

**PAPERS RELATING TO THE
ANNEXATION OF THE HAWAIIAN
ISLANDS TO THE UNITED STATES;
52D CONGRESS, 2D SESSION, EX.
DOC. NO. 76, NO. 77**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649667116

Papers Relating to the Annexation of the Hawaiian Islands to the United States; 52D Congress, 2d Session, Ex. Doc. No. 76, No. 77 by Various

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VARIOUS

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RELATING TO

THE ANNEXATION OF THE HAWAIIAN ISLANDS

TO THE

UNITED STATES.

*U. S. Congress. Senate. Committee on
foreign relations.*

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1893.

1287

IN THE SENATE OF THE UNITED STATES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A treaty of annexation concluded on the 14th day of February, 1893, between the United States and the Provisional Government of the Hawaiian Islands.

FEBRUARY 15, 1893.—Read; treaty read the first time, referred to the Committee on Foreign Relations, and, together with the message and accompanying papers, ordered to be printed in confidence for the use of the Senate.

FEBRUARY 17, 1893.—Injunction of secrecy removed and ordered to be printed.

To the Senate :

I transmit herewith, with a view to its ratification, a treaty of annexation concluded on the 14th day of February, 1893, between Hon. John W. Foster, Secretary of State, who was duly empowered to act in that behalf on the part of the United States, and Lorrin A. Thurston, W. R. Castle, W. C. Wilder, C. L. Carter, and Joseph Marsden, the commissioners on the part of the Provisional Government of the Hawaiian Islands.

The treaty, it will be observed, does not attempt to deal in detail with the questions that grow out of the annexation of the Hawaiian Islands to the United States. The commissioners representing the Hawaiian Government have consented to leave to the future and to the just and benevolent purposes of the United States the adjustment of all such questions.

I do not deem it necessary to discuss at any length the conditions which have resulted in this decisive action.

It has been the policy of the administration not only to respect, but to encourage the continuance of an independent government in the Hawaiian Islands so long as it afforded suitable guarantees for the protection of life and property and maintained a stability and strength that gave adequate security against the domination of any other power. The moral support of this Government has continually manifested itself in the most friendly diplomatic relations, and in many acts of courtesy to the Hawaiian rulers.

The overthrow of the monarchy was not in any way promoted by this Government, but had its origin in what seems to have been a reactionary and revolutionary policy on the part of Queen Liliuokalani, which put in serious peril not only the large and preponderating interests of

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the United States in the islands, but all foreign interests, and indeed the decent administration of civil affairs and the peace of the islands.

It is quite evident that the monarchy had become effete and the Queen's government so weak and inadequate as to be the prey of designing and unscrupulous persons. The restoration of Queen Liliuokalani to her throne is undesirable, if not impossible, and unless actively supported by the United States would be accompanied by serious disaster and the disorganization of all business interests. The influence and interest of the United States in the islands must be increased and not diminished.

Only two courses are now open; one the establishment of a protectorate by the United States, and the other, annexation full and complete. I think the latter course, which has been adopted in the treaty, will be highly promotive of the best interests of the Hawaiian people, and is the only one that will adequately secure the interests of the United States. These interests are not wholly selfish. It is essential that none of the other great powers shall secure these islands. Such a possession would not consist with our safety and with the peace of the world.

This view of the situation is so apparent and conclusive that no protest has been heard from any government against proceedings looking to annexation. Every foreign representative at Honolulu promptly acknowledged the provisional government, and I think there is a general concurrence in the opinion that the deposed queen ought not to be restored. Prompt action upon this treaty is very desirable.

If it meets the approval of the Senate peace and good order will be secured in the islands under existing laws until such time as Congress can provide by legislation a permanent form of government for the islands. This legislation should be, and I do not doubt will be, not only just to the natives and all other residents and citizens of the islands, but should be characterized by great liberality and a high regard to the rights of all the people and of all foreigners domiciled there.

The correspondence which accompanies the treaty will put the Senate in possession of all the facts known to the Executive.

BENJ. HARRISON.

EXECUTIVE MANSION,
February 15, 1893.

The PRESIDENT:

The undersigned, Secretary of State, has the honor to lay before the President, with a view to obtaining the advice and consent of the Senate thereto, should such a course be in the judgment of the President for the public interest, a treaty, signed at Washington on the 14th day of February, instant, by the undersigned and the accredited commissioners of the existing provisional government of the Hawaiian Islands, in representation of their respective Governments, for the full and absolute cession of the said islands and all their dependencies to the United States forever, with provision for the temporary government of those islands, under the sovereign authority of the United States, until Congress shall otherwise enact.

With this treaty the undersigned submits to the President copies of the correspondence recently exchanged, showing the course of events in the Hawaiian Islands as respects the overthrow of the late monarch-

ical form of government, the creation of a provisional government thereof in the name of the Hawaiian people, the recognition of the same by the representatives there of the United States and of all other powers, the dispatch of a commission to this capital to negotiate for a union of the Government of the Hawaiian Islands with the Government of the United States, and the outcome of those negotiations in the treaty herewith submitted.

The change of government in the Hawaiian Islands, thus chronicled, was entirely unexpected so far as this Government was concerned. It is true that for some months past the Hawaiian press and the advices received from the diplomatic and consular representatives at Honolulu indicated political uncertainty, party intrigues, and legislative opposition, but not more so than at many times in the past history of the islands, and certainly not suggestive of an overthrow of the monarchy through popular resistance to the unconstitutional acts of the late sovereign. At no time had Mr. Stevens been instructed with regard to his course in the event of a revolutionary uprising. The well-established policy of this Government, maintained on many occasions from its earliest establishment, to hold relations with any *de facto* government in possession of the effective power of the State and having the acquiescence of the governed, being ample to meet unforeseen contingencies, no instructions in this specific sense were indeed necessary; and the minister, without explicit instructions, was expected and constrained to use his best judgment, in accordance with fundamental precedent, as the emergency should arise.

The change was in fact abrupt and unlooked-for by the United States minister or the naval commander. At a moment of apparent tranquillity, when the political excitement and controversy of the immediately preceding three months had been to all appearances definitely allayed, and when, as appears from dispatches from the minister and from the commanding officer of the *Boston*, a settlement of differences seemed to have been reached, Minister Stevens quitted the capital for a brief excursion of ten days to a neighboring island, on the *Boston*, the only naval vessel of the United States at the islands. On returning to Honolulu on January 14 the crisis was found to be in full vigor and to have already reached proportions which made inevitable either the success of Queen Liliuokalani's attempt to subvert the constitution by force or the downfall of the monarchy.

On Saturday, the 14th of January, the capital was wholly controlled by the royal troops, including a large additional force of over 500 armed men not authorized by Hawaiian law. On the same day the first call to arms in opposition to the Queen was issued, and the citizens' committee of safety was developed. During the 14th, 15th, and most of the 16th, the two parties confronted each other in angry hostility, with every indication of an armed conflict at any moment. It was not until late in the afternoon of Monday, the 16th, after request for protection had been made by many citizens of the United States residing in Honolulu, that a force of marines was landed from the *Boston*, by direction of the minister, and in conformity with the standing instructions which for many years have authorized the naval forces of the United States to cooperate with the minister for the protection of the lives and property of American citizens in case of imminent disorder. The marines, when landed, took no part whatever toward influencing the course of events. Their presence was wholly precautionary, and only such disposition was made of them as was calculated to subserve the particular end in view. They were distributed that night between

the legation and the consulate, where they occupied inner courts and a private hall rented for their accommodation. Beyond a sentry at the door of each post, and the occasional appearance of an officer passing from one post to another, no demonstration whatever was made by the landed forces, nor was the uniform of the United States visible upon the streets. They thus remained, isolated and inconspicuous, until after the success of the Provisional Government and the organization of an adequate protective force thereunder.

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.

Then, and not until then, when the Provisional Government had obtained full *de facto* control, was the new order of things recognized by the United States minister, whose formal letter of recognition was promptly followed by like action on the part of the representatives of all foreign governments resident on the Hawaiian Islands. There is not the slightest indication at any time prior to such formal recognition in full accord with the long-established rule and invariable precedents of this Government, did the United States minister take any part in promoting the change, either by intimidating the Queen or by giving assurance of support to the organizers of the Provisional Government.

The immediate cause of the change is clearly seen to have been the unconstitutional and intemperate acts of the Queen herself, in attempting to coerce her responsible ministers and to annul the existing constitution and replace it arbitrarily by another of her own choice.

The Provisional Government of the Hawaiian Islands is, by all usual and proper tests, in the sole and supreme possession of power and in control of all the resources of the Hawaiian nation, not only through the Queen's formal submission, but through its possession of all the armed forces, arms and ammunitions, public offices, and administration of law, unopposed by any adherents of the late Government.

On the first instant, subsequently to the departure of the Hawaiian special commissioners, the United States minister at Honolulu, at the request of the Provisional Government, placed the Hawaiian Government under the protection of the United States to insure the security of life and property during the pending negotiations at Washington and without interfering with the administration of public affairs by the said Government. An instruction has been sent to the minister, commending his action in so far as it lay within the purview of standing instructions to the legation and to the naval commanders of the United States in Hawaiian waters, and tended to cooperate with the administration of affairs by the Provisional Government, but disavowing any steps in excess of such instructions whereby the authority and power of the United States might appear to have been asserted to the impairment of the independent sovereignty of the Hawaiian Government by the assumption of a formal protectorate.

In this condition of things, the five commissioners named by the Provisional Government of the Hawaiian Islands reached Washington on the 3d instant, bearing authentic letters from the Hawaiian Government accrediting them to the President, and conferring upon them full

powers to negotiate for the union of the Hawaiian Islands to the United States.

On the 4th instant the commissioners were accorded an interview with the undersigned, at the request of the regularly accredited Hawaiian minister, Mr. J. Mott Smith, and submitted their credentials, accompanied by a statement of events leading up to and connected with the overthrow of the monarchy and the establishment of the Provisional Government. At a second conference on the same day the commissioners submitted to the undersigned the proposition of the Provisional Government, containing the terms upon which that Government desired the annexation of the Hawaiian Islands to the United States. A copy of this proposition is inclosed. Frequent conferences have since been held at the Department of State, and all questions connected with the subject have been carefully examined and discussed, until a concurrence of views on the part of the negotiating parties was reached on the 14th instant.

In drafting and agreeing upon the treaty now transmitted, the undersigned has sought, under your direction, to effect thereby the annexation of the Hawaiian Islands to the United States with as few conditions as possible and with a full reservation to Congress of its legislative prerogatives. An examination of the provisions of this treaty will show that to Congress is reserved the determination of all questions affecting the form of government of the annexed territory, the citizenship and elective franchise of its inhabitants, the manner and terms under which the revenue and navigation laws of the United States are to be extended thereto, and all other questions relating to the economic and political status of the islands. As there is no provision in the existing legislation of Congress whereby the Executive power can provide an organized form of government for new territory annexed to the Union, or extend over it the laws of the United States and cause the same to be executed, it was deemed necessary to continue the existing government and laws of the Hawaiian Islands until Congress should have an opportunity to legislate on the subject; but a provision has been inserted in the treaty for the exercise by the Executive of the United States of a veto power upon the acts of that government during the interregnum. The temporary maintenance of the existing political institutions of the islands seems the more appropriate in view of the fact that the Hawaiian constitution, of which a copy is inclosed herewith, and the Hawaiian laws are based upon principles similar to those contained in our own organic law and the principles of the common law.

It is to be noted that, according to a recognized principle of international law, the obligations of treaties, even when some of their stipulations are in terms perpetual, expire in case either of the contracting parties loses its existence as an independent state. The foreign treaties of the Hawaiian Islands therefore terminate, upon annexation, with the competence of the government thereof to hold diplomatic relations. An examination of these treaties shows, however, that they contain no stipulations which would embarrass either the Hawaiian Islands or the United States by their termination.

Accompanying the treaty are tables giving full details as to the area of the territory annexed, the public debt, the public lands, the annual allowances to and revenue of the late royal household, and statistics as to the population, revenues, commerce, and other economic matters relating to the islands.

It is gratifying to be able to state that pending the negotiations leading up to the treaty herewith submitted the undersigned has received