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402-9-229 CHRONOLOGICAL FILE,1790-1849
1843: Nov 16,23,25,28

Fox 9

F.O. & Ex.

City of New York USA
Nov. 25. 1843.

To His Hawaiin Majesty.
Kamehameha 3d

Sire.

I rejoice to know that thire is a high probability of the Independence of your Kingdom being acknowledged by the United States, Great Britain, & France. The information which has from time to time come to us from Europe since the arrival of your Commissioners thire, together with the restoration of your Majesty to the rights of your Fathers by the British Government lead all your friends in the States to believe that the Hawaiin Kingdom will soon be recognised by solemn treaty stipulations as a member of the Great Family of Christian Nations. God grant it may be so.

I was unable to go to Europe & to the Government of these States & form treaties for your Majesty because the money to bear my expenses could not be raised on Bills drawn on Your Government. I sent many dispatches to your Majesty explaining this difficulty; but Mr Richards informs me that they never came to hand.

Consequently the commissions to France, England & the U S A with which your Majesty & the Queen Mother were pleased to honour me, have been of no avail to Your Majesty or your people or to me.

I determined to make every sacrifice in my power to accomplish the business entrusted to me. Therefore waited two years & an half for answers to my dispatches, & for money to be sent from the Islands as desired in my dispatches, wherewith I might be able to visit the several Courts to which I was commissioned & do the service which was assigned me.

This devotion to your Majesty's interests has been a great source of distress to me & my family. It has reduced me to poverty — destroyed two & half years of the most valuable part of my life — & in other ways done me injury which it will be impossible for me ever to repair.

The law of Nations would give me the right, & the Government of my own country would sustain me in enforcing the right to my salary for two & an half years, at $6,400 per year, amounting to $16,000. But I neither purpose to follow the French & English method of settling my debts nor show any disposition to act in any other way than as a sincere friend to Your Majesty & your people. But Your Majesty will see the

justice & prosperity & rewarding my fidelity, & compensating me for the great loss of time & property which I have sustained, rather than forsake your service when difficulties thickened & misfortunes crowded about your kingdom. I believe the good King of the Hawaiian Islands will never see his friends suffer; or allow them to think that he is capable of wishing them to sacrifice their time property & happiness without a proper reward. Sir Richard has promised to enter into some arrangement with me in regard to this matter when he returns from Europe. I trust we shall be able to agree on the amount of compensation &c. I am sure Your Majesty will be well pleased with any act of Kalikis & Sir R which shall have for its end the doing justice to me.

But I had rather speak to your Majesty & the Queen Mother & your Chiefs, of the friendship which I feel for you, & which I shall always entertain. I am unable to write out the joy it would give me to see you & press to you my Aloha for Kamehameha & the Queen Mother & Princess young & the others my friends. If your Majesty desires a friend to serve you in this part of the world be sure that I shall ever be glad to do so. Farewell, The Christians God save the King of the Hawaiian Islands.

When Your Majesty, & Chiefs are gathered in Council or mine those please remember him who took pleasure in teaching You the way of sending Ministers to Other Governments, & who has suffered so much for You, & who loves you so sincerely as does your

Sincere friend
Thomas J. Farnham.

To His Majesty —
Kamehameha III
King of the
Hawaiian Islands
Pacific Ocean.

Mr. T. J. Farnham
5—
Kamehameha III

U. S. Consulate
S. Islands
Nov. 23. 1873

Sir.

The undersigned has to acknowledge the receipt of a letter, addressed to him by "Ka Lunakanawai" of this day's date, in which he is requested to appear at the Fort to attend to an accusation made against the Judges by Hoolilimamo, relative to the hiring of a horse by a man attached to a vessel of war — As the undersigned is not in any way responsible for debts contracted by citizens of the U. States, at these Islands, nor for any violation of the laws on their part, he does not feel called upon to attend to the summons above referred to.

I have the honor
to be Sir
Your Ob't Sv't
Wm Harper
Acty U.S. Consul

W. H. L.
H. Kekauonohi
Oahu

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Wm Hoapili Esqr on
complaint of
Na Lunakanawai
Lunaaukau lio

1843

Nov 23

Te Law Governor

Declining to attend
in Court, about
the hiring of a
House of a man
attached to a
man of war,
upon the ground
that he (Hoapili)
is not responsible
for such debts

Hotel Meurice Paris
November 16th 1843

My dear Judd,

I wrote to Mrs. Richards on the 28th Ult. by the Vera Cruz Steamer, and wrote to no other person by that opportunity. I now write only to you, and send via U.S.A. but to be forwarded from thence via Maratlan. —— Since I last wrote I have received yours up to August 7th announcing the glorious intelligence that Admiral Thomas had restored the Sovereignty of the Islands under the most interesting circumstances. As I had come on to Paris alone, Mr. Brinsmade & Haalilio had received the communications there, and at once forwarded to Lord Aberdeen the king's letter to Victoria and the accompanying printed Documents. This must have taken his Lordship by surprise, but must have been exceedingly gratifying, as his own official dispatches have not arrived, though they are now daily expected.

The communication has been unusually quick, we having received in Paris answers to ours of April 27th in just 6 Months and 13 days. The news of the seizure of the Islands reached us in 21 days, through the U.S.A. and England. —— I think however there is one packet of letters missing. There seems to be an unnatural break in your communications, — one paper definitely referred to is not received — no private letters not even from Mrs. R. I therefore conclude there are more somewhere on the way. My last date from her is March 5th —— The missing Paper is your memorandum of losses and expenditures incurred

skip

SYNOPSIS

OF RIGHTS INHERENT IN THE HAWAIIAN KINGDOM, AS A SOVEREIGN AND INDEPENDENT STATE.

1. The right of the Sovereign to govern His Kingdom, independent of all Foreign influence or control whatever.

2. The right of exclusive jurisdiction within the whole extent of His domain, territorial and maritime.

3. The right to enforce respect and obedience to His Constitution and laws, upon all who reside within His jurisdiction; to amend His Constitution as provided for in the instrument itself, and to amend, alter, or abrogate His laws according to the Constitution, as He may think necessary for the good of His people.

4. The right to preserve the perfectly free, uncontrolled and independent exercise of the Powers of the State, namely, the Executive, Legislative and Judicial.

5. The right to appoint and dismiss His own Ministers and other officers, agreeably to His Constitution and laws.

6 The rights of Peace, War and Neutrality, to the same extent as exercised by the Sovereign of any other independent State, and to exercise all the powers conferred upon Him by His Constitution and laws.

7. The right to form Treaties, Alliances and Conventions with foreign States, to Diplomatic Representation at foreign Courts, and to form and direct His own foreign policy towards all foreign nations, for the peace, safety and best interests of His Kingdom, as freely as any other Sovereign can exercise that right.

8. The right to form and regulate the internal policy of His Kingdom, in every thing relating to the education, religion, morality, industry and commerce of His people; to taxation, assessment, duties on imports and exports for the support of His Government, of national colleges and schools, hospitals, and other charitable institutions; to establish municipalities and corporations, organize and regulate the Police, grant patents and exclusive privileges, and to do all other things for the good of the State and the perfection of His people, according to his own understanding of their interests, without any other *let* or *hindrance* than His own Constitution and Laws, and the provisions of His Treaties with foreign nations, *liberally* construed.

9th. The right of reference to a friendly Sovereign, as arbitrator, of all international questions, before foreign nations resort to *Reprisals* or war, secured by the Protocols of Paris, to all nations, adopting the principles agreed upon by the Representatives of the great Powers in Protocol No. 23, of 16th April, 1856.

10. The right to regulate the etiquette and ceremonial of His own Court, and to be addressed by foreign Agents with the same courtesy and respect with which they would address their own sovereigns.

11. The right to dismiss, or otherwise punish foreign Agents who forfeit their inviolability by abusing their privileges, to the injury of individuals entitled to His Majesty's protection, to the injury of the King and His Government, and the endangerment of the peace and safety of the State, as freely as other Sovereigns would exercise that power, under like circumstances.

12. Finally, all the rights, powers, privileges, immunities, respects and considerations, in all things whatsoever allowed by the Law of Nations and by the usage of Courts, to other independent Sovereigns and claimed and exercised by them.

R. C. WYLLIE.

Department of Foreign Affairs, Honolulu, 31st October, 1861.

No 3

Circular of Dept
Aden 1861

Appointment to Office
in Foreign Offices
for 1862

No. 3

CIRCULAR.

Department of Foreign Affairs,
City of Honolulu, 31st October, 1861.

Sir :—Referring you to my circular of the 3d August last, I have the honor to annex certain Rules to regulate the official intercourse between the King's Government and the Agents of foreign nations, and a Synopsis of the Rights of His Kingdom, as an independent and sovereign State, which His Majesty's Government expect all foreign Governments, and their Agents and Officers, on all occasions, to respect.

I pray you to forward, by the earliest conveyance, a copy to Your Government, and that you will make known to me, for submission to my Sovereign, what views your Government may express to you upon the subject.

I have the honor to be, Sir,

Your most obedient, humble servant,

R. C. WYLLIE.

To the Diplomatic and Consular Agents of all Foreign Nations residing in the Hawaiian Islands

RULES

TO REGULATE OFFICIAL INTERCOURSE BETWEEN THE AGENTS OF FOREIGN NATIONS AND THE MINISTER OF FOREIGN AFFAIRS, RESPECTFULLY SUBMITTED BY THE UNDERSIGNED.

1st. All questions of international importance, in the first instance, shall be discussed verbally, adjourning the Conferences, from day to day, until they can be satisfactorily settled, on the accomplishment of which, official notes, previously mutually agreed upon, shall be exchanged, for the purpose of record.

2nd. In all cases, where, after such amicable conferences, such questions cannot be adjusted to mutual satisfaction, the precise points, whereon a common accord may be found to be impracticable, shall be clearly stated, in writing, and signed by both parties, after which, official notes embodying such points of difference shall be mutually exchanged, but without any imputations of bad faith, motives, or intentions, on either side : and if foreign Agents desire to refer these points to their respective Governments, they shall so state in writing to the Minister of Foreign Affairs, mentioning the time when their complaints will be forwarded, that he may simultaneously send to such Governments such explanations, or counter complaints, as it may please his own Sovereign to direct. After that, all discussion upon the question embraced in such points of difference shall provisionally cease ; but, in all other matters, the same system shall be pursued as suggested in Article 1st, just as amicably as if no difference of opinion had ever occurred.

3d. No case requiring legal redress before the Tribunals of the country shall be made the subject of diplomatic discussion, until after regular trial before such Tribunals, and after a final decision by the Court of last appeal ; nor shall such final Decision ever be questioned by any foreign Agent, except such Decision shall have been, palpably, so partial, irregular, unfair and unjust, as to amount to a denial of justice, in the sense of what international law defines a denial of justice to be, and what civilized nations admit it to be, in their own Courts.

4th. No foreign Agent shall contest the obligatory force of any existing Hawaiian Law or Article of the Constitution, or the interpretation rendered by the King's Judges of the true meaning and intent of any Law or any Article of the Constitution of this Kingdom, or of any Article of any Convention or Treaty between this Kingdom and any foreign State.

5th. No foreign Agent shall attack or contest the liberty of the Press, of Parliamentary discussion or of conscience, as established by the Constitution and Laws of this Kingdom.

6th. In all discussions, whether by way of verbal conference or in writing, the principles of International Law, the stipulations of the King's Treaties, and the rules of good breeding, shall be strictly respected on both sides.

7th. No foreign Agent shall demand of the King's Government anything contrary to the inherent rights of the Hawaiian Kingdom as an Independent State, which rights are enumerated in a Synopsis hereto annexed.

8th. It being contrary to the honor and dignity of great civilized and Christian Governments ever to extort, by force, of the Hawaiian Government what they cannot demand by right, and it being equally contrary to the honor and dignity of the Hawaiian Government to yield to force what they cannot concede to right, no threats of coercion by vessels of war, nor hostile demonstrations by them, shall ever be made, during pending discussions ; and if made, all such discussions shall cease *ipso facto*.

9th. No foreign Agent shall controvert or trespass, in any case of controversy, upon any of the rights of the Hawaiian Nation, as a State, which has adopted the principles of maritime law agreed to by the Plenipotentiaries of the Great Powers in the 23d Protocol of 16th April, 1850, in Paris.

10th. No foreign Agent shall return to the Minister of Foreign Affairs any of his Despatches, without his consent first had and obtained ; nor shall he return to any foreign Agent any of the Despatches of such Agent, without the same previous formality.

11th. Any foreign Agent who shall corrupt or tamper with the fidelity of the subordinate of any Department of the King's Government to obtain information, in an improper manner, shall forfeit his privileges, be considered a spy, and dealt with as such, by the Hawaiian Government.

12th. All foreign Agents desirous of having a Conference with the Minister of Foreign Affairs, as provided for in Article 1st, shall notify him of such desire in writing, expressing the subject to be discussed, that he may take the orders of his Sovereign thereon, and appoint a time for the interview, compatible with his other duties.

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R. C. WYLLIE.

Department of Foreign Affairs, Honolulu, 31st October, 1861.

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1861

Circulars to Foreign Repts.

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RULES

telegrams

CIRCULAR.

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R. C. WYLLIE,

Department of Foreign Affairs, Honolulu, 31st October, 1861.

Official

Copy

Declaration

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 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 Britanic Majesty's Principal Secretary of State for 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 seals of their arms.

Done, in duplicate, at London, the twentyeighth day of November, in the year of Our Lord, One thousand Eight Hundred and forty three.

Signed Aberdeen

(L. S.)

Sandwich Islands

Copie

Déclaration

Sa Majesté, la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi des Français, prenant en consideration l'existence dans les Iles Sandwich d'un Gouvernment capable de pourvoir à la régularité de leurs rapports avec les Nations Etrangères, ont crû devoir s'engager réciproquement a considérer les Iles Sandwich comme un Etat Indépendant, et à ne jamais prendre possession ni directement, ni à titre de Protectoral, ni sous aucune autre forme, d'aucune partie des Territoires dont il se compose.

Les Soupignés, Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique, et Ambassadeur Extraordinaire de Sa Majesté le Roi des Français, près la cour de Londres, munis des pouvoirs necessaires, declarent, en conséquence, par les présentes, que leurs dites Majestés prenant réciproquement cet engagement.

En foi de quoi, les Soupignés, ont signé la présente Declaration, et y fait apposer le seau de leurs armes.

Fait double à Londres, le vingt huit Novembre l'an de Grace Mil huit cent quarente trois

(Signed) St. Aulaire

(L. S.)

Copies of Guarantee of Independence Jointly by Britain & Prussia.
28 Nov 1843.

WJ GP
J.R.

Copy.

Nov 28/43

Déclaration.

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=ment.

In witness whereof, the undersigned have signed the

directement, ni à titre de Protectorat, ni sous aucune autre forme, d'aucune partie des Territoires dont ils se compose.

Les Soussignés, Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique, et Ambassadeur Extraord=
=inaire de Sa Majesté le Roi des Français, près la Cour de Londres, munis des pouvoirs nécessaires, déclarent, en conséquence, par les présentes, que leurs dites Majestés prennent réciproquement cet en=
=gagement.

En foi de quoi, les Soussignés ont signé la présente

the present Declaration, présente Déclaration, et y
and have affixed thereto fait apposer le sceau de
the seals of their Arms. leurs armes.

Done, in duplicate, at Fait double à Londres,
London, the twenty eighth le vingt-huit novembre,
day of November, in the l'an de Grace mil huit
year of our Lord, one thousand cent quarante trois.
eight hundred, and forty
three.

(Signed) Aberdeen (Signé) Ste Aulaire

L. S. L. S.

Copy 1843

Declaration

of British and French Governments relative to the Independence of the Sandwich Islands, signed at London November 28. 1843.

~~1415~~ 83

N.L.

Endorsed on the Original Instructions &c
3 & 2 June 1851
&c

M Perrin.
Communicating to him
French Republic

Copy
R. Wyllie

Declaration

of 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 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 Independant 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 Britannic Majesty's Principal Secretary of State for 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 virtue whereof the undersigned have signed the present declaration, and have affixed thereto the Seals of their arms.

Done in duplicate, at London, the twenty eighth day of November, in the year of our Lord One thousand eight hundred and forty three.

(Signed) Aberdeen (L.S.)
(Signed) St. Aulaire. (L.S.)

1843
Copy of Declaration between Great Britain and France signed 28 Nov. 1843 for signature by the U. States Commissioner in China
Nov. 28. 1843

N: 27

Copy

Declaration.

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 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 Britannic Majesty's Principal Secretary of State for 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 seals of their arms.

Done, in duplicate, at London, the twenty eighth day of November, in the year of our Lord one thousand eight hundred and forty three.

(Signed) Aberdeen (L. S.)
(copies) St Aulaire (L. S.)

Kodak Gray Scale
C Y M
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A 1 2 3 4 5 6 M 8 9 10 11 12 13 14 15 B 17 18 19
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Magenta
Red
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Green
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Blue
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inches
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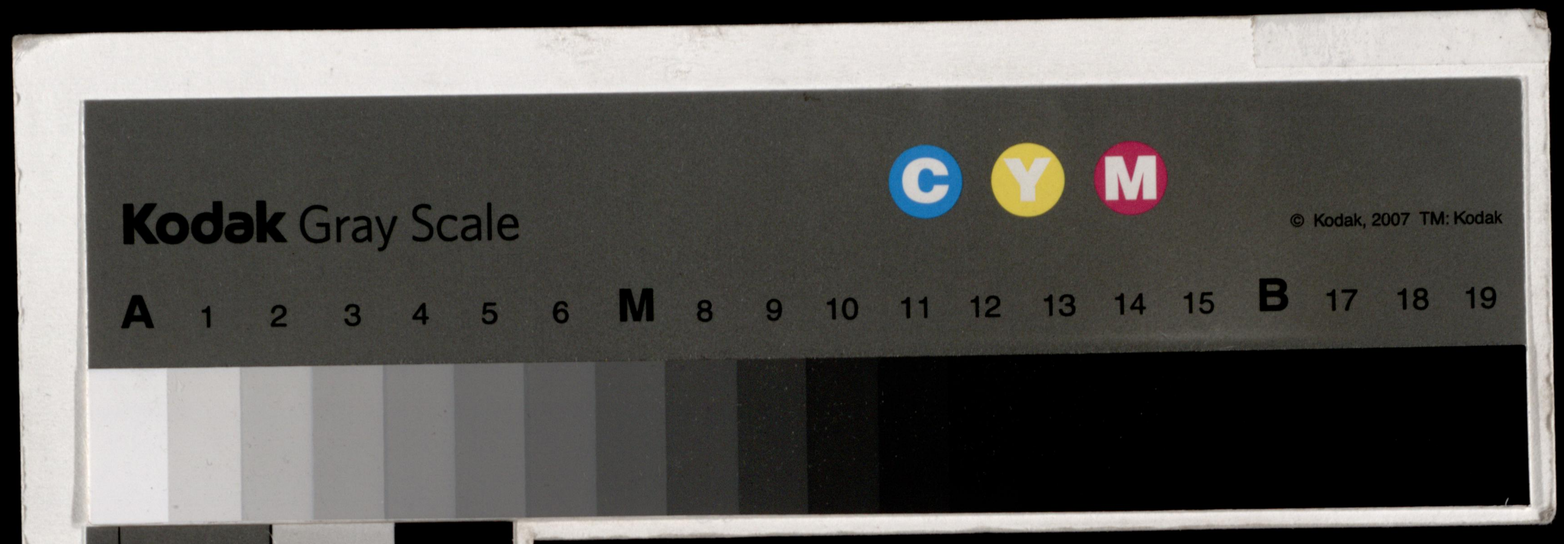

N°27 1848 1843

Copy of Journal

Declaration of

France & Gt Britain

28 Nov 1843

Nov. 28 1843.

Declaration

By France &

Great Britain

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B 60

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