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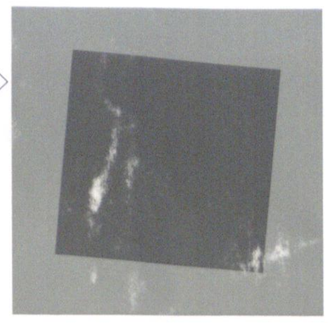

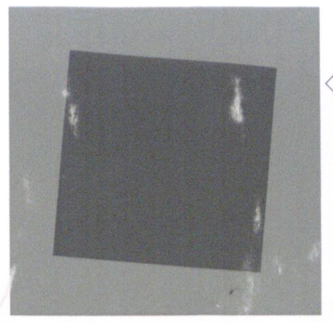

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401-1-1 NUMBERED DOCUMENTS
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F.O. & Ex.

Court Notice

His Majesty the King of the French, has sent His full-length Portrait to be presented to His Majesty Kamehameha III by M. Dillon.

The King has appointed 12 o'Clock on Tuesday the 15th instant for the Ceremony, at which hour the Procession will start from the residence of the Consul of France.

Their Majesties the King and Queen, receive Visitors at the Palace at 8 P.M. on the same foreigners Lady & Gent evening, when all who have been presented, will be welcome, without any further notice.

Strangers wishing to be presented, at the Soiree will be pleased to send in their Cards on Monday the 14th instant, before 10 o'Clock to the Minister of Foreign Relations +

A. Paki
Chamberlain

Chamberlain

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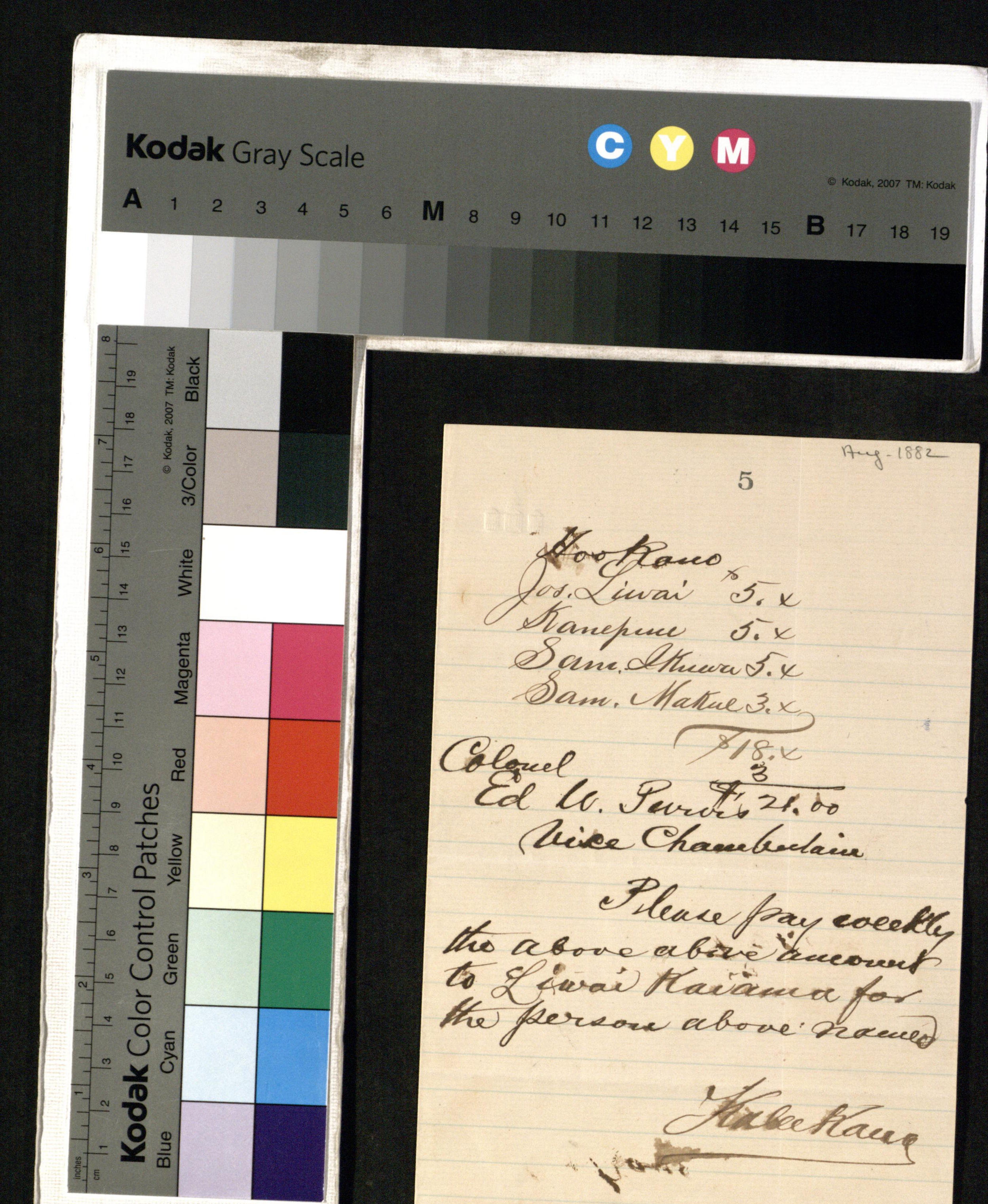


Aug-1882

5

Honolulu

Jos. Liwai To 5. x

Kanepuu 5. x

Sam. Akuna 5. x

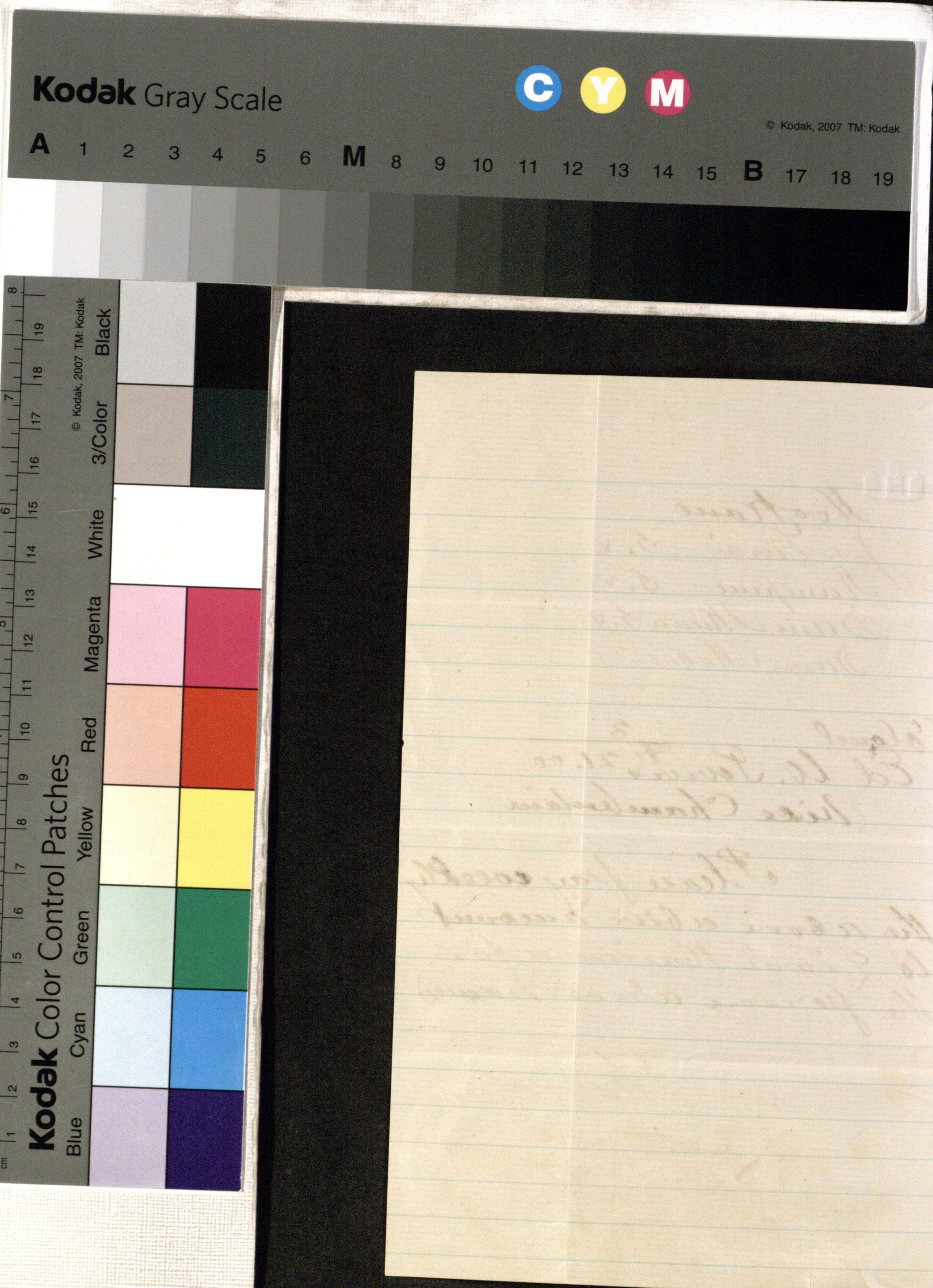
Sam. Makue 3. x

$18. x

Colonel
Ed W. Purdy $24.00
Vice Chamberlain

Please pay over the above above amount to Liwai Kaiana for the person above named

Kalakaua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Kodak Gray Scale

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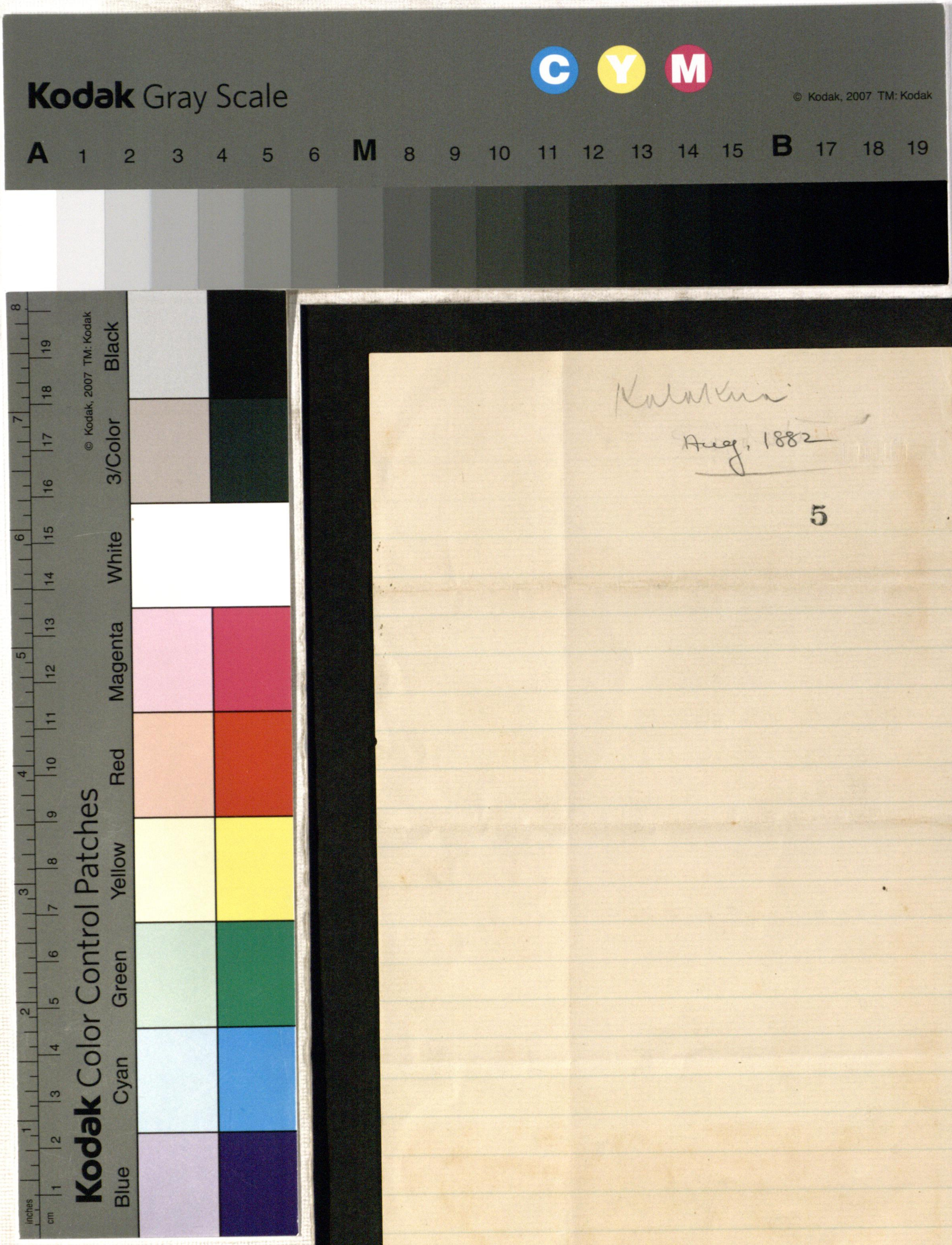


Kodakini

Aug, 1882

5

To Her Most Gracious Majesty,
Liliuokalani.

Beloved Queen.

We your sister members of the Woman's Board of Missions of the Pacific Isles, tender you our united greeting, our best wishes, and our daily petitions at the Throne of Mercy in your behalf; that strength of body, wisdom of mind and a right spirit may be given you, for the discharge of the responsible duties that devolve upon you.

As members of the Board of Missions we do most respectfully and earnestly beg to call to the attention of your Majesty the following facts:

I That the greatest drawback to the progress of righteousness and good government in this country and the world, is the use of intoxicating liquors.

II That more than three fourths

of all the crimes in civilized lands, are directly traceable to the use of such liquors.

III. That the use of intoxicating drinks entails great evils and misery upon men of the native and foreign races in these Islands. Their use destroys the peace of the home, and brings suffering to helpless women and children. It causes men to neglect their business, and unfits them for good workmen, and makes them bad citizens.

The open saloon, where such beverages are sold, is a constant temptation to men, luring them on to vice and catering to their lowest instincts. It is a foe to the youth of these Islands, and a standing threat to their safety, from among whom its future customers must come. It encourages crime, and we believe impedes the general prosperity of the Kingdom.

IV. That the bill for liquors in this country for the year 1890 is believed to have been more than $1.500,000, or more than six dollars and a half for every

man, woman and child in the Kingdom. And this does not include the large expense in the items of police protection, courts, imprisonments, &c. by which the amount would be greatly increased.

V. The records of the Police Court of Honolulu alone show that there are more than one thousand arrests a year for drunkenness, more than half of whom are Hawaiians. And that it is generally admitted that the deplorable decadence of the Hawaiian race in recent years, is due in a large degree to the use of intoxicating liquors, and the evils engendered thereby.

We feel sure, as do all your subjects, that your Majesty has the real interests of the people of these Islands at heart, and will do all in your power to further the prosperity of the people and nation.

As ourselves, also, interested in, and working for the same end, we most respectfully and earnestly beg your Majesty, in consideration of the foregoing facts,

to throw your great influence on the side of the welfare of this nation, by discountenancing the use of intoxicating drinks at public entertainments, and wherever else it may seem wise to you to do so.

We are sure that thus you will please the Almighty Ruler, who has shown such special kindness to this most favored land; and will greatly promote the motto of the nation "Ua mau ke ea o ka aina i ka pono."

We are well aware, dear Queen, that we are assuming a delicate and responsible position in thus petitioning you. But burdened as we are with a sense of the enormity of this evil, we cannot do otherwise.

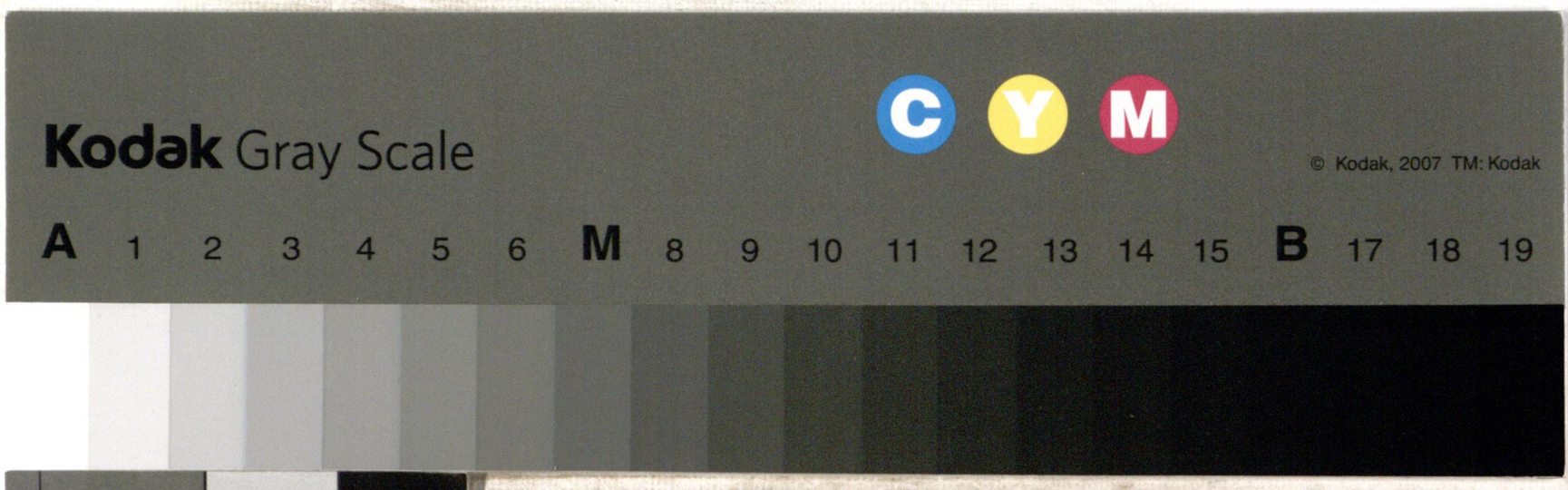
May we not call to the memory of your Majesty, that which was said to another Queen, more than two thousand years ago: "Who knoweth but that thou art come to the Kingdom for such a time as this?"

With loyalty and affection
Your Sisters of the Womans' Board of Missions.

Moderate

6

Petition from ladies of Ladies Board of Mission
not to permit liquor to be placed on the table at pub-
lic entertainments.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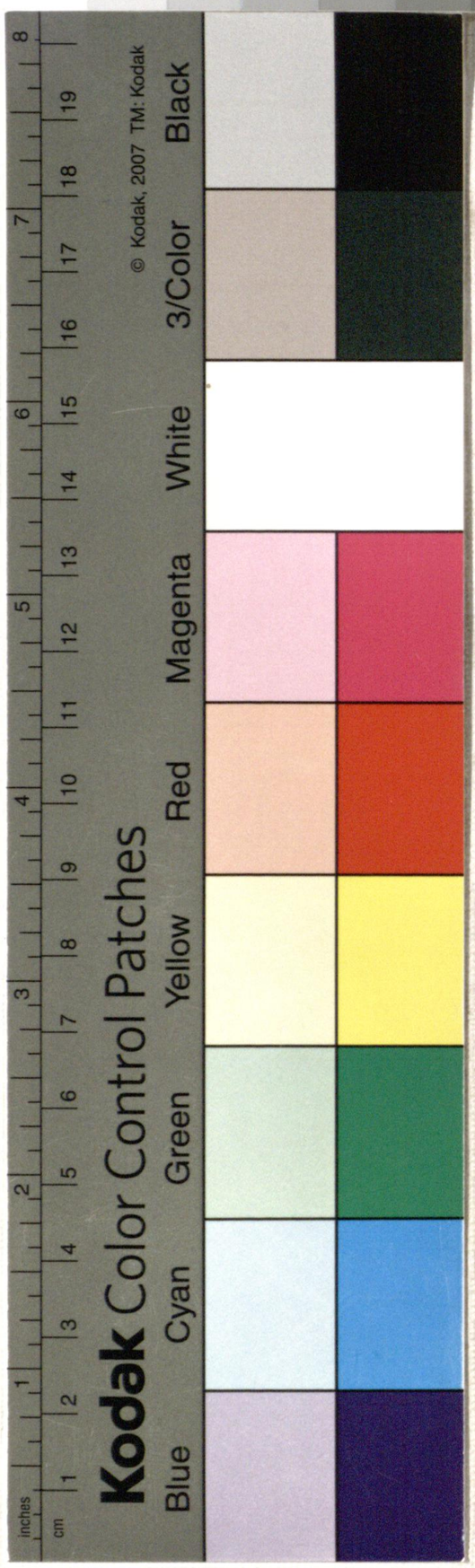
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I have great pleasure in presenting to your Majesty, Bishop Maigret who has long resided in these islands, And who entertains ~~the~~ a respectful attachment for your Majesty's person and is most solicitous for the welfare of all your Majesty's subjects. It has been my good fortune to form Bishop Maigret's acquaintance at Valparaiso; and I have derived from him, a great deal of the interest I take in the welfare & prosperity of the ~~Hawaiian~~ people. He is a man full of good will towards all his brethren, no matter of what persuasion.

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Second

8 v.º 2

Suggestion for the Bishop.

When addressing the Bishop His majesty said

to

Bishop. I am glad to see you

again in my Kingdom. As a

simple Abbé you have been a

good Man; as a Bishop you

have more power, and you will

do more good.

If you ever have any

unpleasants transactions with my Government

~~complaints~~, make them Known

to my Minister of Public Instruction,

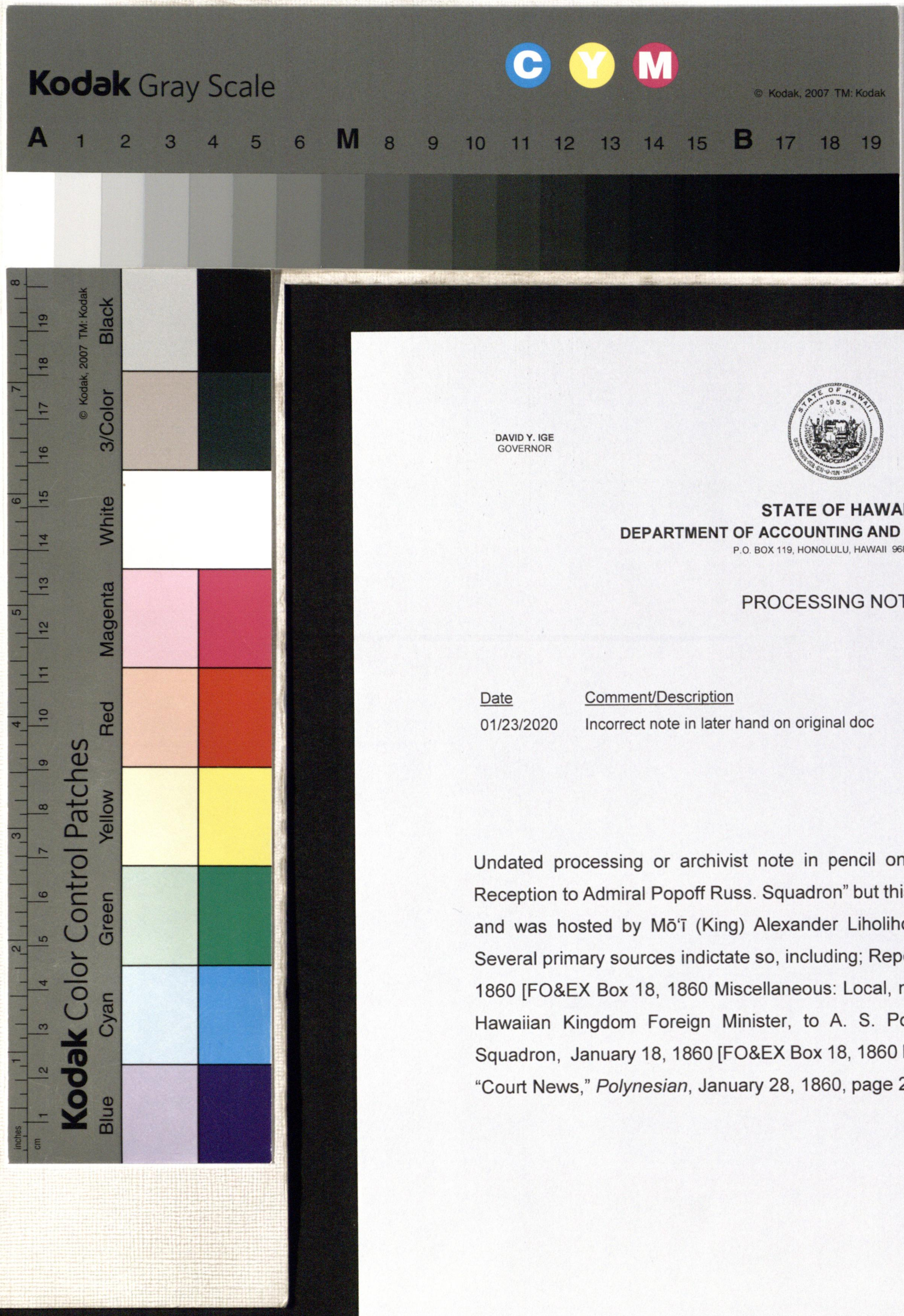
who must attend to them, under

his responsibility to me. 4

Bishop Maupas ?

2 8

Ka Bihopa



#9

DAVID Y. IGE
GOVERNOR

CURT T. OTAGURO
COMPTROLLER

AUDREY HIDANO
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

PROCESSING NOTE:

Date	Comment/Description	Collection/Series/Box/Folder	Initial
01/23/2020	Incorrect note in later hand on original doc	FO&EX Numbered Documents 401-1-1	RWJ

Undated processing or archivist note in pencil on document reads: “King Kalakaua Reception to Admiral Popoff Russ. Squadron” but this event took place January 21, 1860 and was hosted by Mōʻī (King) Alexander Liholiho [Kamehameha IV] not Kalākaua. Several primary sources indictate so, including; Report to Admiral Popoff of January 11, 1860 [FO&EX Box 18, 1860 Miscellaneous: Local, n.d.–January]; Letter of R. C. Wyllie, Hawaiian Kingdom Foreign Minister, to A. S. Popoff, Commander of the Russian Squadron, January 18, 1860 [FO&EX Box 18, 1860 Miscellaneous: Local, n.d.–January]; “Court News,” *Polynesian*, January 28, 1860, page 2, NEWS 73-18].

The Court.

On Saturday, last, at 11 o'clock A.M., at the Palace, His Majesty, the King, received Admiral Popoff, commanding the Russian Squadron in port, and his Officers. His Majesty wore the uniform of the Honolulu Rifles, as Colonel of said Corps, and was surrounded by his Ministers of State, the Judges of the Supreme Court, several Privy Councellors, his aids-de-camp and the Staff Officers of the Rifles. The reception took place ~~in the~~ in the throne-room and ~~His Majesty conversed the Admiral glad his respects~~ His Majesty conversed for some time with the Admiral, expressing his wish to cultivate friendly relations with ~~the Emperor~~ his mighty neighbor the Emperor of Russia, and looking forward to mutual benefits from the rapid settlement and opening up to commerce of those portions of the Russian Empire which are washed by the Pacific; and he ~~did him that~~ intimated a hope that henceforth Russian Officers and Russian vessels would not go by these Islands in their passages to and fro, but look for their recruits here in preference to other places.

In conformity with the general usage of the Court, and in deference to the personal habits of the King, the conversation was carried on in the English language, thus avoiding the embarrassment of an interpreter.

(over)

After the reception the Admiral was shown the Royal Collection of valuable ornaments of the ancient Hawaiian Kings, such as feather Cloaks, Casques, Kahilis &c &c; and at parting, as at arriving on the Palace grounds, the Admiral and his Suite were Saluted by the Household troops under arms.

No date

Courtesies

Visit Kalakaua
Reception to
Admiral Pothau.
Russ. Squadron.

9.

D.O. 42

Memorandum

The Imperial Government have received and considered the Counter-Proposals of the Government of Hawaii respecting arbitration and they are disposed to accede to the modifications contemplated by those Proposals so far as they can do so, having regard to the actual circumstances of the case. The fact, however, that the Hawaiian Counter-Proposals were not accompanied by an Exposition of Motives, naturally

makes

make it somewhat difficult for the Imperial Government to deal with the proposed amendments in an entirely satisfactory manner.

I.

As to the points at issue:

The proposal of the Hawaiian Government to substitute the word "enter" in place of the word "remain" in the Points to be submitted to Arbitration, as well as in the Statement of Facts is not acceptable.

The purpose of the proposed Arbitra-

tion to which both Governments have agreed, is to finally dispose of certain complaints made by Japan against Hawaii. The complaint of the Imperial Government respecting residential rights, is and has been from the first, not that the Hawaiian Government refused to permit Japanese subjects to "enter" Hawaii, but that the Hawaiian Government refused to permit certain Japanese subjects to "remain and reside" in Hawaii. In the present

situation

situation, therefore, the question whether the Hawaiian Government refused to permit Japanese subjects to "enter" Hawaii, is not a matter at issue between the two Governments which calls for an arbitral decision.

Equally unacceptable is the proposal to suppress entirely the word "expel" in its various forms, or to substitute in place thereof either the words "refused landing" or the phrase "refused permission to enter and reside," or variations

of those words and phrases, in both the Points at Issue and the Statement of Facts.

The proposed substituted expressions are open to the same objections as exist respecting the word "enter"; while the total omission of the word "expel" would create an erroneous impression respecting the exact nature of Japan's complaints.

The Hawaiian Government admits that the Japanese subjects who

were

were sent away from Hawaii, were
forcibly detained at the Quarantine
Station on shore in Hawaii by
Hawaiian Authorities. Those subjects,
being still restrained of their liberty,
were taken by Hawaiian Authorities,
from the Quarantine Station and
placed on board ship to be conveyed
away from Hawaii. It will scarcely
be contended by the Government of
Hawaii that the embarkation of
the Japanese subjects in question,
was anything but involuntary so

far as those subjects were concerned.

That transaction, the Imperial Government have, and they think accurately, described as "expulsion."

The Imperial Government are not inflexibly determined to insist upon the use of the word "exped", but it is undeniable that restraint and compulsion were employed in order to place the Japanese subjects in question on board ship for the purpose of being taken away from Hawaii and it is important, it seems

seems to them, that that fact should be made clear.

The Collector General of Customs of Hawaii in his Return to the writ of Habeas Corpus, dated March 15th. 1897, declared that it had been decided by the Hawaiian Customs Authorities that the Petitioners "should be held to await the return "of the Steamer that they might be "deported."

The Hawaiian Minister of Foreign Affairs, in his Note to the

Japanese Minister of March 23d. 1897,
announcing the result of the examina-
tion of the passengers per the S. S.
"Sakura Maru", said, respecting those
who had been rejected, they "will
"be put aboard the "Sakura Maru"
" × × × in order that they may be
"returned to Japan."

Coercion is clearly inferable from
the above excerpts and indeed it is
an essential corollary to a scheme of
exclusion such as was put in
force in Hawaii in March and April
last

last against Japanese subjects.

To omit all reference to the act of expulsion, therefore, would make the arbitration incomplete and justify the erroneous impression that the rejected Japanese subjects had re-embarked and returned to Japan of their own free will and volition.

All that the Imperial Government desire is that the actual facts of the case be fairly stated and the points at issue be fairly presented.

Accordingly if it would be more
agreeable to the Hawaiian Government,
the Imperial Government would be
willing to replace the word "expel"
by the word "deport", but they do
not think that they would be
justified in doing more than that.

The Imperial Government are
unable to discover the reason why
the Hawaiian Government desire
the deletion of the words "detaining
on shore and", appearing in Point 3
of the issues. It is, however,

<u>assumed</u>

assumed that the words "on shore"
are those which are actually objected
to and consequently the Imperial
Government propose to replace them
by the words "at the Quarantine Station".

The Imperial Government
consent to substitute "liberty" for
"liberties" in the 3d. Point. Also,
in the same paragraph, they consent
to replace "those" by "the" and to
suppress the words "that constant
and complete." And instead of
the changes after the word "protection"

in Point 3, suggested by the Hawaiian Government, the Imperial Government propose the following "to "which they were entitled in virtue "of the provisions of the Treaty of 1871, "between Japan and Hawaii."

This proposition of the Imperial Government, it may be observed, would make the clause consistent with Point 4 as amended by the Hawaiian Government.

The Imperial Government consent to the amalgamation of Points 4 and 5 of

of the issues and, subjects to the
following changes, they accept the
amendments proposed by the Government
of Hawaii. Instead of the words
"and employment of Counsel," the
Imperial Government wish to introduce
the words "and the employment of
"lawyers, advocates or agents." They
also desire to omit the word "Treaty"
before the word "provisions" and to
revive the words "of the Treaty of 1871."

II.

As to the Statement of Facts:

Note. The numerals standing at the head of the following paragraphs correspond with the figures at the beginning of the several Sections of the Statement of Facts as originally proposed by the Imperial Government.

1. The Imperial Government can interpose no objection to the substitution of the figures "1175" in place of "1185," if upon examination by Her Imperial Majesty's Representative in Hawaii, it

is

is found that the lesser number is
correct. The observations appearing
in Part I of this Memorandum,
respecting the proposed substitution of
the word "enter" in place of "remain"
and the suppression of the word "expel"
in its various forms or the substitution
in place thereof of the phrase "refused
landing" or the expression, "refused
permission to enter and reside", apply
with equal force to similar amendments
to the Statement of Facts. The
Imperial Government wish to maintain

the clause "and were expelled therefrom
"and placed on board ship to be
"conveyed away from Hawaii", sub-
stituting the word "deported" in
place of "expelled" if the Hawaiian
Government so desire. The Imperial
Government consent to the introduction
of the new clause regarding the notices
to the masters of ships, provided the
words "to Hawaii" are inserted after
"conveyed" and provided the phrase
"refused to enter and reside" is
replaced by either "expelled" or
"deported"

"deported", as the Government of Hawaii
may elect. The Imperial Government
have no objection to the suppression of
the words "movements of the". The
table annexed to the Counter-Proposals
should be so amended as to conform
at all times with the Statement of
Facts. It may be mentioned in
this connection that the S.S. "Belgic"
by which six of the expelled Japanese
subjects returned to Japan, arrived
in Yokohama, June 16th. 1897, and
that the said six Japanese subjects

were detained at the Quarantine Station
for 22 days.

2. The Imperial Government desire
to replace the figures "126" by the figures
"133" if the latter are upon further
examination found to be correct.

3. The Imperial Government
have no means of knowing whether
the objections of the Hawaiian Govern-
ment to this Section rest upon questions
of form or substance or both form
and substance. In any event it
is not imagined that the accuracy

of

of the first part of the recital down
to and including the word "liberties",
will be contested. Consequently
it is assumed that if objection to
that portion of the Section exists, it
must have its origin in the use
therein of the words "on shore in
"Hawaii in quarantine and otherwise".
If this assumption is correct, the
Imperial Government are prepared
to replace those words by the phrase
"at the Quarantine Station". It
may be that the Hawaiian Government

deny the correctness of the Section.
It that event the Imperial Government
must, of course, consent to its suppression, reserving to themselves the
right to endeavor to establish the facts
before the Arbitrator.

4. The Imperial Government do
not object to the insertion of the words
"at the Quarantine Station" in lieu of
the words "on shore".

In view of the proposed use
in this and the preceding Section, of
the words "Quarantine Station" without

any

any description whatever, the Imperial Government desire to introduce a new Section to the following effect: "5. That "the Quarantine Station referred to in "the two last preceding Sections, is "situated on land within the territo- "rial limits and exclusive jurisdiction "and sovereignty of the Republic of "Hawaii."

5. The Imperial Government are unable to admit as facts that the passage money of the 146 contract laborers was prepaid by the Kobe

Immigration Company or that those
laborers arrived in Hawaii entirely
without funds. Consequently,
they cannot agree to the introduction
of the additional clause proposed
by the Hawaiian Government. In
view, however, of amendments to be
suggested to other portions of this
Statement, the Imperial Government
would like to supplement this Section,
by adding after the words, "in Hawaii"
the following sentence: "A copy
"in Japanese original and English
translation

"translation of the formal portions of
"said contracts is annexed to this
"Statement and made a part of it."

6. The Imperial Government consent to the suppression of this Section.

9. For reasons which have already been fully explained, the Imperial Government desire to maintain the concluding words of this Section: "and were expelled therefrom and "placed on board ship to be conveyed "away from Hawaii."

9 bis. The object of the Imperial Government in proposing Section 6 of this Statement was to show that the Kobe Immigration Company, within the meaning of Section I of Act 66 of the Hawaiian Law of 1894, was responsible and qualified to enter into valid labor contracts. That the said Company occupied that status in Hawaii is fully established by the fact that 37 Japanese passengers per S. S. "Shinshiu Maru," having contracts with the Company, identical

with

with the contracts possessed by the
146 expelled laborers, were admitted
to residential rights. The fact,
therefore, which the Imperial Government
wish to recite, is incontestable.
They are willing to modify out the
words, "a corporation organized under
"the laws of Japan and doing business
"in Hawaii and." If this alteration
should prove unacceptable then the
Imperial Government would wish to
introduce a new Section between
Sections 9 and 10, to the following

effect: "That 37 Japanese passengers
"per S. S. "Shinshiu Maru" having
"contracts with the Kobe Immigration
"Company which were identical with
"the contracts of the said 146 laborers,
"but which had been approved by the
"Hawaiian Board of Immigration, were
"permitted by the Hawaiian Government
"to remain and reside in Hawaii."

10. In view of the statements
contained in the two Notes from the
Hawaiian Minister of Foreign Affairs
to the Japanese Minister, dated
respectively

respectively April 2d. and 30th., 1897,
it is not believed that the Hawaiian
Government denies the accuracy of
the recital, and there can be no
doubt it is pertinent to the issues
between the two Governments. To
omit this and the two succeeding
Sections, as has been proposed by
the Hawaiian Government would be
to create, in the recital of facts, an
inexplicable hiatus respecting the
expelled free immigrants. Under
these circumstances and bearing in

mind also that it is the intention
of both Governments to agree upon
as many undisputed, relevant facts
as possible, the Imperial Government
desire to maintain the Section, unless
the Government of Hawaii is able
to advance a good and sufficient
reason for its excision. If the
enumeration of the Hawaiian Govern-
ment is correct, the number of
persons referred to in this Section
should be 1029 and not 1039.

11. Upon a re-examination of

the

the questions in dispute, the Imperial
Government have found that three of the
free immigrants per S. S. "Shinshiu Maru"
who were expelled, did not go to
Hawaii under the auspices of any
immigration Company. They
consequently arrived in Hawaii
without any contracts of any Kind,
but the Hawaiian Government re-
fused to permit them to remain and
reside in Hawaii upon the ground
that they "did not satisfactorily
"explain their possession of the fifty

"dollars ($50.)". In order that the
proposed Statement of Facts may
in all respects consist with the actual,
undisputed facts of the case, and
that objections, — if any exist, —
to the form of the recitals may be
removed, the Imperial Government
propose the following Sections in lieu
of 11 and 12.

"11. That 1026 of the said 1029 expelled
"Japanese subjects, had each, prior to
"departure from Japan, entered into
"a contract with an Immigration Company.

a copy

"A copy in Japanese original and
"English translation of the formal
"portions of said contract is annexed
"to this Statement and made a part
"of it."

"12. That the possession of the contracts
"referred to in the last preceding Section
"of this Statement was assigned by
"the Hawaiian Government as the
"reason for refusing to permit the
"said 1026 expelled Japanese subjects,
"to remain and reside in Hawaii."

"13. That the reason assigned by the

"Hawaiian Government for refusing
"to permit the remaining three of the
"said 1029 expelled Japanese subjects,
"to remain and reside in Hawaii, was
"that they did not satisfactorily ex-
"plain their possession of $50."

13. If the facts recorded in this Section are denied by the Hawaiian Government, the Imperial Government are obliged to consent to their omission from the Statement of Facts, reserving the right to establish them before the Arbitrator. In case the

objection

objection of the Hawaiian Government has reference to the form in which the facts are stated, the Imperial Government are bound to accept any reasonable modifications. But if the facts are not disputed and if the form in which they are recited are not objectionable, then the Hawaiian Government clearly ought to consent to the retention of the Section, since its relevancy is beyond question. These observations apply with equal force to Section 26, 28 and 29.

14. The Imperial Government do not find in either of the Notes addressed by the Hawaiian Minister of Foreign Affairs to the Japanese Minister, on the 23d March, 1897, any assignment whatever of the reasons for refusing to permit any of the expelled Japanese subjects to remain and reside in Hawaii. The Imperial Government must, therefore, ask for the exclusion of the words "March 23d and."

15. The Imperial Government consent to strike out the words "on shore" and

to insert

to insert in place thereof the words,
"at the Quarantine Station". But
they wish to maintain the words "and
"restrained and deprived of their
"liberties as aforesaid," since the
recital coincides with Point 3 of the
issues.

23. The Imperial Government consent
to suppress the words "on shore," but
they desire to retain the words "detention
"of the passengers per his vessel."
These latter words are similar to the
recitals contained in Section 18, 20, 21

and 22. It is true that words similar to those that the Hawaiian Government propose to introduce, appear in Section 22, but it should be pointed out that they were employed to describe the conditions of the bond given by the Masters and Agents of the S. S. "Sakura Maru".

27. The Imperial Government cannot consent to the insertion of the words "or Convention of 1886". The complaints of the Imperial Government are not based upon the provisions of that

Compact

Compact, consequently the proposed reference to it would not be germane to the issues. The other amendments in this Section are acceptable to the Imperial Government.

III.

As to the Arbitrator.

The points at issue between Japan and Hawaii, are, it will be readily admitted, of such high importance as to call for the most exalted decision that can be procured. The desired end, it appears to the Imperial Government,

can more certainly be realized by
invoking the award of the Chief of a
State friendly to both Powers, than
by inviting the decision of an Arbitral
Court constituted as proposed by the
Hawaiian Government. It also seems
to the Imperial Government that
the selection of a single Arbitrator
would tend to simplify the procedure
and thus make for expedition in
the matter of the final adjustment
of the outstanding question.

The Imperial Government, therefore,
venture

venture to hope that the Hawaiian Government will give its unqualified adhesion to their proposal on this subject.

The Gaimusho,

Tokio,

The 8th day of the 12th month

of the 30th year of Meiji.

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No. 9 Ex.

English Translation of the Contract, referred to in Section 11 of the Statement of Facts.

Contract.

Whereas emigrant ..... has applied to Imin-toriatsukai-nin (.....) to make arrangements for his voyage to the Hawaiian Islands for the purpose of obtaining occupation as agricultural laborer.

And whereas the Imin-toriatsukai-nin, being satisfied of the reasonableness

of

of ..... application and fitness of his qualifications, has accepted said application, the following contract is hereby concluded.

1. The Imin-toriktenkai-min is to assist the emigrant in taking all necessary measures for his voyage, such as applying for and obtaining permission for emigration, and to cause — the agent of Imin-toriktenkai-min, residing in the place of destination, to make all endeavors to secure employment for the emigrant.

Provided that the emigrant has to pay all expenses of the passage and will be in possession of sum of money necessary for landing and otherwise.

2. In case the emigrant shall suffer from illness or any other misfortune which compel him to lose the means of living, the said Immigration Bureau will cause the said agent to secure medical attendance and to supply him with food, clothing, and dwelling so as to enable him to subsist and also to secure return passage

passage to Japan when such is absolutely necessary.

3. If the emigrant should receive (monetary) protection or should return to Japan under the (monetary) protection of the representatives of the Imperial Government of Japan, the Imin-torikai-sho will indemnify the Government for the expenses thus incurred by it on behalf of the emigrant.

4. The emigrant shall be responsible for payment to the Imin-torika-

Tsukai-nin of the expenses paid according to the articles 2 and 3, hereof, when such are claimed, and, moreover, for the fulfillment of this obligation he will appoint beforehand two sureties subject to the approval of the Imin-torisatsukai-nin, who will themselves be responsible jointly with the emigrant.

5. The emigrant has to pay to the Imin-torisatsukai-nin 10 Yen each as a fee for his assistance.

6. This agreement is good for 3 years counting from the day of departure

departure of the emigrant.

Provided that at the expiration

of the term, if the emigrant is desirous

from his own will to continue this

contract for a further period suitable,

he has to pay 5 yen as a fee.

7. If the emigrant is about to

remove to another place from the place

of employment or to return to Japan,

he has to inform the agent of reasons

for doing so before his departure.

This agreement is entered into

voluntarily and of the free will of

the contracting parties, and in witness whereof this written agreement is made in two copies and copy being kept by each of the contracting parties, after each has signed and sealed the same.

(Date etc.)

English translation of Contract referred to in section 11 of the Statement of Facts.

END

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D.0.4 C

English translation of the Contract referred to in Section 5 of the Statement of Facts.

Contract.

....., contract labor emigrant, having applied, with two sureties as hereinafter mentioned, to the Imin-Toriatsukai-sha (..... Company) with the object of emigrating to Hawaii in order to obtain lawful work therein, and the said Company, having acceded to the application, have mutually

mutually agreed to the following articles, to wit:

Article I. The Company shall, in conformity with the Imperial Law for the Protection of Emigrants and the articles of contract concluded between the employer in Hawaii and the Company, apply for emigration passports and take all other measures necessary for emigration and cause its Agent, ... , at the place of destination, to render every assistance in obtaining employment as

a contract laborer.

Article II. The term of contract between the emigrant and the employer shall be three years; the days of labor shall be twenty-six per month, and the hours of labor per day shall be, exclusive of mealtime, ten on the plantation and twelve in the manufactory.

Article III. The wages to be paid by the employer to the emigrant shall be as follows:-

For males during the contract-

ten

term, $12. U. S. Gold per month
for the first two years and $13. for the
last year.

In case of females taking
employment, the wages shall be $7.
U. S. Gold per month for every such
female during the first two years
of the contract term and $8. during
the last year.

In the event of the time of
labor exceeding the above stipulated
hours by more than thirty minutes,
wages shall be increased at the rate

of 10 cents per hour for males and 7 cents per hour for females.

Article IV. Male emigrants shall not, with the exception of miscellaneous expenses incidental to the passage, be required to pay the fare, but females shall pay the ordinary fare.

Article V. During the term of the emigrants labor, his employer shall grant him free of charge a house (furniture excepted), fuel for cooking purposes, water and necessary medical

medical aid and also pay the poll-
tax to the Hawaiian Government.

Article VI. The emigrant shall
in accordance with the articles of
contract between the company and the
employer, deposit with the Company
one dollar out of his wages, every
month until the expiration of the
term of contract and the Company
shall deposit the same in a trust-
worthy bank and at the end of every
three months, forward the amount
for that period to the emigrant's home

for the support of such relations or
friends as he may direct.

N. B. If the emigrant has not
such relations or friends at home,
he may receive the money himself.

Article VII. The emigrant, both
male and female, shall pay to the
Company 18 yen each as commission.
Children accompanying the
emigrant shall pay half the above
sum if not more than 15 nor less
than 6 years of age and shall be
free of charge if under six years.

Article VIII

Article VIII. In the event of the emigrant losing his means of livelihood through illness or other misfortune at the place of destination, the Company shall render suitable aid and shall take measures according to circumstance with a view to his return to Japan.

Article IX. In the event of an emigrant under the management of the Company receiving the protection of the Imperial Japanese Authorities and returning to Japan under

their protection, the Company shall refund to those authorities all expenses in respect of such emigrant.

Article X. In the event of the emigrant failing to fulfill the contract with his employer by running away or otherwise acting in violation of the contract during the term thereof or annulling the contract under any circumstances whatever without obtaining the previous consent of the Company, the two sureties shall refund the outward passage

fare of the emigrant.

Article XI. The sureties shall not only guarantee the absence of deceit or falsehood in the emigrant's statements, but shall also be responsible for all matters personally connected with the emigrant, and especially be under joint obligation, under the circumstances mentioned in the aforesaid Articles VIII and IX, to refund the money (therein referred to) at any moment.

Article XII. The present

契約書

移民 何某 ハ布哇國ニ於テ何 業ニ就クノ目的ヲ以テ移民取扱人森岡眞ェ渡航ノ周旋ヲ申込ミ森岡眞ハ何某ノ目的及ヒ資格ノ適當ナルヲ認メ其取扱ヲ爲スニ當リ互ニ左ノ條件ヲ契約ス

第一條　取扱人ハ移民ノ渡航許可出願及ヒ渡航ニ必要ナル諸般ノ手續ヲ補佐シ且ツ移住地ニ在ル森岡眞ノ代理人 何某 ヲシテ移民ガ業務ニ就クコトヲ懇篤ニ周旋セシムベシ

但シ移民ハ渡航費用一切ヲ自辨シ且ツ上陸其他必要ノ準備金ハ之ヲ携帯スルコト

第二條　移民渡航地ニ於テ疾病其他困難ニ陷リ生活ノ途ヲ失スルニ至リタル場合ニ於テ取扱人ハ前記代理人ヲシテ移民ノ疾病手當ヲナシ生活ヲ凌クニ足ル迄衣食住ノ救助ヲ加ヘシメ又歸國セサルベカラザル事情ニ際シテハ之ヲ取計ハシムベシ

第三條　移民ガ在外帝國官廳ノ保護ヲ受ケ又ハ其保護ニ依リ歸國シタルトキハ取扱人ハ當該官廳ニ對シ移民ニ代リ其費用ヲ辨納スベシ

第四條　移民ハ取扱人ガ第二條若クハ第三條ニ於ケル支出又ハ辨納シタル金員ヲ取扱人ヨリ請求スルトキハ之ヲ償還スルノ義務ヲ負擔シ殊ニ其義務履行ニ就テハ豫メ取扱人ガ信認スル貳名ノ保證人ヲ定メ置キ連帶シテ義務ノ履行ヲナスベシ

第五條　移民ハ取扱人ヘ對シ渡航周旋料トシテ壹人ニ付金拾圓ヲ仕拂フベシ

第六條　本契約ハ移民ガ出帆ノ日ヨリ起算シ滿參年間有效ノモノトス

但シ契約滿期ト雖モ移民ノ意思ニ依リ更ニ相當ノ期限ヲ約シ本契約ヲ繼續スルニ就テハ更ニ周旋料壹人ニ付金五圓ヲ仕拂フヘシ

第七條　移民ハ勞働地ヨリ他ノ地方ヘ移住セントスルトキ又ハ歸朝セントスルトキハ出發前其事由ヲ前記代理人ヘ告知スルコト

右條件ハ双方合意ヲ以テ契約ス仍テ爲後日此證書二通ヲ作リ各自記名調印ノ上互ニ一通ヲ保存スルモノ也

明治三十年一月一日

縣　郡　村　番屋敷

移民　何某 印

東京市京橋區銀座三丁目廿一番地

移民取扱人　森岡 眞 印

印紙

番号 第　　号

被告　林　　在

原告　[illegible]

東京市京橋區銀座三丁目廿一番地

被告及被控人　森岡

準　備　書　面

明治三十年一月一日

一、原告ノ主張ニ對シ被告ハ左ノ通リ辯明スルヲ要ス

一、被告ハ原告ノ主張スル如キ事實ハ全ク之ヲ否認

証券印紙ヲ貼用ス

契約書

契約出稼移民

左記貳名ヲ保証人ニ立テ移民取扱人神戸渡航合資會社ニ要約シ仝會社ハ之レニ諾約シタルヲ以テ相互ニ左之條項ヲ契約ス

第壹條　會社ハ帝國移民保護法及布哇雇主ト會社トノ間ニ締結セシ契約條項ニ則リ移民旅券下附ノ出願其他渡航ニ必要ナル諸般手續ヲ爲ス可シ尚該移民地ニアル神戸渡航合資會社代理人清水文之輔ヲシテ懇切ニ契約勞働ニ就ク周旋ヲ爲サシム可シ

第貳條　移民ト雇主ノ間ニ於テ契約年限ハ滿參ケ年トシテ就業日數ハ壹ケ月廿六日トシ一日就業時間ハ耕作場ニ於テ拾時間製造場ニ於テ拾貳時間トス食事時間ハ含マサルモノトス

第參條　雇主ヨリ移民ニ支拂フ賃金ハ在ノ如シ

一男子壹名ニ付契約年限中ハ初メ貳ケ年間ハ壹ケ月米金貨拾貳弗最後壹ケ年ハ拾參弗トス

一女子若シ就業スルトキハ壹名ニ付契約年限中初メ貳ケ年間ハ壹ケ月米金貨七弗最後壹ケ年間ハ壹ケ月八弗トス

一若シ前條定時外勞働時間參拾分ヲ超過スルトキハ一時間ニ付キ男子ハ拾仙女子ハ七仙ノ割合ヲ以テ增給ス

第四條　移民ハ乘船前後ノ諸雜費ヲ除キ男子ニ限リ船運賃ヲ支拂フヲ要セス女子ハ普通ノ船運賃ヲ自辨スルモノトス

第五條　移民ノ就業中ハ雇主ヨリ移民ノ爲メ無償ニテ家屋(家具ヲ除ク)料理用薪炭水及必要ナル醫藥ヲ給與シ併セテ布哇政府ニ對シ人頭稅ヲ支拂フベシ

第六條　移民ハ會社雇主トノ契約條項ニ從ヒ契約期間ノ滿了スル迄毎月ノ賃金中ヨリ其壹弗ヲ會社ニ預ク可シ會社ハ之レヲ確實ナル銀行ニ預ケ置キ參ケ月毎ニ該金額ヲ取纏メ移民ノ指定セル國元ノ親族故舊ヘ養料トシテ仕送クルモノトス

但シ移民ニシテ國元ニ親族故舊ヲ有セザルモノハ自ラ該金額ヲ受取リ得ルモノトス

第七條　移民ハ男女共各壹名ニ付キ渡航周旋料トシテ金[illegible]ヲ會社ニ支拂フ可シ

但シ携帶ノ小兒ニシテ十五年以下六年以上ハ半額五年以下ハ無賃トス

第八條　移民渡航地ニ於テ疾病其他困難ニ陷リ生活ノ途ヲ失スルニ至リタルトキハ會社ハ相當ノ救助ヲ與ヘ又狀況ニ依リ歸國ノ取計ヲ爲ス可シ

第九條　會社ノ取扱ヒタル移民ニシテ帝國官廳ノ保護ヲ受ケ又ハ保護ニ依リ歸國シタルトキハ當該官廳ニ對シ會社ハ移民ニ代リ其一切ノ費用ヲ辨償ズ可シ

第拾條　移民若シ契約期間中ニ逃亡若クハ其他違約ノ行爲ヲナシテ雇主ノ契約ヲ履行セズ又ハ如何ナル事情アルニ拘ハラズ會社ノ承諾ヲ經スシテ契約ノ解除ヲ爲シタルトキハ保証人貳名ハ移民往航費ヲ辨償ス可シ

第拾壹條　保證人等ハ本人ノ陳述ニ詐僞若クバ虛陳ナキコトヲ保證スルハ勿論凡ヘテ本人一身上ノ出來事ニ就テ其責ニ任ジ特ニ前記第八條第九條ノ両條ノ場合ニ於テハ何時ニテモ之レガ辨償ヲ爲ス可キノ連滯責任ヲ有スルモノトス

第拾貳條　本案契約ハ結約ノ日ヨリ効力ヲ有シ其期限ハ雇主ト移民トノ契約ノ日ヨリ起算シ滿參ケ年ヲ以テ滿了スルモノトス

以上ノ條項ハ相互ニ確守スルノ證トシテ茲ニ契約書貳通ヲ製シ各自壹通ヲ所持スルモノトス

明治廿九年　月　日

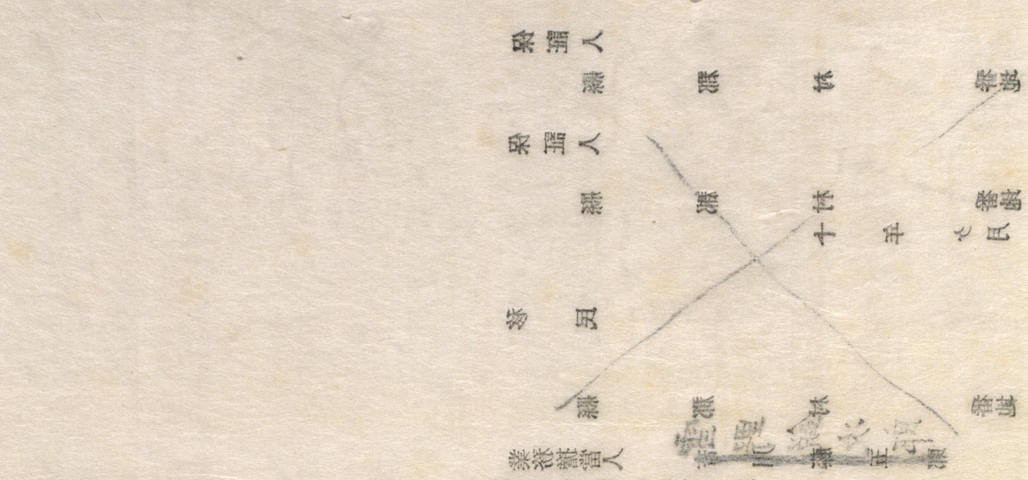
移民取扱人
神戸渡航合資會社
業務擔當人　吉川藤五郎
縣　郡　村　番地

雲野鋭次郎

移民　縣　郡　村　番地　十年ケ月

保証人　縣　郡　村　番地

保証人　縣　郡　村　番地



明治廿七年　月　日　印刷
明治廿七年　月　日　発行
非売品

議決書

議決書人　議決書人　議決書人
議決書人　議決書人　議決書人
議決書人　議決書人　議決書人

contract shall be valid from the day on which it is entered into and the term thereof shall expire after the lapse of three years from the day of contract between the employer and the emigrant.

In witness whereof, the contract is made in duplicate, a copy being kept by each party.

(Date etc.)

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Date ?

10

Memorandum
of
Japanese Govt
in re
Counter Proposals
of
Hawaiian Govt.

#18

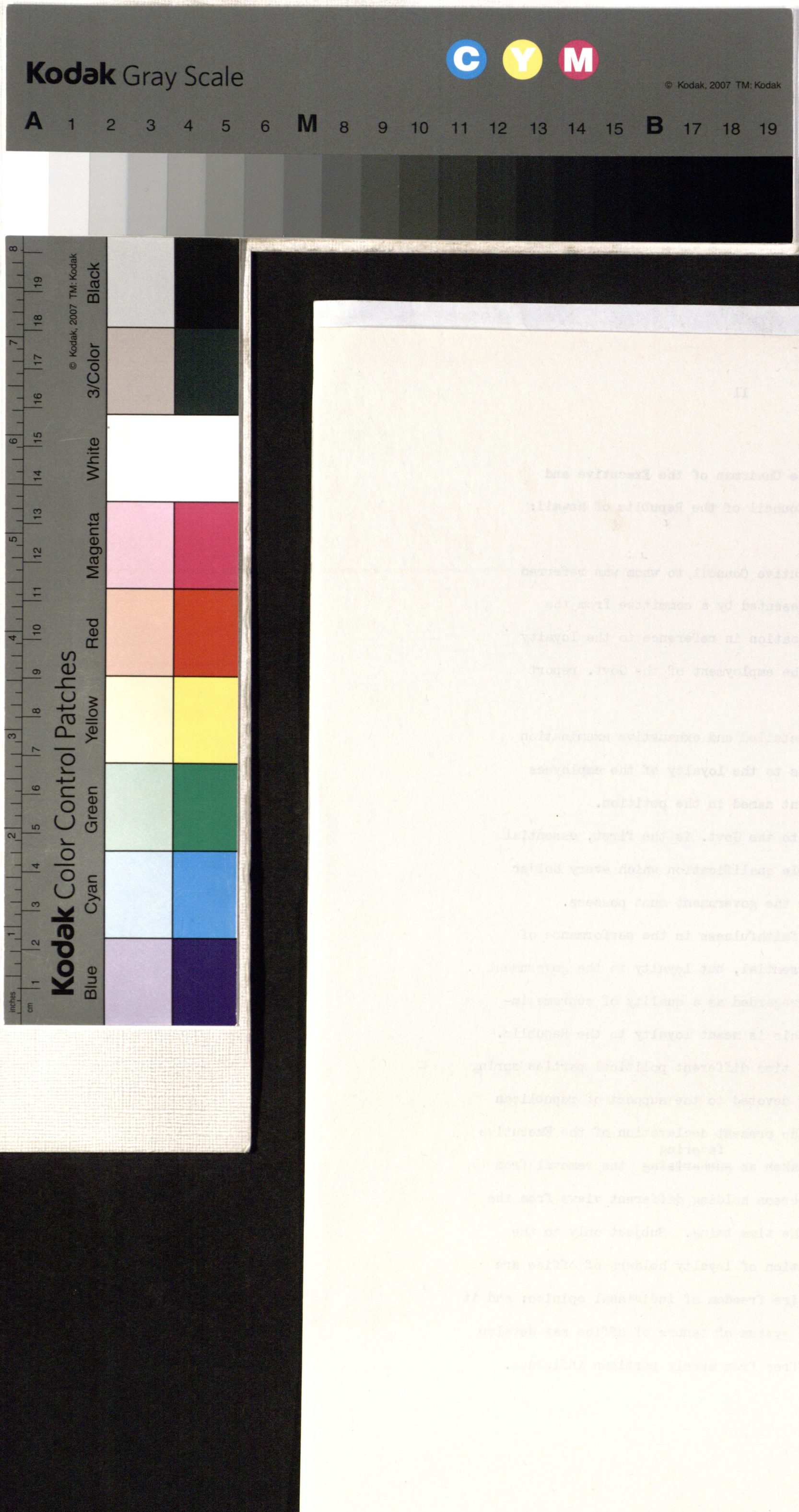
To the Chairman of the Executive and
Advisory Council of the Republic of Hawaii:

Sir:

The Executive Council to whom was referred the petition presented by a committee from the military organization in reference to the loyalty of persons in the employment of the Govt. report as follows:

That a detailed and exhaustive examination has been made as to the loyalty of the employees of the government named in the petition.

Loyalty to the Govt. is the first, essential and indispensable qualification which every holder of office under the government must possess. Efficiency and faithfulness in the performance of the duty are essential, but loyalty to the government must always be regarded as a quality of supreme importance. By this is meant loyalty to the Republic. If in course of time different political parties spring up, all equally devoted to the support of republican institutions, the present declaration of the Executive should not be taken as ~~authorizing~~ favoring the removal from office of any person holding different views from the Executive for the time being. Subject only to the vital qualification of loyalty holders of office are entitled to entire freedom of individual opinion; and it is hoped that a system of tenure of office may develop which shall be free from merely partisan influence.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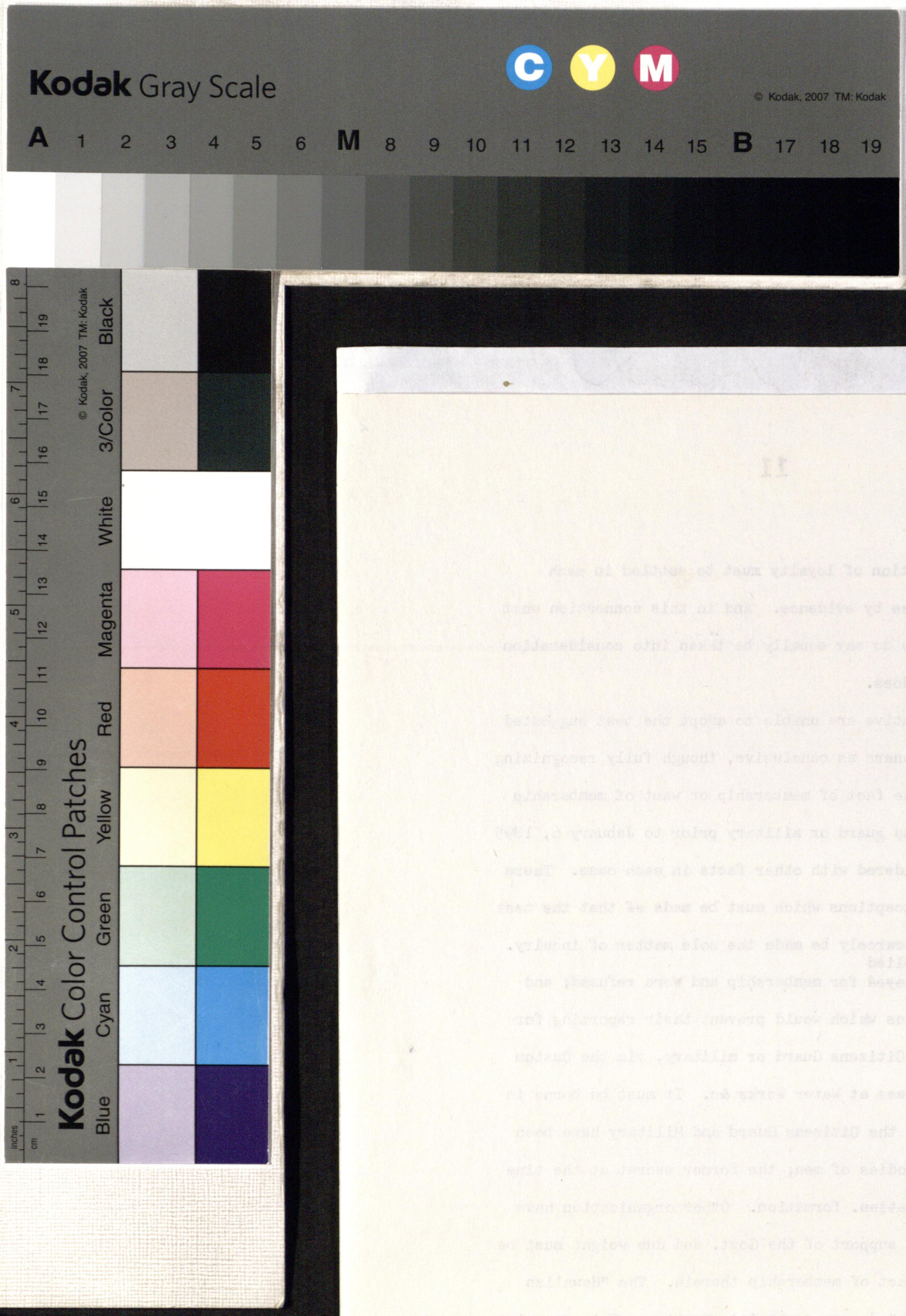
The question of loyalty must be settled in each individual case by evidence. And in this connection what a man fails to do may equally be taken into consideration with what he does.

The Executive are unable to adopt the test suggested by the petitioners as conclusive, though fully recognizing its value. The fact of membership or want of membership in the Citizens guard or military prior to January 6, 1895 is to be considered with other facts in each case. There are so many exceptions which must be made ~~of~~ that the test proposed can scarcely be made the sole matter of inquiry. Some have ~~employed~~ applied for membership and were refused; and some have duties which would prevent their reporting for duty with the Citizens Guard or military, viz the Custom Guards, employees at Water Works &c. It must be borne in mind that both the Citizens Guard and Military have been picked ~~corps~~ bodies of men; the former secret at the time of its ~~organization~~. formation. Other organization have been formed in support of the Govt. and due weight must be given to the fact of membership therein. The "Hawaiian Republican Club" deserves special mention. This organization was formed after the establishment of the Republic, by Hawaiians who were loyal to the new government and who desired to show their loyalty and to cooperate together in its support. On October 23, 1894 the Club adopted the following Resolution: "Resolved, that the members of the Hawaiian Republican Club hereby bind themselves to carry out the oath they have taken to support the Government, and to do all in their power to prevent the return of Mrs. Dominis to the throne, or her niece Kaiulani from becoming Queen, or the restoration of the monarchical form of Government in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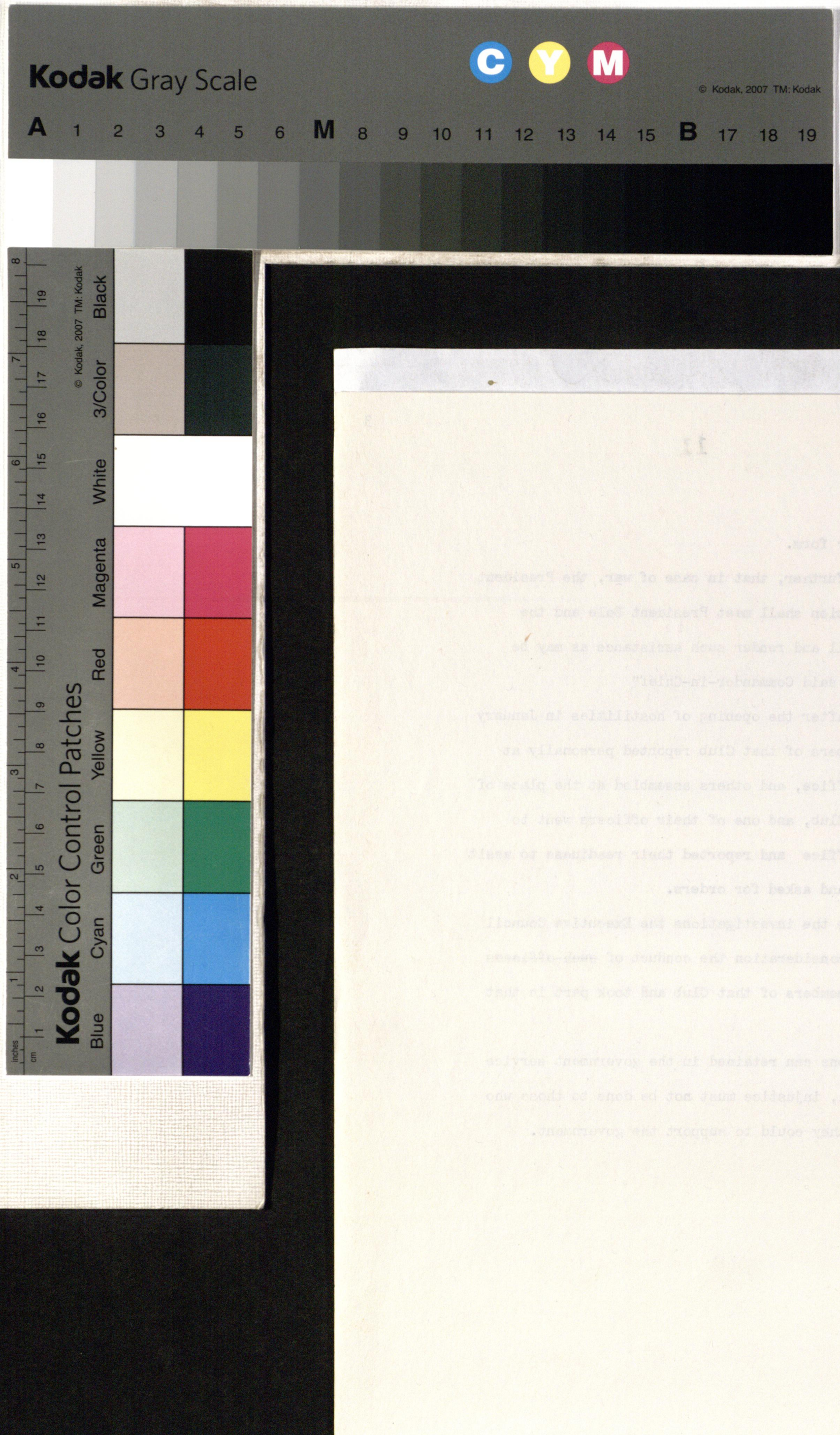
any way shape or form.

"Resolved further, that in case of war, the President of the organization shall meet President Dole and the Executive Council and render such assistance as may be required by the said Commander-in-Chief"

Immediately after the opening of hostilities in January many of the members of that Club reported personally at the Marshal's office, and others assembled at the place of meeting of the Club, and one of their officers went to the Marshal's Office and reported their readiness to assit the government and asked for orders.

In pursuing the investigations the Executive Council has taken into consideration the conduct of ~~such officers~~ those who were members of that Club and took part in that action.

While no one can retained in the government service who is not loyal, injustice must not be done to those who have done what they could to support the government.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To the Chairman of the Executive and Advisory Council of the Republic of Hawaii:

Sir.

The Executive Council to whom was referred the petition presented by a committee from the military organizations in reference to the loyalty of persons in the employment of the Govt. report as follows:

That a detailed and exhaustive examination has been made as to the loyalty of all of the employees of the government named in the petition.

Loyalty to the Govt. is the first, essential and indispensable qualification which every holder of office under the government must possess. Efficiency and faithfulness in the performance of duty are essential, but loyalty to the government must always be regarded as a quality of supreme importance. By this is meant loyalty to the Republic. If in course of time

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			3/Color
			Black

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different political parties
spring up, all equally
devoted to the support of
republican institutions, the
present declaration of the
Executive should not be taken
as ~~authorizing~~ favoring the removal from
office of any person holding
different views from the
Executive for the time being.
Subject only to the vital qualification
of loyalty holders of office
are entitled to entire freedom
of individual opinion; and
it is hoped that a system
of tenure of office may develop
which shall be free from
merely partisan influence.

The question of loyalty
must be settled in each
individual case by evidence.
And in this connection what
a man fails to do may
equally be taken into consider-
ation with what he does.

The Executive are unable
to adopt the test suggested
by the petitioners as conclusive,
though fully recognizing its

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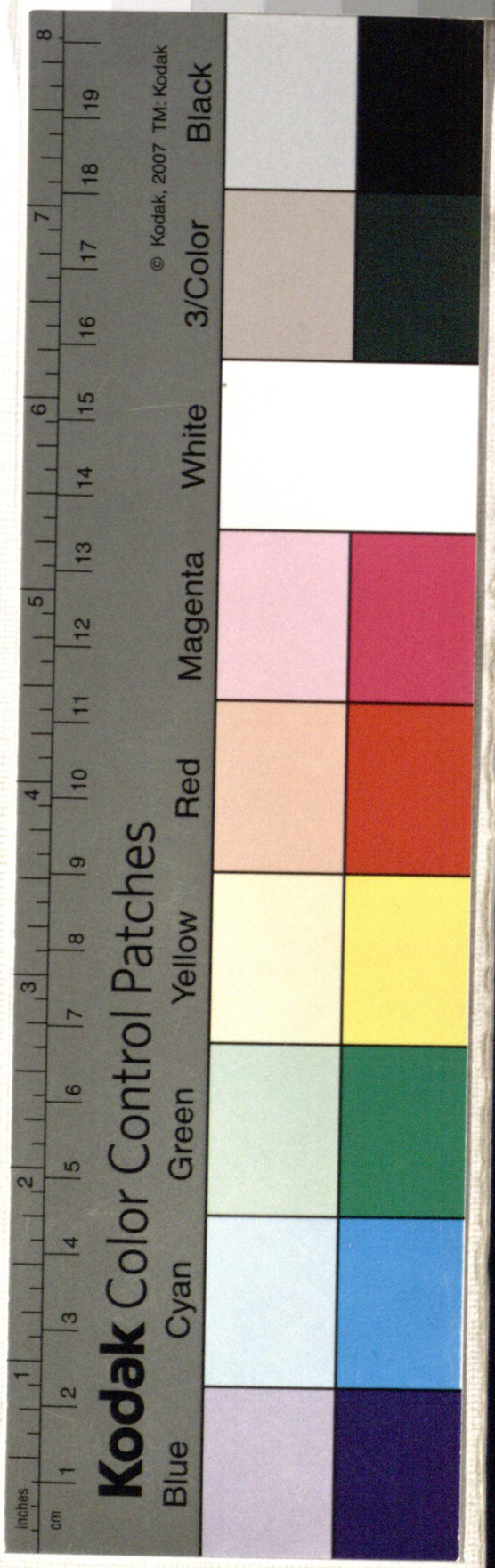
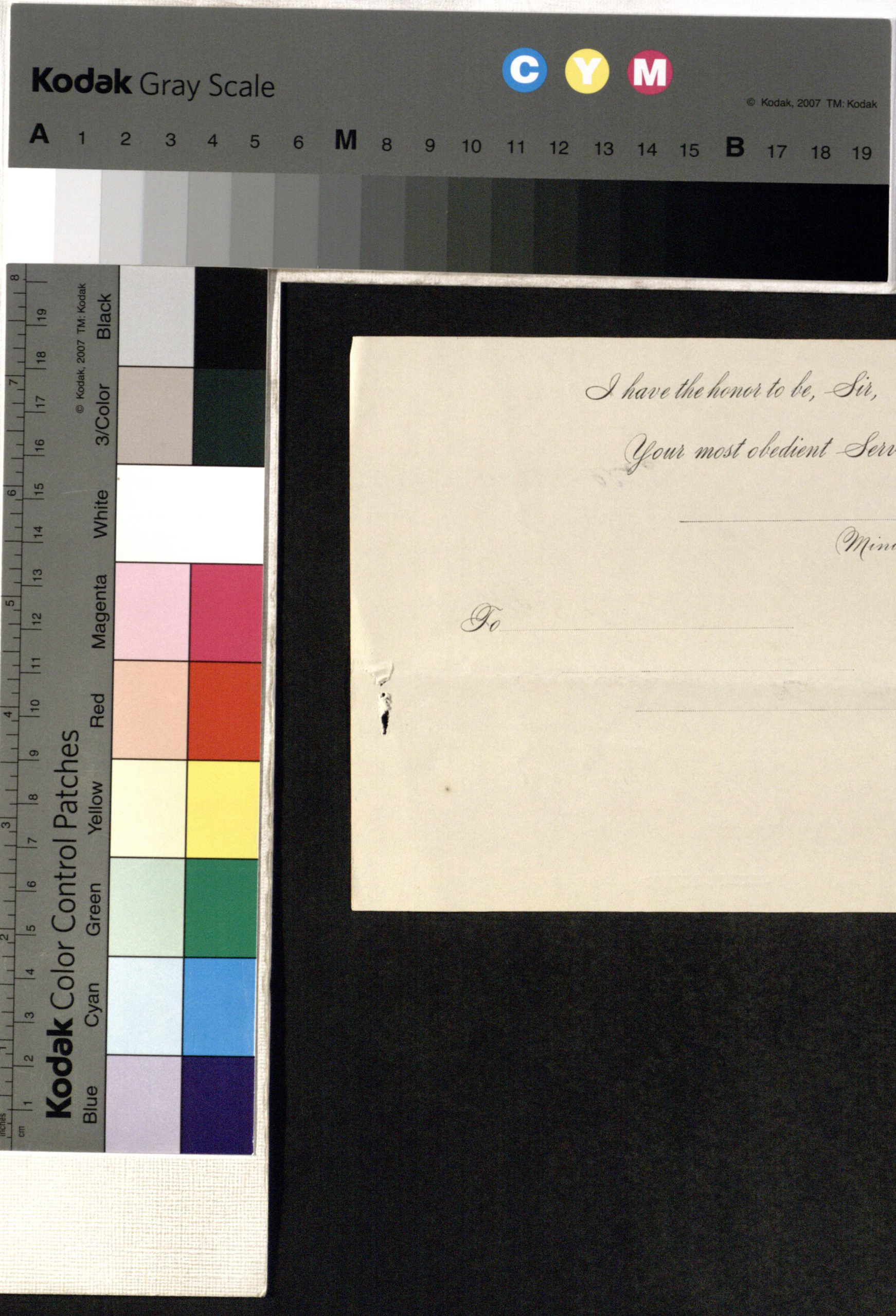


① Some have ~~employed~~ applied for membership and were refused; and some have duties which would prevent their reporting for duty with the Citizens Guard or military. viz the Customs Guards, employees at Wales works &c.



I have the honor to be, Sir,

Your most obedient Servant,

_____

Minister of Foreign Affairs.

To _____

_____

_____

or want of membership

value. The fact of membership
in the citizens guard or
military prior to January 6.
1895 is to be considered
with other facts in each case.
There are so many exceptions
which must be made ~~if~~ that
the test proposed can scarcely
be made the sole matter of
inquiry. OK It must be borne
in mind that both the
citizens guard and military
have been picked ~~out~~ bodies
of men, the former secret
at the time of its ~~organization~~
formation. Other organizations
have been formed in support
of the Govt. and due weight
must be given to the fact of
membership therein. The "Hawaiian
Patriotic League" deserves special
mention. This organization was
formed after the establishment of
the Republic, by Hawaiians who
were loyal to the new government
and who desired to show their
loyalty and to cooperate together
in its support. On October 23.
1894 the club adopted the following

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Resolution: "Resolved, that the members of the Hawaiian Republican Club hereby bind themselves to carry out the oath they have taken to support the Government, and to do all in their power to prevent the return of Mrs. Dominis to the throne, or her niece Kaiulani from becoming Queen, or the restoration of the monarchical form of Government in any way shape or form!

"Resolved further, that in case of war, the President of the organization shall not President Dole and the Executive Council and render such assistance as may be required by the said Commander-in-Chief"

Immediately after the opening of hostilities in January many of the members of said Club reported personally at the Marshal's office, and others assembled at the place of meeting of the Club, and one of their officers went to the Marshal's office and reported their readiness to assist the government and asked for orders-

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In pursuing the investigations the Executive Council has taken into consideration the conduct of ~~such officers~~ those who were members of that Clan and took part in that action.

While no one can retained in the government service who is not loyal, injustice must not be done to those who have done what they could to support the goverment.

Report

11

To Ex + Adv. Council
on Loyalty of
Govt Employees