. In 1922, James Dole, the president of Hawaiian Pineapple Company (later renamed Dole Food Company), bought the island and developed a large portion of it into the world's largest pineapple plantation.

In United States v. Thind, 261 U.S. 204 (1923), Bhagat Singh Thind was a high-caste Hindu, of full Indian blood, born at Amritsar, Punjab, India. Thus, he was an Aryan Caucasian. The court decided that mere ability on the part of an applicant for naturalization to establish a line of descent from a Caucasian ancestor will not ipso facto and necessarily conclude the inquiry. 'Caucasian' is a conventional word of much flexibility, as a study of the literature dealing with racial questions will disclose, and while it and the words 'white persons' are treated as synonymous for the purposes of that case, they are not of identical meaning—idem per idem.

What we now hold is that the words 'free white persons' are words of common speech, to be interpreted in accordance with the understanding of the common man, synonymous with the word 'Caucasian' only as that word is popularly understood. As so understood and used, whatever may be the speculations of the ethnologist, it does not include the body of people to whom the appellee belongs. It is a matter of familiar observation and knowledge that the physical group characteristics of the Hindus render them readily distinguishable from the various groups of persons in this country commonly recognized as white. The children of English, French, German, Italian, Scandinavian, and other European parentage, quickly merge into the mass of our population and lose the distinctive hallmarks of their European origin. On the other hand, it cannot be doubted that the children born in this country of Hindu parents would retain indefinitely the clear evidence of their ancestry. It is very far from our thought to suggest the slightest question of racial superiority or inferiority. What we suggest is merely racial difference, and it is of such character and extent that the great body of our people instinctively recognize it and reject the thought of assimilation.

What had been Archibald Scott Cleghorn's home became the home of the Pacific Club in 1926.

Matson Navigation Company opened the Royal Hawaiian Hotel in 1927.

Except during WWII, from the time Hawai‘i became a Territory up to 1954, Hawai‘i's economy, politics, government and governmental agencies were totally controlled by a European American "big business" oligarchy. It was commonly known as the "Big Five" (C. Brewer, Theo. H. Davies, Alexander & Baldwin, Castle & Cooke, American Factors). Over the course of time, Hawaiian Dredging & Construction Company (later Dillingham Corp.) became the sixth member of the group.

In 1934, the Jones-Costigan Act treated sugar grown in the continental U.S. more favorably than sugar grown in Hawai‘i.
This Act had a negative impact on Hawai‘i’s economy. In response, in 1935, the Hawai‘i Equal Rights Commission was created. It was financed by public and private funds. Its purposes were to challenge any and all federal discrimination against Hawai‘i and lobby for Hawai‘i statehood. In 1947, its name was changed to the “Statehood Commission[.]”

In 1935, the U.S. Congress passed the National Labor Relations Act protecting the rights of employees in the private sector to discuss workplace and union organization issues with coworkers, engage in collective bargaining, and take part in strikes and other forms of protected concerted activity in support of their demands.

In 1935, after holding hearings in Hawai‘i to examine the question of Statehood, the House Committee on Territories recommended further study. In 1937, a joint Senate and House Congressional Committee came to Hawai‘i to investigate Hawai‘i’s readiness for statehood. This Committee’s report concluded “that Hawaii has fulfilled every requirement for statehood heretofore exacted of territories” but recommended that a decision on the question be deferred until the completion of a Hawai‘i plebiscite and the resolution of the disturbed condition of international affairs.

On November 22, 1935, a Pan American Airway China Clipper airplane made its inaugural sixteen-hour regular service flight from Los Angeles to Honolulu.

In 1938, Congress enacted the Fair Labor Standards Act which established minimum wage, overtime, and record-keeping standards governing both full and part-time workers in the public and private sector. The Act exempted agricultural workers.

Prior to the 1940s, Hawai‘i’s labor force was racially divided. The Japanese labor groups and the Filipino labor groups were enemies of each other. Their employers used this division to their advantage in their battles with the labor groups.

In May, 1941, the “International Brotherhood of Electrical Workers” and the Navy contractors signed an agreement establishing a standard wage schedule for construction work.

In his paper on the “Relations Between Military Forces And The Population Of Hawaii”, Bertrand M. Roehner reports that in 1940, the population of Hawai‘i was 37% Japanese, 26% Caucasian, 15% Hawaiian, 12% Filipino, 7% Chinese and 2% Korean.

Dual citizens were persons of Japanese ancestry who were citizens of the U.S. because they were born in Hawai‘i but who also were citizens of Japan because their births had been registered at the Japanese consulate.

The number of Japanese residents in Hawai‘i was 158,000. Of these 158,000, 120,000 were U.S. citizens and 55,000 were dual(U.S./Japan) citizens. Of these 55,000, 15,675 were adult males. Of the 65,000 non-dual citizens, 18,500 were male adults.

In a 1940 plebiscite, 46,174 of the voters voted “Yes” for Statehood and 22,438 of the voters voted “No[.]” World
War II delayed further consideration of Hawai‘i’s request.

On December 7, 1941, Japan attacked various military installations on O‘ahu, including Pearl Harbor. At that point, the U.S. was at war against Japan, Germany and Italy.

Japan attacked in the morning. Later that day, Hawai‘i’s Governor Poindexter, by proclamation, suspended the privilege of the writ of habeas corpus and placed the Territory under “martial law.” His action was to remain in effect only "until communication can be had with the President and his decision thereon made known." On December 9th, the President approved the Governor’s action. The Governor’s proclamation also authorized and requested the Commanding General, “during . . . the emergency and until danger of invasion is removed, to exercise all the powers normally exercised” by the Governor and by "the judicial officers and employees of the Territory." Army General Short issued a proclamation announcing that he was taking over the government and assuming the position of military governor of Hawai‘i. This proclamation converted Hawai‘i into one large military base. Military courts replaced the civil courts and military law was the law of the land for soldiers and civilians alike. The military imposed blackouts, curfews, rationing, censorship of news and mail, prohibition and other restrictions. Hawai‘i’s military government was ended on October 24, 1944, by a Presidential proclamation.

The HPD, Army Intelligence and the FBI arrested residents who were considered dangerous or suspicious because they fit within one or more categories deemed more likely to be pro-Japan. These categories included consular agents, principals of Japanese schools, reserve officers in the Japanese Army, leaders in the Japanese community, Buddhist priests, Japanese language school officials, Japanese newspaper editors, participants in or donation to Japanese associations, service in the Japanese army, trips to Japan and those who were born in the United States but educated in Japan.

Some were released after their arrest. Most were locally interned in one of five camps. Of those interned, 62% were American citizens. In all, approximately 1,450 local Japanese men were interned, along with about 1,000 family members. About one-third of the men were American citizens.

About one hundred fifteen local Germans and Italians were arrested and interned.

Seven detention camps were set up in Hawai‘i. Two were on O‘ahu (Sand Island, Honouliuli). The others were on the islands of Hawai‘i, Kaua‘i, Lana‘i, Maui and Moloka‘i.

In 1942, soldiers of the Hawaii National Guard (298th and 299th), most of whom were no less than part Nisei (American-born children of Japanese immigrants) became the 100th Infantry Battalion (Separate) (100th Battalion) and were sent to the continental U.S. for training.

From 1942 to 1954, Joseph Farrington was Hawai‘i’s Delegate to Congress. When he died in 1954, he was succeeded by his widow, Elizabeth Farrington. Both sought statehood for Hawai‘i.

Plans to induct Hawaiian Japanese on a voluntary basis were announced in February 1943. For the whole Territory applications numbered 9,507 i.e. 30% of the men between 18 and 38 who could be drafted.
In 1943, about 800 volunteers from the continental U.S. and more than 2600 volunteers from Hawai‘i, all of whom were no less than part Nisei, were accepted for service in the 442nd Infantry Regimental Combat Team (442nd RCT). Later during World War II (WWII), the 100th Battalion became the 1st Battalion of the 442nd RCT. During WWII, the 100th Battalion and the 442nd RCT fought on the battlefields of Europe and the Pacific. Substantial numbers of the 100th Battalion and the 442nd RCT were seriously injured or killed. Close to four thousand men started off in February of 1943. Prior to the end of WWII in August of 1945, the result of replacing those seriously injured or killed was that approximately 14,000 men served in the 442nd during WWII.

During WWII, China was an important ally of the U.S. against Japan. On December 17, 1943, the Chinese Exclusion Repeal Act (Magnuson Act) permitted Chinese nationals then residing in the U.S. to become naturalized citizens.

President Roosevelt arrived in Honolulu on July 26, 1944, to confer with General MacArthur and Admiral Nimitz. He spent 3 days in the islands.

The Lost Battalion” refers to approximately 275 soldiers of the 1st Battalion, 141st Infantry (36th Infantry Division, originally Texas National Guard), which was surrounded by German forces in the Vosges Mountains in eastern France, near the German border, in October 1944. Two failed attempts were made to rescue the unit. The third attempt was conducted by the 442nd Regimental Combat Team. In five days of battle, the 442nd broke through German defenses and rescued approximately 230 soldiers. The 442nd suffered approximately 800 casualties. The 42 who were captured were liberated in April of 1945.

Prior to the end of WWII, the ILWU organized the two major ethnic groups, Filipinos and Japanese, together into one union.

During WWII, John A. Burns decided that the only way for meaningful change was to organize the Democrat Party primarily with the WWII veterans and members of the Labor unions, especially the ILWU. The goal was:

- to elect a Democrat majority in the legislature;
- to elect a Democrat as Delegate to Congress;
- to obtain Statehood for Hawai‘i;
- to elect a Democrat as Governor; and
- to have a Democrat Governor appoint Judges of the Circuit Courts and the Chief Justice and Associate Justices of the Hawaii Supreme Court.

The Luce-Celler Act of 1946 allowed persons of races indigenous to India and persons of Filipino descent to become naturalized citizens.
In Duncan v. Kahanamoku, 327 U.S. 304, 66 S.Ct. 606, U.S. 1946 (1946), the United States Supreme Court decided that when Congress passed the Hawaiian Organic Act and authorized the establishment of ‘martial law’ it had in mind and did not wish to exceed the boundaries between military and civilian power, in which our people have always believed, which responsible military and executive officers had heeded, and which had become part of our political philosophy and institutions prior to the time Congress passed the Organic Act. The phrase ‘martial law’ as employed in that Act, therefore, while intended to authorize the military to act vigorously for the maintenance of an orderly civil government and for the defense of the island against actual or threatened rebellion or invasion, was not intended to authorize the supplanting of courts by military tribunals. Yet the government seeks to justify the punishment of both White and Duncan on the ground of such supposed Congressional authorization. We hold that both petitioners are now entitled to be released from custody.

In 1946, a Sub-Committee of the Congressional House Committee on Territories held hearings on the question of Hawai`i Statehood. In part, Hawai`i’s Governor Stainback told this Sub-Committee that:

As governor of Hawaii, I am chairman of the Hawaii Equal Rights Commission. This commission was created by the legislature in 1935. Its primary purpose is to support the movement for admission of the territory to statehood. The appointed members of the commission are Miss Marguerite K. Ashford, Judge A.G.M. Robertson, Riley H. Allen, Arthur K. Trask and Fred Patterson.

In part, Judge A.G.M. Robertson told this Sub-Committee that:

At the outset of this hearing the Equal Rights Commission, as a proponent of Delegate Farrington's bill, expected to convince this committee of three things. First, that the people of this Territory are fully capable of self-government. Secondly, that they are entitled to receive full rights of American citizenship. Thirdly, that Hawaii should now be admitted into the Union as the 49th state.

Jack Hall presented a statement to the Sub-Committee in part as follows:

This statement is presented in behalf of the International Longshoremen’s and Warehousemen’s Union, affiliated with the Congress of Industrial Organizations, and the 33,000 workers it represents in Hawaiian industry.

The International Longshoremen’s and Warehousemen’s Union, hereinafter referred to as the ILWU, is unqualifiedly on record for the Territory of Hawaii being granted statehood at once... Now is the time for Statehood, the ILWU believes, because the people of Hawaii have broken the chains of feudalism. They are prepared and able to shape their own destinies. They ask only the democratic privileges and rights to which they are entitled as a free people...

Alice Kamokila Campbell had been a Delegate to the Democratic National Convention in 1944. She testified in part as follows:

Senator Cordon. Mrs. Campbell, I want your views on the advisability of the enactment by Congress of the pending...
bill granting statehood to the Territory of Hawaii. I have understood that you are opposed to passage of legislation at this time. I am interested in the reasons which bring you to that contention.

Mrs. Campbell. First I will give it to you from the standpoint of a Hawaiian, the land being the land of my people. I naturally am jealous of it being in the hands of any alien influence. It took us quite a while to get used to being Americans from a Hawaiian to an American but I am very proud today of being an American. I don’t want ever to feel that I am ashamed of being an American. But I think that in the past 10 years I have lost a sense of balance here in Hawaii as to the future safety of my land. This un-American influence has come into our country, and even in the report of the Governor you will see where he says one-third of the population are Japanese. If we are a State they would have the power to vote and they would use every exertion to see that every vote was counted if we become a State. As it is now, I feel the confidence and I feel the sincerity of Congress, and know they are not going to forsake us.

Now there are two things that I have been thinking of. What could make the average American in his own land afraid to speak? It is a very unnatural thing.

First there is the purchasing power of the Chinese and the Japanese combination in this country. The outsider coming in says Oh no; the Chinese hate the Japs and the Japs hate the Chinese. Don’t you believe it, Senator Cordon. The Chinese and Japanese are so tied up together in this community that if we ever went to war they would have a stranglehold on us. . . .

Who supplies our fish? The Japanese. Who do they sell to? The Chinese storeman. Who supplies our chicken and eggs? The Japanese. Who do they sell to? The Chinese Chun Hoon, C. Q. Yee Hop. Who supplies our pork? This is a pork-eating country. The Japanese. Who do they sell to? C. Q. Yee Hop who is a wholesale man, and that combination goes on and on and on. I say Russia could afford to say and I should take a chance as one born here in Hawaii to have Russia say, “All right, you Chinese and Japanese, you come and fight for us. We will give you the Territory of Hawaii.” Should I take these chances of giving my land up and permitting Russia for one minute to do it? We don’t know where Russia stands. Russia does not want this Territory. Russia is out to get Europe. Congress knows that. I know it. I am not hiding it. If it was any other nationality I would have to say the same thing; that we must be careful. I don’t want to have a Japanese judge tell me how to act in my own country, no more than you Americans over on the other side would want an Indian to overrule you, or a Negro, which are among your American people.

Senator Cordon. We have judges of both.

Mrs. Campbell. I know, but it is not racial prejudice with me. There is still a very bitter feeling; there is still a very great racial feeling there on the mainland, because when I went on a trip the Negroes were all put in one car; the Negroes were set aside, and yet they are Americans.

The Japanese are not my people. The Chinese are not my people. The Caucasians, yes, and by adoption it makes me an American, and I am proud to be an American, and as an American I don’t want to see an unhealthy condition here in these islands. It is an unhealthy condition. We are not safe when in an American country one-third of the population are Japanese. The Governor himself says that in his report, at which I was surprised one third, in an American country. I cannot see it. I am too much an American, Senator, to see anything but Americans here.

In its January 25, 1946 report, this Sub-Committee concluded that “[t]he territory of Hawaii now meets the
necessary requirements for statehood[.]

In his State of the Union speech to Congress in 1946, President Truman stated in part:

The major governments of the world face few problems as important and as perplexing as those relating to dependent peoples. This Government is committed to the democratic principle that it is for the dependent peoples themselves to decide what their status shall be. To this end I asked the Congress last October to provide a means by which the people of Puerto Rico might choose their form of government and ultimate status with respect to the [U.S.]. I urge, too, that the Congress promptly accede to the wishes of the people of Hawaii that the Territory be admitted to statehood in our Union, and that similar action be taken with respect to Alaska as soon as it is certain that this is the desire of the people of that great Territory....

After World War II, two groups quickly became influential in shaping the direction of politics and government in Hawaii. First, Hawaii's labor unions, especially the International Longshoremen's and Warehousemen's Union (ILWU), which solidified its support base during its 1946 Sugar Strike and 1949 Dock Strike. Second, Hawaii's World War II veterans. Many of these veterans used the veterans benefits available to them to obtain one or more post-high school educational degrees.

In 1946, Congress established the House Un-American Activities Committee, a panel of nine representatives charged with investigating subversive activities against the government.

In 1946, a Sub-Committee of the Congressional House Committee on Territories held hearings on the question of Hawaii Statehood. Jack Hall presented a statement to the Sub-Committee in support of Statehood:

This statement is presented in behalf of the International Longshoremen's and Warehousemen's Union, affiliated with the Congress of Industrial Organizations, and the 33,000 workers it represents in Hawaiian industry.

Under the leadership of the ILWU, about 26,000 sugar workers began a successful 79-day strike on September 1st, 1946, that completely shut down 33 of the 34 sugar plantations in the islands.

In 1947, Hawaii Governor Ingram Stainback, who regularly accused political rivals and adversaries of being under "communist influence," said that communism preached "fanatical violence" against democratic governments and vowed to cast out communists who had infiltrated the local government.

On May 1st, 1949, the longshoremen began a successful 177-day-long strike. Five thousand longshoremen stopped work and closed off most goods to Hawaii. (Workers agreed to unload military cargo, food, medical supplies, perishables, and mail.)

In 1950, the House Un-American Activities Committee held a hearing in Honolulu focused on the 1949 dock strike by ILWU workers that lasted for 176 days and crippled the territorial economy. The hearing was spurred by a pamphlet written by a former vice president of the ILWU on Kaua'i, Ichiro Izuka, titled "The Truth About Communism in Hawaii," which suggested the strike was a communist plot masterminded by local ILWU President Jack Hall. The committee summoned 70 witnesses to testify. Thirty-nine of those summoned - "The Reluctant 39" - refused to testify, citing the Fifth Amendment. They included Jack Kawano, who earlier at a hearing of the Un-American Activities Committee in Washington had identified local Communist Party members. Constitutional Convention delegate Richard Kageyama admitted that he was a former Communist Party member and identified other members. As a result of the hearing, seven Honolulu residents, dubbed the "Hawaii Seven", were arrested and charged with advocating the violent overthrow of the U.S.
John A. Burns was elected as Chair of the 1950 Democrat Convention. The Democrat Party was divided into two factions: the right-wing members who opposed him and the left-wing members who supported him. Over 100 right-wing delegates walked out in protest because some left-wing delegates were members of “The Reluctant 39”.

The Honolulu Advertiser, a newspaper of general circulation, alleged that the Democrat Party in Hawai‘i and the ILWU were controlled by members of the CPA.

Some leaders of the ILWU were or had been members of the Communist Party of America (CPA). The power and influence these Communists or former Communists had in Hawai‘i caused serious concern about Hawai‘i’s readiness for statehood.

These ILWU leaders and members stated that their involvement with the CPA was (1) motivated by a desire for the recognition and respect of laborers and their rights, and (2) the CPA provided them with the education, training and experience they needed to organize and operate labor unions. In 1957, Yates v. U. S., 354 U.S. 298, 77 S.Ct. 1064, involved a prosecution alleging a violation of the Smith Act by conspiring to advocate and teach the violent overthrow of the government. The U.S. Supreme Court recognized the material difference between advocating or teaching abstract doctrines and advocacy urging action and accomplishment. The Supreme Court concluded that evidence of membership or holding of office in the CPA was insufficient to establish the material element of conspiring to advocate forcible action.

In 1950, the population of Hawai‘i was thirty-seven percent Japanese, twenty-five percent Caucasian, seventeen percent Hawaiian, twelve-percent Filipino, six-percent Chinese and three percent others. That year, in anticipation that Hawai‘i would become the 49th State, a Hawai‘i Constitutional Convention agreed on a Constitution that subsequently was approved first by Hawai‘i’s Legislature, and then by Hawai‘i’s voters, 82,788 in favor and 27,109 opposed. In a 1950 letter to U.S. Senator Joseph O’Mahoney, Chairman, Senate Committee on Interior and Insular Affairs, President Truman wrote in part:

I am highly gratified by the thorough and objective consideration which your committee is giving to . . . bills which would enable the territories of Alaska and Hawaii to take their rightful place as members of the Union. As you know, I have long supported the objectives of these important bills which carry out the pledges made to the people of the two territories. I sincerely hope that the Congress, during its present session, will enact legislation granting statehood to Alaska and Hawaii. The need is more urgent today than ever before. By such action, we will not only promote the welfare and development of the two territories, but also greatly strengthen the security of our nation as a whole.

It should not be forgotten that most of our present states achieved statehood at a relatively early period of their development. The stimulus of being admitted as full partners in the Union, and the challenge of managing their own affairs were among the most significant factors contributing to their growth and progress. Very few of our existing states, at the time of their admission to the Union, possessed potential resources, both human and natural, superior to those of Alaska and Hawaii. I am confident that Alaska and Hawaii, like our present states, will grow with statehood and because of statehood.

These are troubled times. I know of few better ways in which we can demonstrate to the world our deep faith in democracy and the principles of self-government than by admitting Alaska and Hawaii to the Union as the forty-ninth and fiftieth states.
In a public address in 1950, General Eisenhower declared that the "quick admission of Alaska and Hawaii to statehood will show the world that America practices what it preaches."

The 1952 Immigration and Nationality Act stated in part that "the right of a person to become a naturalized citizen of the United States shall not be denied or abridged because of race or sex or because such person is married." In other words, all race-based restrictions on the right to become a naturalized citizen were abolished. All immigrants, including Japanese, were eligible to become naturalized citizens of the U.S.

In his February 2, 1953, State of the Union Speech, President Eisenhower stated that "the platforms of both political parties promised immediate statehood to Hawaii. The people of that Territory have earned that status. Statehood should be granted promptly with the first election scheduled for 1954."

After WW II, each body of Congress approved Statehood for Hawai‘i and/or Alaska/Hawai‘i as follows:

<table>
<thead>
<tr>
<th>House</th>
<th>Senate</th>
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<tr>
<td>80th Congress (1947-48)</td>
<td>Hawai‘i</td>
</tr>
<tr>
<td>81st Congress (1949-50)</td>
<td>Alaska/Hawai‘i</td>
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<tr>
<td>83rd Congress (1953-54)</td>
<td>Hawai‘i</td>
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On February 10, 1954, a huge roll of paper was partly unrolled down the middle of Bishop Street the entire long block from Hotel to King. It started with this sentence: "We, the undersigned people of Hawaii, hereby petition the Congress of the [U.S.] to act favorably on Statehood for Hawaii now." Other rolls of paper were circulated throughout the islands for signature. On February 24, this 250 pound petition was taken to the steps of ‘Iolani Palace for a ceremonial sendoff. Some additional signatures were obtained when the airplane made stops in Los Angeles, San Francisco, and Denver. Ultimately, the petition contained 120,000 signatures. It was delivered in Washington D.C. to the office of Vice-President Richard Nixon as an official document held on display for viewing by members of Congress.

In 1954, former Hawai‘i Democrat Governor Stainback, then a Justice of the Hawaii Supreme Court, withdrew his support for Hawai‘i statehood. He stated that the admission of Hawai‘i to statehood then would endanger national security. He advocated a commonwealth status for Hawai‘i, similar to the government of Puerto Rico, and eventual statehood after the danger of Communist control of the Territory has been eliminated. He said that he "reluctantly" changed his position based on his finding that Communist leaders of the International Longshoremen’s and Warehousemen’s union were exerting greater political power than ever before in Hawai‘i.

Prior to 1954, many of the WW II veterans, the ILWU and most of Hawai‘i’s other labor unions, and others seeking a change to a more democratic system of government obtained control of Hawai‘i’s Democrat Party. In the election of 1954, members of Hawai‘i’s Democrat Party obtained control of both of Hawai‘i’s legislative bodies. This new political power structure vigorously sought statehood, and the independence, rights, and opportunities that would accompany it.
In his 1955 State of the Union speech, President Eisenhower stated in part that “[a]s the complex problems of Alaska are resolved, that Territory should expect to achieve statehood. In the meantime, there is no justification for deferring the admission to statehood of Hawaii. I again urge approval of this measure.”

In his 1956 State of the Union speech, President Eisenhower stated in part:

One particular challenge confronts us. In the Hawaiian Islands, East meets West. To the Islands, Asia and Europe and the Western Hemisphere, all the continents, have contributed their peoples and their cultures to display a unique example of a community that is a successful laboratory in human brotherhood.

Statehood, supported by the repeatedly expressed desire of the Islands’ people and by our traditions, would be a shining example of the American way to the entire earth. Consequently, I urgently request this Congress to grant statehood for Hawaii. Also, in harmony with the provisions I last year communicated to the Senate and House Committees on Interior and Insular Affairs, I trust that progress toward statehood for Alaska can be made in this Session.

In 1956, the voters in Alaska approved a constitution that would take effect when it became a State and elected two Senators and one Representative, all Democrats, to represent them in Congress when Alaska became a State.

While Hawai’i was a Territory, some in Hawai’i wanted Statehood because Hawai’i had the expectations stated in O’Donoghue v. U.S. and, although Hawai’i residents and legal entities were paying U.S. taxes, the only representation Hawai’i had in Congress was a Delegate who had a seat and the right to participate in debate in the House of Representatives, but not the right to vote. Hawai’i’s voters did not have any say in the election of the President. Hawai’i’s Governor, Supreme Court Justices, and Circuit Court Judges were appointed by the President who retained the power to remove any or all of them with or without cause. Hawai’i and its people did not have many of the federal privileges and benefits enjoyed by people in the various States.

Some in Hawai’i wanted statehood because the Territory of Hawai’i was controlled by a few people who were economically and/or politically powerful. Political, educational, economic and occupational opportunities for the general population were quite limited.

Some in Hawai’i concluded that statehood would remove the limitations on Hawai’i’s unique ability to be a participating contributor in the formulation, development and conduct of U.S. national and international policy and programs.

Some in Hawai’i wanted Hawai’i to have some relationship with the U.S. other than as a Territory or a State.

Some in Hawai’i saw no benefit in statehood. They were satisfied with the way Hawai’i’s government officials were appointed or elected and with Hawai’i’s limited voice in Congress. They had all the influence and power they wanted and needed and worried about the changes that would occur in Hawai’i if and when Hawai’i became a State.

Some in Hawai’i and in other parts of the U.S., including in Congress, opposed statehood because of the number of “non-Americans”, particularly Asians, in Hawai’i.
Some in Hawai‘i and in the continental U.S., including in Congress, publically supported Statehood and privately opposed it.

If any opposed statehood because they opined that the replacement of the Constitutional Monarchy by the Provisional Government was illegal and void and wanted the return of the Constitutional Monarchy as it existed on the day prior to the overthrow, they did not publicize their opinions.

In November of 1956, John A. Burns was elected as Hawai‘i’s Delegate to Congress. Working closely with Bob Bartlett, Alaska’s Democrat Delegate to Congress, Delegate Burns led the effort to obtain statehood for Hawai‘i. Delegate Burns became a friend of Senate Majority Leader Lyndon Johnson and House Speaker Sam Rayburn, both of whom were Democrats from Texas.

Some of the hesitancy of U.S. Representatives and U.S. Senators to vote in favor of statehood for Hawai‘i and Alaska involved the following considerations. The constitution states that ”[t]he Number of Representatives shall not exceed one for every thirty Thousand.” Congress regularly increased the size of the House to account for population growth until it fixed the number of voting House members at 435 in 1911. If both Hawai‘i and Alaska became states, four Senators would be added to the U.S. Senate. Alaska would be authorized one Representative. Although the size of Hawai‘i’s population entitled it to two Representatives, Delegate Burns agreed to a provision in the Admissions Bill limiting Hawai‘i to one Representative until after the 1960 census. Consequently, soon after the 1960 census, three of the first 48 States would each lose one of their seats in the House of Representatives.

Quite often, members of Congress have a private position on an issue that differs from their public position on the issue. Eventually, a thorough analysis of the private position of each member of Congress revealed that the only way Hawai‘i could become a State was for Congress to approve the Alaska statehood bill during its 1958 session and to approve the Hawai‘i statehood bill during its 1959 session. From Hawai‘i’s point of view, this Alaska 58-Hawai‘i 59 plan risked the possibility that the leadership and/or the votes in Congress would be materially changed by the 1958 elections and/or that Delegate Burns would not be re-elected. Delegate Burns agreed to the Alaska 58-Hawai‘i 59 plan. The book Alaska A History of the 49th State by Claus-M. Naske and Herman E. Slotnick states in part:

In January, 1958, President Eisenhower for the first time fully supported Alaska statehood and again urged Hawai‘i’s immediate admission. Soon after delivering his message, however, Eisenhower again dimmed the hopes of Alaska statehood proponents when he advocated that the Hawaii bill be brought up simultaneously with the Alaska measure. At this critical point Delegate Burns of Hawaii helped the Alaska cause when he asserted that “nothing should interfere with success in the consideration of [the] Alaska” statehood bill. He promised to remove the Hawaii measure from the Senate debate if that was necessary to ensure the success of the Alaska bill. The two bills were not combined.”

On June 30th, 1958, consistent with the Alaska 58-Hawai‘i 59 plan, Congress approved the Alaska Statehood Act. President Eisenhower approved the Act on July 7th, 1958. Many in Hawai‘i were no less than unhappy that Congress acted in favor of Alaska but not Hawai‘i. In The Hawaiian Journal of History, vol. 18 (1984), Bill Quinn, the man who was Hawai‘i’s Governor in 1958 and 1959, wrote, in relevant part, the following:
Along with the Statehood Commissioners, I was totally confused as to why a strategy was being followed which would deprive us of an historic opportunity.

Striking another partisan stance, I told a Republican convention that the Delegate had favored a "dark compromise" of pushing Alaska and abandoning Hawaii.

The GOP... charged Delegate Burns with conspiring to cheat people out of a golden opportunity to get immediate statehood.

The political campaign started. Burns was running for delegate. Contrary to the expectations of many, I didn't try to use his failure to press for statehood against him...

I did give expression to the question that was uppermost in my mind then and which remains unanswered after all these years. Why couldn't Hawaii have been considered immediately after the Alaska bill had been passed and sent to the White House? ...

On January 3, 1959, Alaska was admitted as the 49th State of the U.S.

As a result of the 1958 elections, Burns returned to Congress as Hawai'i's Delegate, the votes in Congress had not been materially changed, Sam Rayburn continued as House Speaker, and Lyndon Johnson continued as Senate Majority Leader. The brief time it took Congress in its 1959 Session to approve statehood for Hawai'i proved the wisdom and success of the Alaska 58-Hawai'i 59 plan.

In early March of 1959, both the Senate and the House approved Hawai'i's 1950 Constitution and Statehood for Hawai'i. On March 18, 1959, President Eisenhower signed "An Act to Provide for the Admission of the State of Hawai'i into the Union" (The Admission Act). On August 21, 1959, Hawai'i was admitted as the 50th State of the U.S.

Upon the admission of Alaska and Hawai'i, Congress temporarily increased to the number of members of the House of Representatives to 437 (seating one representative from each of those states without changing existing apportionment), and returned to 435 after the reapportionment following the 1960 census.

Section 5 of The Admission Act states in part:

(a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title.

(b) Except as provided in subsections (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property, and to all lands defined as "available lands" by section 203 of the Hawaiian Homes Commission Act, 1920, as amended, within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made...
shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof, may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States. [Am July 12, 1960, Pub L 86-624, 74 Stat 422]

(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible, for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

(g) As used in this Act, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (e) of this section or reserving the right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

(i) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session, 67 Stat. 29) and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session, 67 Stat. 462) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.
On the morning of the next day, March 18, 1959, thanksgiving services were held at this Kawaiaha'o Church. The Reverend Dr. Abraham K. Akaka, pastor of Kawaiaha'o Church, gave the following sermon:

Our newspapers lately have been full of much valuable historical data concerning Hawai‘i’s development, growth, and aspirations. I will keep these stories as long as I live, for my children and their children, for they call to mind the long train of those whose sacrifices were accepted, whose prayers and hopes through the years were fulfilled yesterday. There yet remains the formal expression of our people for statehood, and the entrance of our Islands into the Union as a full-fledged member.

I would like today to speak the message of self-affirmation: that we take courage to be what we truly are, the Aloha State.

On April 25, 1820, one hundred and thirty-nine years ago, the first Christian service conducted in Honolulu was held on this very ground.

Like our Pilgrim Fathers who arrived at Plymouth, Massachusetts, in 1620, so did the fathers of a new era in Hawaii kneel in prayer after a long and trying voyage to give thanks to God who had seen them safely on their way.

Gathered around the Reverend Hiram Bingham on that day were a few of our “kupunas” who had come out of curiosity. The text of the sermon that day, though it was April and near Easter time, was from the Christmas Story. And there our people heard words for the first time: “Mai maka’u ʻoukou, no ka mea, eia hoʻi, ke haʻi aku nei au ia ʻoukou i ka mea maikaʻi, e ʻoliʻoli nui ai e lilo ana no na kanaka apau. No ka mea, i keia la i hanau ai, ma ke kulanakauhale o Davida, he ola no ʻoukou, aia ka Mesia ka Haku” — “Fear not, for behold, I bring you good tidings of great joy which shall be to all people. For unto you is born this day in the city of David, a Saviour which is Christ the Lord.”

Although our grandfathers did not realize it fully then, the hopes and fears of all their years through the next century and more were to be met in the meaning and power of those words, for, from that beginning, a new Hawai‘i was born. For through those words, our missionaries and people following them under God became the greatest single influence in Hawai‘i’s whole development — politically, economically, educationally, socially, religiously. Hawai‘i’s real preparation for statehood can be said to have truly begun on that day and on this spot one hundred and thirty-nine years ago.

Yesterday, when the first sound of firecrackers and sirens reached my ears, I was with the members of our Territorial Senate in the middle of the morning prayer for the day’s session. How strange it was, and yet how fitting, that the news should burst forth while we were in prayer together. Things had moved so fast. Our mayor, a few minutes before, had asked if the church could be kept open, because he and others wanted to walk across the street for prayer when the news came. By the time I got back from the Senate, this sanctuary was well filled with people who happened to be around, people from our government buildings nearby. And as we sang the great hymns of Hawaii and our nation, it seemed that the very walls of this church spoke of God’s dealing with Hawaii in the past, of great events both spontaneous and planned.

There are some of us to whom statehood brings great hopes, and there are some to whom statehood brings silent fears. One might say that the hopes and fears of Hawaii are met in statehood today. There are fears that Hawai‘i as a state will be motivated by economic greed; that statehood will turn Hawai‘i (as someone has said) into a great big spiritual junkyard filled with smashed dreams, worn-out illusions; that will make the Hawaiian people lonely, confused, insecure, empty, anxious,
restless, disillusioned - a wistful people.

There is an old "mele" that reminds me of such fears as these, and of the way God leads us out of our fears."Haku‘i i ka uahi o ka Lua, pa i ka lani, ha‘aha‘a Hawai‘i moku o Keawe i hanau‘ia ... po Puna, po i ka uahi o ku‘u ‘aina ... ola ia kini, ke‘a mai la ke ahi" - There is a fire underground, but the firepit gives forth only smoke, smoke that bursts upward, touching the skies, and Hawai‘i is humbled beneath its darkness ---it is night over Hawai‘i, night from the smoke of my land ---but there is salvation for the people, for now the land is being lit by a great flame.

We need to see statehood as the lifting of the clouds of smoke, as an opportunity to affirm positively the basic Gospel of the fatherhood of God and the brotherhood of man. We need to see that Hawai‘i has potential moral and spiritual contributions to make our nation and to our world. The fears Hawai‘i may have are to be met by men and women who are living witnesses of what we really are in Hawai‘i, of the spirit of Aloha, men and women who can help unlock the doors to the future by the guidance and grace of God.

This kind of self-affirmation is the need of the hour. And we can affirm our being, as the Aloha State, by full participation in our nation and in our world. For any collective anxiety, the answer is collective courage. And the ground of that courage is God.

We do not understand the meaning of Aloha until we realize its foundation in the power of God at work in the world. Since the coming of our missionaries in 1820, the name for God to our people has been Aloha. One of the first sentences I learned from my mother in my childhood was this from Holy Scripture: "Aloha ke Akua" - in other words, "God is Aloha." Aloha is the power of God seeking to unite what is separated in the world - the power that unites heart with heart, soul with soul, life with life, culture with culture, race with race, nation with nation. Aloha is the power that can reunitie when a quarrel has brought separation; aloha is the power that reunites a man with himself when he has become separated from the image of God within.

Thus, when a person or a people live in the spirit of Aloha they live in the spirit of God. And among such a people, whose lives so affirm their inner being, we see the working of the Scripture: "All things work together for good to them who love God ... from the Aloha of God came his Son that we might have life and that we might have it more abundantly."

Aloha consists of this new attitude of heart, above negativism, above legalism. It is the unconditional desire to promote the true good of other people in a friendly spirit, out of a sense of kinship. Aloha seeks to do good, with no conditions attached. We do not do good only to those who do good to us. One of the sweetest things about the love of God, about Aloha, is that it welcomes the stranger and seeks his good. A person who has the spirit of Aloha loves even when the love is not returned. And such is the love of God.

This is the meaning of Aloha. I feel especially grateful that the discovery and development of our Islands long ago was not couched in the context of an imperialistic and exploitive national power, but in this context of Aloha. There is a correlation between the charter under which the missionaries came -namely, "To preach the Gospel of Jesus Christ, to cover these islands with productive green fields, and to lift the people to a high state of civilization" - a correlation between this and the fact that Hawaii is not one of the trouble spots in the world today but one of the spots of great hope. Aloha does not exploit a people or keep them in ignorance and subservience. Rather, it shares the sorrows and joys of people; it seeks to promote the true good of others.
Today, one of the deepest needs of mankind is the need to feel a sense of kinship one with another. Truly all mankind belongs together; from the beginning all mankind has been called into being, nourished, watched over by the love of God. So that the real Golden Rule is Aloha. This is the way of life we shall affirm.

Let us affirm ever what we really are - for Aloha is the spirit of God at work in you and in me and in the world, uniting what is separated, overcoming darkness and death, bringing new light and life to all who sit in the darkness of fear, guiding the feet of mankind into the way of peace.

Thus may our becoming a State mean to our nation and the world, and may it reaffirm that which was planted in us one hundred and thirty-nine years ago: “Fear not, for behold I bring you good tidings of great joy, which shall be to all people.”

The 1960 census reported that the population of Hawai‘i was 32% Caucasian, 32% Japanese, 16% Hawaiian, 11% Filipino, 6% Chinese, 2% Korean and 1% percent others. On June 27, 1959, Hawai‘i had approximately 155,000 registered voters. Of the 140,744 who voted, 132,773 (94.3%) voted “yes” to the following question: “Shall Hawaii immediately be admitted into the Union as a State?” The “no” vote was 7,971 (5.7%).

On August 21, 1959, the long road ended and Hawai‘i was admitted as the 50th State of the U.S.