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KANAWAI

I KAUIA E

KA MOI, E KAMEHAMEHA III.,

KE ALII O KO HAWAII PAE AINA:

UA HOOHOLOIA

E NA 'LII AHAOLELO A ME KA POEIKOHOIA,

I KA MAKAHIKI IWAKALUAKUMAMALUA O KONA NOHO AUPUNI ANA, A I KA
LIMA O KONA NOHO KUOKOA ANA.

A. D. 1847.

UA HUIPUA MAI

NA OLELO AE I KE KUOKOA ANA,

A ME

NA KUIKAHI ME KO NA AINA E.

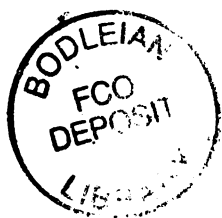
BUKE II.



Honolulu, Oahu:

MEA FAI PALAPALA A NA MISIONARI AMERIKA.

1847.



3. KAMEHAMEHA III.

HE KANAWAI HOONOHONOHO OIHANA LUNAKANAWAI NO KO HAWAII PAE AINA.

M O K U N A 1.

KE ANO O KA HOONOHONO ANA I NA AHAHOOKOLOKOLO, A ME NA RULA I PILI IA LAKOU.

PAUKU 1. I ke akoakoa ana o na'Lii Ahaolelo, a me ka Poeiko-hoia e na makaainana o ko Hawaii Pae Aina, noonoo lakou i ka mea e akaka'i, a pololei hoi na hana a na Lunakanawai, na mea hoi i oleloia ma ke Kumukanawai, a me na hana e pau ai ka pilikia nui o keia Aupuni, a me na hana e ko ai na kuikahi o ko na Aina e i hanaia mamua a e hanaia mahope paha, a me na mea ku like i ka aoao, a me ke aloha o na Aupuni, a hooholo lakou i keia manao. E hoakakaia kekahi Oihana, a ke hoakakaia nei, a e kapaia kela Oihana, o ka Oihana hoonohonoho Oihana Lunakanawai no ko Hawaii Pae Aina.

PAUKU 2. Oia Oihana, a me na Lunakanawai, a me na Luna e ae i pili ilaila, e kaawale aku lakou ma na mea a pau, a kaawale hoi na Oihana Kuhina i hoakakaia a hoonohonohoia ma ke Kanawai 1, a me ke Kanawai 2, a keia Kanawai e olelo ai. Aole loa e hiki i ke Alii ma kona ano Alii ke hoanoe i na manao, a me na olelo, a me na uku a ua poe Lunakanawai la e hooholo ai, aole hoi i ka na Luna e ae i pili i keia Oihana, aole hiki i ke Alii ke hana i keia, aole hoi e hiki ia ke hoole i na manao, a me na olelo, a me na uku i hooholoia e lakou ma ke ano e ae, ma kona ano Lunakanawai kiekie wale no, me ka ae mai hoi o ka nui o lakou. Aole nae e manaolia ua papa keia olelo i ko ka Moi kala maoli ana i ka hala o ka mea uhaki i ke Kanawai, e like me kona manao ana he pono; a e hana no oia ia mea ma kona ano Alii hooko no ke Aupuni, mahope nae o ka hoahewa io ana a kekahi o na Ahahookolokolo. Aole hoi i papa keia olelo i ke Alii, ina oia ka mea hoopii no ka waiwai, a no ka hewa paha, ina manao oia e haalele, hiki no, a ina manao oia e haawi i palapala hoole hoopii, hiki no, e like me ka mea i manaolia ma ka Apana 5 o ke Kanawai hoonohonoho i na hana i haawia i na Kuhina o ko Hawaii Pae Aina.

PAUKU 3. Eia wale no na kumu manao a me na ana a na Lunakanawai e noonoo ai i na manawa a pau i ko lakou hookolokolo ana, o ke ano o ke Kumukanawai o Hawaii nei, a me ke ano o ke Kanawai i kapaia, "He Kanawai hoonohonoho i mau Kuhina Alii," a me ke ano o ke Kanawai i kapaia, "He Kanawai hoonohonoho i ua hana i haawiiia i na Kuhina," a me ke ano o keia Kanawai, a me ke ano o ke Kanawai waiwai. a me ke ano o ke Kanawai no ka hewa, a me ke ano o na Kanawai, a me na olelo hooholo, a me na olelo paa i hooholoia mamua a kau me ka noa ole, a me na Kanawai e kau mahope aku nei, a ma ia mau ano e hooholo ai na Ahahookolokolo i na olelo a me na uku, a me na olelo hoopai, na Aha hoi i oleloia iloko o keia Kanawai. E manao nae lakou i na pono, a me na kuleana i loa i ke Aupuni a me na kanaka mamuli o na Kanawai, a me na olelo hooholo, a me na olelo paa i kauia mamua i Kanawai ma ke ano kupono i ke Kumukanawai a hoolaha nuiia, a ina i hoonoia mahope, ua paa no ia mau pono. a me ia mau kuleana, a ua mau aku no ka hoomalu ana o ia Kanawai i kela mau pono a me kela mau kuleana, a e manao mau na Ahahookolokolo ia mea. Ma na Ahahookolokolo kakau, na na Lunakanawai e noonoo o lakou wale no, i ke kupono ana o ke Kanawai i ke Kumukanawai, a pela no na olelo hooholo a me na olelo paa i hooholoia a kauia e na'Lii Ahaolelo, a me ka Poeikohoia me ka ae mai o ka Moi. A pela no na kauoha a ka Poe Kukakuka Malu, a me na leta hoolaha a me na Palapala sila nui, a me na Palapala ao, a me na Kanawai no ka poe lawe hana, na olelo hooholo, a me na olelo paa a ka Moi e hana'i mailoko ae o kekahi o na Waihona Kuhina, a me kekahi Luna nui, me ka ae mai. a me ka ae ole mai o ka Poe Kukakuka Malu, a o na Kuhina paha.

Hiki no i na Ahahookolokolo kakau ke haa aku i ka ole, a me ka noa loa o ke Kanawai, a me ka olelo ae like, a me ka olelo paa, a me ka Palapala sila nui, a me ka olelo ao, a lakou e ike ai i ka lakou nana ana, ua kue i ke Kumukanawai, a i ke kuleana o na kanaka, a ua kue paha i ke Kanawai o ka honua, a me ko na Aupuni, a ua kue paha i na kuikahi i hanaia me ko na Aina e.

Na lakou e noonoo a hooholo i ka olelo no na mea a pau i pili i na pono, a me na olelo hooholo, a me ua olelo ae like; ina no ke Aupuni, oia; ina no ko na aina e, oia no hoi; ina no ke kanaka, oia kekahi. Ina he Ahahookolokolo kakau, e hooholo lakou i ka olelo i ku i ka hoomaikai i na Aupuni e, a e hoomanao hoi i ke Kanawai o na aina e, ke pili i na hana i hanaia malaila. Hiki no ia lakou ke hooholo i ka olelo no na hihia a pau, ina o ke Aupuni ma ka aoao hoopii, a hoopiiia paha; a ina he hihia iwaena o nu kanaka, i pili i ke kolohe, a me ka hana hewa i kekahi, a pili i ka waiwai lewa, a i ke kuleana aina a me na pa; aka, aole hoole iki keia olelo i na Kanawai mua i hoakaka i ka hana a ka Poe Hoonaa'uumukuleana aina.

Hiki no ia lakou ke hookolokolo a hooholo i ka olelo no na hewa a pau, a me na kolohe, a e hoopai aku e like me ka olelo ma ke Kanawai.

ПАУКУ 4. O na olelo a me na manao i hooholoia e na Ahahookolokolo kakau, a kakau ole paha, ina aole hoopii hou ia, e paa mau loa no ia, a e pili no i na aoao a elua ma na mea i oleloia, a e lilo no kela olelo a lakou i hooholo ai i Kanawai no keia Aupuni, a e hooko na aoao a elua i kela olelo, a na ka Ahahookolokolo e koiako aku pela.

O na olelo a me na manao a elua hapakolu o na Lunakanawai kiekie e hooholo ai, e lilo no ia i Kanawai maoli no ke Aupuni, a e like no ka paa ana o ia Kanawai no ka hihia, a me ka ninau i hoopiiia imua o lakou me ka ka Poe Ahaolelo o na'lii, a me ka Poeikohoia e hooholo ai, a aponoia e ka Moi. E lilo no kela mau olelo i hooholoia e na Lunakanawai kiekie i Kanawai paa loa maluna o na Ahahookolokolo a pau loa, ma na mea a pau, a me na pilikia, a me na hakaka, a me na hihia, a e hiki no i na aoao a elua, o ka hoopii, a me ka mea pale aku, e holo mamuli o ua mau olelo la i hooholoia, a e malama no na Ahahookolokolo ia mau olelo. E hiki no hoi ma na Ahahookolokolo kakau e hoike i na olelo a me na manao i hooholoia ma na aina e a me na Kanawai hoi i pili i ka waiwai, ina i manaia ua pono io, a pololei, a ku e ole i na Kanawai a me na hana o keia Aupuni, a ina hoikeia kela mau mea, e manao no na Ahahookolokolo malaila. Ina hooholoia kela mau manao e na Ahahookolokolo o keia Aupuni a aponoia e na Lunakanawai kiekie, alaila e komo no ia iloko, a hui maoli no me na pono kahiko o ko Hawaii Pae Aina; a e lilo no ia mau mea i mea nui iloko o ke Kanawai no ka waiwai. E hiki nae i na'lii Ahaolelo a me ka Poeikohoia me ka ae mai o ka Moi ke hooponopono, a hoololi hou, a hoonoia loa i kela mau manao, a me ko lakou mau aoao, a me kela mau olelo, ina kau lakou i Kanawai pela, a hoolaha aku, a e pili no ia Kanawai i na mea a pau i hanaia mahope iho o ke kau ana.

ПАУКУ 5. Eia ka mea e hiki ai i kela a me keia Ahahookolokolo ke hana maloko o ko lakou mau wahi iho, a malalo hoi o na dala i oleloia mahope nei, ina e noho ana ka mea i hoopiiia ma ko lakou wahi, a ua hanaia paha ka hewa malaila. Ina hana kekahi i ka hewa, a i ke kolohe paha ma ke kauwahi a kupono i ka hoopai a me ka uku, oia ka mea e hiki ai i ka Ahahookolokolo kupono o ia wahi e like me ka olelo o keia Kanawai ke hana aku ia ia no ka hewa, a no ka hoopoho ana i ko kekahi. Pela no ina he hihia waiwai, a noho ka mea i hoopiiia, a e waiho ana paha kona waiwai maloko o ia wahi, hiki no i kolaila Ahahookolokolo kupono ke hana, a ina

aole hoopii hou aku ia, hiki no ia lakou ke hooihōlo a hooko maoli, a haawi i ka palapala ohi i ka waiwai.

PAUKU 6 Aole loa e hiki i kekahi kanaka ke lilo i hoike nona iho; aole hoi e hiki ke koi aku i ke kanaka ke hoike ma ke ano hooheua ia ia iho. Aka, ina hai mai ke kanaka i kona hewa iho, hiki no ke manao aku he oiaio. Eia hoi kekahi, i ka hookolokolo waiwai ana, e hiki no i ka mea i hoopiiia ke ae maoli mai i kona aie ana, a pela e hooki ai i ka hookolokolo ana.

PAUKU 7. I ka hookolokolo waiwai ana i na manawa a pau, ina he hookolokolo jure, eia wale no ka lakou e olelo ai, o ka oiaio a me ka ole o na hana i hoikeia imua o lakou e na hoike. Aole hiki ia lakou ma ia hookolokolo ana ke olelo no ke Kanawai i pili ia mau hana, aole hoi e hiki ia lakou ke olelo no ke ano o kekahi Kanawai, a no ke ano o kekahi olelo hooiholo, a olelo ae like, aole hiki ia lakou ke olelo no ka pono o na Ahahookolokolo ke hana i ka mea i huawiiia mai ia lakou, aole hoi na ka poe jure ka olelo no ke kupono ana o kekahi Kanawai i ke Kumukanawai; aka, o ka Lunakanawai, a o na Lunakanawai paha, na lakou wale no e olelo ia mau mea, ke laweia na hihia imua o lakou, a na lakou e ao aku i ka poe jure i ke ano o ke Kanawai kahi i pili ai na hana a lakou i hooiaio ai.

PAUKU 8. O ia mau Ahahookolokolo kakau, a o na Lunakanawai a me na Luna e ae e pili ana; e hiki no ia lakou ke hoopai koke aku i kekahi, a i kekahi poe paha, ke kolohe ma keia mau hana;

1. O ka olelo kuamuamu a hoino paha imua o lakou, a ina he hoohaunaele paha, a he hoowahawaha, he kue paha i ka wa e hookolokolo ai imua o ko lakou alo; o ka mea e keakea ai i ka lakou hana, a e lilo ai hoi lakou i hoowahawahaia.

2. O ka hana uhauha, o ka walaau, a o ka hoohaunaele o ka mea e keakea ai i ka hookolokolo ana.

3. O ka hookuli i ka olelo i hoopukaia a i ka mea i kauohaia paha e lakou e like me ke Kanawai.

4. O ke kue maoli ana i kekahi olelo i hoopukaia e lakou e like me ke Kanawai.

5. O ka hoole maoli ana i ka hoohikiia i hoike a mahope o ka hoohiki ana paha, o ka hoole ana i ka hai pololei mai, ke nieleia mamuli o ke Kanawai.

6. O ka hoopuka i ka olelo hoolaha paewaewa nui a wahahee paha no ka lakou hana ana.

O ka hoopai ana no keia mau hana hoowahawaha. e hiki no ke hoouku aku, aole nae e oi aku i na dala elima haneri, a i ole ia e

hiki ke hoopaa ia ia iloko o ka hale paa hao, aole nae e oi aku i na la he kanakolu; a ma ia mau hoopai elua paha, aia i ka manao o ka Ahahookolokolo. O ka poe i hoopaiia no ka hoowahawaha ma kekahi o ia mau mea ma keia Pauku, e hiki no ke hoopii okoa a e hookolokolo ia ia no kana hana ana ke piliia i ka hewa e like me kekahi Kanawai e ae.

PAUKU 9. Hiki no i na Ahahookolokolo kakau ke ninau aku a maopopo ke akamai a me ka pono o ka noho ana o kekahi kanaka o ka Moi, e hoolilo ia ia i loio ma ko lakou Ahahookolokolo, e hoo-hiki mai nae e hana pono i ka lakou hana. E noho ua poe loio nei malalo o na Ahahookolokolo nana lakou i hoolilo, a e hiki no i ua Aha la e hoouku, a hoopaa i ka halepaa hao, a hoopau i ko lakou noho loio ana, ke hoopii mai kekahi, no kona poino ia lakou i ka hana pono ole ana, a no ka uku ole i ke dala i loa ia lakou ma ka hoopii waiwai ana. A loa ia ua poe loio nei ka palapala hoolilo, alaila, o lakou wale no ke hele imua o ia mau Ahahookolokolo, i kumu a i hope, a i kokua no hai, ka mea hoi i kii ia lakou no ka hoopii, a no ka hoopiiia paha, ina no ka waiwai, a no ka hewa, a no na mea hui paha. Hiki no ia lakou ke koi aku i ka uku a me ke koina no ka lakou hana i ka hoopii, a i ke pale ana paha, e like me ka mea i hoakakaia mahope nei, e auhau mua ia nae e ka Lunakanawai, a e huiia kela koina me ka aie i oleloia iloko o ka palapala ohi. Ina loa ole i kekahi mea ka palapala hoolilo na ka Ahahookolokolo, aole hiki ia ia ke hele imua o ia Aha, i Hope, a i Kokua, a i Koo no kekahi mea e ae. Aole loa e manaoia ua papa keia olelo i ke kanaka hoopii a me ka mea i hoopiiia ke manao oia nana iho e olelo kana imua o na Ahahookolokolo i hoonohonohoia ma keia Kanawai, me ke kokua ole ia mai e ka loio. Eia hoi kekahi; e hiki no i kela a me keia Ahahookoloholo kakau i hoonohonohoia ma keia Kanawai ke ae aku i kela loio keia loio ke hana imua o lakou, ma kekahi hookolokolo ana ina nae i loa ia ia ka palapala hookohu ma ka Ahahookolokolo o ka aina e, e noho like ana me keia Apuni.

PAUKU 10. Ina hoonohoia kekahi i Hope, a i Kokua, a i Koo paha e like me keia olelo, alaila, na na no e malama ia aoao, a holo ka olelo, a ohia ka waiwai paha, aka, aole hiki i kekahi Hope, a Kokua, a Koo paha, ke haawi i ka hana i na mea koho, aole hiki ia ia ke hoopau wale i ka hana i haawiia mai ia ia, ke haawi ole mai kona haku ia ia i palapala e hiki ai ke hana pela.

PAUKU 11. Eia ka olelo hoo-hiki a na loio e hoo-hiki ai mamua o ko lakou lilo ana i Hope, a i Kokua, a i Koo no na kanaka; penei,

—— Hale Ahahookolokolo —— Mokupuni o —— ko Hawaii Pae Aina —— Hoohikiia o —— a olelo mai la e kokua oia i ke Kumukanawai, a me na Kanawai o ko Hawaii Pae Aina, a e hana pololei hoi i na hana a ka Hope, a Kokua, a Koo imua o ua Ahahookolokolo la, e like me ka mea e hiki ai ia'u.

Kakauia ka inoa, a hoohikiia imua o'u i keia la —— o —— 18 —

PAUKU 12. O ka palapala hookohu, e haawiiu i ka Hope, a me ke Kokua, a me ke Koo; penei ke ano,

—— Hale Ahahookolokolo —— Mokupuni o —— ko Hawaii Pae Aina ——

Ua hoike mai o —— imua o'u, a ua loa ia'u he kanaka akamai oia, a ua pono kona noho ana, a nolaila, ke ae aku nei au ia ia e hana imua o keia Ahahookolokolo i ka hana a ka Hope, [a Kokua, a Koo] oiai e pono [ana] kana hana ana.

Na ko'u lima i hana a kau hoi i ke sila o keia Ahahookolokolo i keia la —— o —— 18 —

Peresidena o na Lunakanawai.

PAUKU 13. Eia ka hana a ka Hope ma ke Kanawai, nana no e hoomaka i ka hoopii, a nana no e hoakaka ma ka palapala, a pale aku paha i ka hai imua o ka Ahahookolokolo kahi ana e hana'i, a nana no e hooponopono ia mau mea i ka manawa hoomaha, a i ka wa hookolokolo, i makaukau hoi ke hookolokoloia mai. Eia ka hana a ke Kokua ma ke Kanawai, e hele imua o ka Ahahookolokolo i ka wa e hookolokolo ai, a nana no e hana i ka ka hoopii, a i ka mea pale aku paha imua o ka Ahahookolokolo a o ka jure paha. Aka, o ka mea Koo wale no ke hana i na hana a pau ma na Ahahookolokolo kau like.

PAUKU 14. E hiki no i na Ahahookolokolo kakau ke hoakaka aku i ka manawa, a me ka loihi o ke ao ana o ke kanaka i mea e hiki ai ke hoolilo ia ia i Hope, a i Kokua, a i Koo, a na lakou e hai i na rula, i mea e pono ai ia mau Luna ma na hana a lakou e hana'i, na rula hoi i kue ole i na olelo mahope nei.

PAUKU 15. O na Ahahookolokolo i hoonohonohoia ma keia Kanawai, elua no ano. Eia ka mua, e ko ke Aupuni poe Ahahookolokolo kakau, a he sila ko lakou, a hiki no ke hoopii mua ia lakou, a hiki no ke hoopii mai kekahi Aha e ae ia lakou. Eia ka lua, o na Ahahookolokolo kakau ole no na Mokupuni, a sila ole, a ia lakou ka hookolokolo mua wale no e like me ka olelo malalo. Eia na Lunakanawai o na Ahahookolokolo kakau ole, o na Lunakanawai a na Kiaaina i hoonoho ai ma ko lakou mau Mokupuni iho mamuli o ka olelo ma ke Kumukanawai, ka poe hoi i noho malalo o ke Kiaaina, a na ke Kiaaina e hooko i ka lakou olelo; aia no nae

ka hana o ka hooke ana i na Makai ana e hoonoho ai mamuli o ka olelo ma ka Apana elima i kapaia, "He Kanawai hoonohonoho i na hana i haawia i na Kuhina." Eia na Lunakanawai maluna o na Ahahookolokolo kakau, o na Luna i pili i ke Aupuni mai o a o, aole na luna i pili i ka Mokupuni hookeahi.

E lilo na Ahahookolokolo kakau i kaulahao mai ka Aha malalo a hiki iluna i na Lunakanawai kiekie, ka poe i kuono i ka hoololi hou i na mea a na Aha malalo i hoohele hewa'i, a hana pono ole paha. E hiki no i ua mau Ahahookolokolo kakau la no ke Aupuni, ke hookeolokolo, a hoohele pololei i ka olelo e like maoli no me ka ke Kanawai i olelo ai, ke Kanawai hoi i hilinaia, a uhakia paha e kekahi acao, e ka hoopii, a e ke pale aku paha, ke laweia kekahi hihia imua o ia mau Aha. E hiki no hoi ia lakou ke kaulike, a e ho'alualu i na mea kakauha o ke Kanawai, ke oolea hoi na huaolelo, a e hoohele i ka olelo pono maoli, e like me ka manao nui o ia Kanawai, aole like loa me na hua. A hiki no i kela mau Ahalunakanawai, ke imi i mea e pale ai i na ino i haule i na Kanawai, a olelo ole ia ma na hua, ua oleloia nae ma ke ano nui, e imi nae lakou ma ke ano e pono ai ka noho ana, a ma ke ano ku i ka manaoio o ka naau; e like hoi me ka mea i oleloia mahope nei.

MOKUNA 2.

NO NA AHAHOOKOLOKOLA KAKAU OLE NO NA MOKUPUNI.

HAAWINA 1.

AHAHOOKOLOKOLA HAAHAA.

PAUKU 1. I mea e pono ai na Ahahookolokolo, e mahaleia ka Mokupuni o Hawaii penei,

1. Kona. 2. Kau. 3. Hilo a me Puna. 4. Hamakua. 5. Kohala.

E mahaleia o Maui penei,

1. Kahakuloa a me Kaanapali. 2. Lahaina, Olowalu, a me Ukumehame. 3. Mai Waikapu a Waihee, a mai Hamakuapoko a Kula. 4. Honouliuli. 5. Hamakualoa, Koolau, Hana, Kipahulu, Kaupo, a me Kahikinui. 6. Ka Mokupuni o Molokai. 7. Ka Mokupuni o Lanai.

E mahaleia ka Mokupuni Oahu penei,

1. Ewa. 2. Honolulu a me Waikiki. 3. Koolaupoko. 4. Koolauloa. 5. Waialua. 6. Waianae.

E mahaleia hoi ka Mokupuni o Kauai penei,

1. Kona. 2. Halelea. 3. Koolau. 4. Puna. 5. Mai Wahiawa a Kapaa. 6. Ka Mokupuni o Niihau.

PAUKU 2. E hoonoho na Kiaaina i hookahi Lunakanawai a keu paha, aole nae e oi aku mamua o ekolu ma kela Apana keia Apana i oleloia maluna, o kela Kiaaina keia Kiaaina ma kona Moku-puni iho. E hoike mai oia i ko lakou inoa i ka Moi, mailoko ae o ke Kuhina Kalaiaina, a i kona hope paha, a e hoike ae no hoi i na kanaka ma ka palapala hoolaha. E hiki no i na Kiaaina nana lakou i hoonoho ke hoopau i ko lakou noho ana, ke hoopiia lakou, a hoike pono ia mai ke kolohe, a o ka hui ana me kekahi, a o ka hoo-holo ana i ka olelo hewa maoli, a o ka hana paewaewa, a me ka pono ole, a o ka hana ino maoli ana i kekahi kanaka, a i ke Aupuni paha. E kapaia lakou, Lunakanawai Apana.

PAUKU 3. E hiki no ia mau Lunakanawai Apana ke hookolokolo a hoo-holo no na hihia waiwai a me na aihue a pau, ina aole oi aku ka waiwai i hoopilikiaia a o ka waiwai i aihueia paha mamua o ka haneri dala hookahi, a no na hana eha a me na ubauha a me na moe kolohe a me na hewa e ae i oi ole aku ka hoopai ana i ka haneri dala hookahi, ina nae i noho mau ka mea i hoopiia ma ko lakou Apana, a i ole ia, ua loa paha malaila ia manawa, ina paha he haole kekahi, a he kanaka maoli kekahi, me ka pono nae o ka hoopii ana mahope, aka, ma ka Apana o Lahaina, a me Honolulu, aole e hiki i ua mau Lunakanawai la ke hookolokolo i na hihia o na haole. E hiki no hoi ia lakou ke hoopuka i palapala hopu, i mea e hopuia'i, a hookolokoloia na mea hewa a pau, ke lilo ole ia lakou ka hana, a maopopo ma na olelo a na hoike he oiaio ka hewa o ka mea i hopuia, alaila, e hoopaaia i ka hale paahao, i hookolokoloia oia ke hiki aku i ke kau hookolokolo o ka Aha koikoi, a i ole ia o ka Aha kaa-puni. Ina hopuia kekahi mea pela, pono i ka Lunakanawai nana i hana a hoopaa ia ia, e hoike mai i ka Peresidena o na Lunakanawai e hookolokolo hou ana i ua mea hewa la, i na olelo i hoikeia mai imua ona, i kumu o ka hoopaa ana ia ia.

PAUKU 4. Aia no i ua mau Lunakanawai nei na mana a pau e pono ai, a e ko ai ka hana i pili ia lakou ke hana, aka, aole manaoia e hana keia mau Lunakanawai mamuli o na rula paa wale no, i ko lakou hookolokolo ana, aole ma na hihia waiwai, aole hoi ma na hihia kolohe, aole hoi manao e kakau i ka olelo e ae i ka olelo nui i hooholoia e lakou iwaena o na mea hihia a oia wale; aole nae i pili keia i na Lunakanawai i oleloia ma ka Haawina 2, o keia Mokuna.

PAUKU 5. E hiki no ia lakou ke kii aku i na aoao eha a me na hoike ma ke kauoha wale no, a ma ka palapala e like me ko lakou manao, a e noonoo lakou ia hihia e like me ka pono maoli, a e hoo-holo i ka olelo e like me ke Kanawai.

PAUKU 6. Ina hoopii, e hiki no ia i kekahi aoao, a me kekahi, o ka mea mana o ia ia iho ua hoopoinoia oia, e hana nae maloko o na la he umi mahope iho o ka hookolokolo mua, i kekahi o na Lunakanawai kaapuni, i ka mea nae e noho ana ma ia Mokupuni e hoopii ai ma kona keena, nana no e hookolokolo hou, a kakauia ka olelo a na hoike imua ona, a nana no e hooholo i ka olelo hou, me ke jure ole e like me ka pono maoli iwaena o na aoao elua e hooholo ai, a e malamaia ke kope o ka olelo a na hoike, a me ka olelo a pau o ia hookolokolo ana ma ia hoopii.

PAUKU 7. Ina mana kekahi aoao ua hoopoinoia oia i ka olelo i hooholoia e ua Lunakanawai la, e like me ka olelo o kela Pauku, hiki no ia ia ke hoohalahala no ka oiaio ole o na mea i olelo wale ia paha, no ka pono ole o ka hoopili ana i ke Kanawai, a e hoopaa pololei ka Lunakanawai i kela mau huaolelo hoohalahala, ma ka palapala'e paa'i, a e hoioio no hoi i kela olelo ke noia mai oia pela. Alaila, hiki no i ka mea i mana ia ia iho, ua poino oia i ka olelo i hooholoia nona, ke uku i ke koina no ka hookolokolo ana, a e haawi mai i iwakatuakumamalima dala hou, no ka Ahahookolokolo kaapuni, alaila koi mai e kakauia ua hihia la ma ka Moo hihia hookolokolo kaapuni, a ma ka Moo hihia o na Lunakanawai kiekie paha, ke hiki i ka manawa e hookolokolo nui ai. Ina no ka pono ole ka hoopili ana i ke Kanawai ka hoohalahala ana, alaila, na na Lunakanawai wale no e hui i ko lakou hookolokolo ana, aole jure, aka, ina no ka oiaio ole o na olelo i oleloia no ka hana ana, ina nolaila ka hoohalahala ana, alaila, e like ka hookolokolo ana me na mea a lakou i hookolokolo mua'i, a hiki no ke hoonohonoho i jure.

HAAWINA 2.

NO NA AHAHOOKOLOKOLO HAAHAA MA LAHAINA, MAUI, A MA HONOLULU, OAHU.

PAUKU 1. O kekahi o na Lunakanawai Apana i hoonohoia no ka Apana 2 o Maui, e lilo oia i Lunahoomalu no ke kulanakauhale o Lahaina, a o kekahi o na mea i hoonohoia no ka Apana 2 Oahu, e lilo oia i Lunahoomalu no ke kulanakauhale o Honolulu ma ua Mokupuni la. E kakau no lakou ma ka pepa, a e malaina ia palapala hoakaka loa i ka lakou hana, ia hookolokolo ana, a me na olelo i hooholoia. Hiki no ia lakou ke hookolokolo mua i na poho a me na hewa i hanaia ma ka moana loa, a ma na kai hoi malalo o ka malu o ka Moi. Hiki no ia lakou ke hookolokolo i na hihia iwaena o na'lii moku, a me ko lakou kanaka iho, ina he moku Hawaii, a moku haole paha, aole nae no ka feloni, aka, ina i hanaia ka feloni ma ka moana loa, hiki no ia lakou ke hookolokolo mua, a hoomau i ka olelo hoike no ia mea, a ina i akaka hiki no ke hoopaa i ka mea i

hana, a hooiaio hoi i na olelo hoike, i hoakaka i ke kumu o ka hoopaa ana, i mea e lawe aku ai i ka aina e, ke laweia ka mea hewa i kona aina iho. Hiki no ia laua wale no ke hookolokolo ma ko laua mau apana i na hihia i ku e i ka malu, ke oi ole aku ka waiwai hoopilikiaia i ka haneri dala hookahi, ina he haole ma kekahi aoao.

Hiki no i kekahi o laua a me kekahi ke hookolokolo i ka hewa i hanaia ma kona Mokupuni iho, a pela no e hiki ai ke hookolokolo mua no ka hoopaa, a no ka hookuu aku paha. O ke ano o ko lakou hookolokolo ana i na hihia waiwai a me na hewa, e like no ia ma na mea a pau me ka olelo i oleloia maloko o keia Mokuna, a ina oleloia kekahi hookolokolo a hoomaopopo ole ia ke ano o ka hana ana, alaila, na lakou e noonoo i ke ano kupono mamuli o ka olelo nui, aole hoi ma ke ano kue i ke ano nui o na mea e ae.

PAUKU 2. Ina hele mai kekahi i na Lunahoomalu a haawi mai i na koina, alaila, ina maloko o kona Apana, e hoopuka no oia i palapala kii i kekahi aoao i hoopiiia e hele mai e hoike i ka mea e pono ole ai ka hooholo ana i ka olelo mamuli o ka mea nana i hoopii mai. Ina aole hele mai ka mea i kiiia pela i ka la, a me ka hora, a me kahi i oleloia iloko o ka palapala kii, alaila, ina hoohiki mai ka Makai, ua haawi pono ia ka palapala kii i ka mea i hoopiiia, a ina he palapala hooie ke kumu o ka hoopii, a ina i hala ka manawa hookaa, hiki no i ka Lunakanawai ke hooholo i ka olelo, e like me ka palapala, a me na dala poho, no ka hiki ole mai, a imi i hoike hou aku. Aka, ina he mooaie noloko mai o ka buke, alaila, e hooiohe ka Lunakanawai i na hoike o ka aoao hookahi, a ninaninau aku i kekahi hoike koikoi a hoike mai oia i ka oiaio o kela aie, alaila, e hooholo ka Lunakanawai e like me ia hoike ana, no ka mea, aole i hele mai ka mea i hoopiiia. Ina he palapala i ae like ia, a he palapala e ae paha ke kumu o ka hoopii, a he olelo waha paha, alaila, e kiiia ka mea aie, a ina hele ole mai i ka manawa i oleloia'i, e ninaninau aku ka Lunakanawai i na hoike o kekahi aoao, a e hooholo i ka olelo e like me ke kupono o ia hihia, no ka mea, ua kiiia ka mea aie, a hele ole mai. Ina i hele mai ka mea i hoopiiia, a hoole i ka oiaio o ka aie, alaila, e ae aku ka Lunakanawai e lawe mai i na hoike i mea e hoakaka'i i ka ole o ka aie, a hiki no ke haawi i manawa, a e hoopanee, a e kii aku i na hoike ma ka palapala kii, a e ko'i aku ia lakou e hele mai, a i ole, e hoouku, a nana no e hooholo i ka olelo iwaena o na aoao elua, a ina hoakaka mai ka mea i hoopiiia, o ka mea hoopii kekahi mea aie, alaila hoohalikelike, a e hooholoia ka olelo ma ka pololei.

PAUKU 3. Ina hoopuka kekahi o ia mau Lunakanawai i ka palapala kii i ka mea aie mamuli o ka palapala i ae like ia, a mamuli o ka olelo o ka waha malalo o ka haneri dala hookahi, penei wale no e kakau ai na hua o ia palapala;

Na kekahi Makai maloko o ka Apana — ma ka Mokupuni o — ko Hawaii Pae Aina.

Ua kauohaia aku oe e kii ia — ina loa maloko o keia Apana e hele mai imua o'u ma — ke hiki aku i ka la — o — e hookolokolo no ke koi ana a — i — dala. E hai aku no hoi oe ia — ina hele ole mai oia i kahi, a i ka la a me ka hora i oleloia'i maluna, alaila, e hooholoia ka olelo mamuli o ka kekahi aoao wale no, no kona hiki ole mai.

Na ko'u lina i hana i keia la — o — 18 —

Lunakanawai hoomalu no ka Apana.

PAUKU 4. E malama no kela mau Lunakanawai i buke kahi e kakau ai i na hihia a pau a lakou e hookolokolo ai, a e malama pono i ka olelo a na hoike, na mea hoi e akaka'i ke kumu o ka hooholo ana i ka olelo. I ka hoopau ana i na hihia waiwai, eia ka olelo hope e hooholo ai, o ka olelo e hoakaka ana i ka nui o ke dala a kekahi a me kekahi e uku ai. A i ole uku dala, e hoakaka no i ke ano o ka hooholo ana, ina mamuli o ka hoopii, no ka hiki ole mai o ka mea i hoopiiia, a no ka olelo a na hoike paha; ina hoi mamuli o ka mea i hoopiiia ka olelo i hooholoia, e hoakaka no ka hiki ole mai o ka hoopii, no na mea i hoikeia mai paha.

PAUKU 5. Mahope iho o ka hooholo ana i ka olelo no ka hihia waiwai, e kakali ka Lunakanawai i kanahakumamawalu hora, a ina aole haawiiia mai na dala hookahi haneri i mea e kaa'i ka lilo i ka hoopii hou ana, alaila, ina noiiia mai oia pela e ka mea i ko, e hoopuka ka Lunakanawai i palapala ohi i ka waiwai o ka aoao i pio; penei ke ano o ia palapala,

Na kekahi Makai o ka Apana o — ma ka Mokupuni o — ma ko Hawaii Pae Aina.

Ua kauohaia'ku oe e ohi i ka waiwai lewa, — ina he waiwai e waiho ana ma kou Apana, a i ole, i kona waiwai paa hoi, a e hoolaha aku i ka lohe i kanakolu la e like me ka olelo ma ke Kanawai, alaila, e kuai kukala i ua waiwai la, e like ka nui me ka mea kupono i ka olelo a'u i hooholo ai nona i ka la — o — 18 — a e kimo aku i ka mea i oi aku ke koho ana a loa mai na dala — a me — a me na koina o keia Aha kekahi, a me ka uku hoopanee i kupono i ke Kanawai, mai keia la aku ka helu ana, a o keu koina kekahi, a me ka lilo i ka ohi ana, hoolaha ana i ka lohe, a me ke kuai ana. E hoihoi pono mai oe i keia palapala, me kau olelo hoakaka i kau hana ana, i kakauia ma ke kua, a me ke dala kekahi i loa ia oe, mamua aku o ka pau ana o na la he — mai keia la aku, o hihia auanei oe.

Na ko'u lima i hana i keia la — o — 18 —

Lunakanawai hoomalu no ka Apana.

PAUKU 6. Ina hoopii mai kekahi a hooihiki imua o kekahi o ia mau Lunakanawai, no kekahi aie, a no kekahi olelo ae like, a hoakaka, ua hanaia ma ke ano kolohe, a wahahee paha, a mamuli o

ka olelo huna, a hoopunipuni paha, e ka mea aie mai, a i ole ia, ua aie pono mai ka mea aie, a ua ae pono mai kekahi mea, a ma-hope iho imi i mea e pakele ai i ka hookaa, a o ka hooko paha, a imi ma ka wahahee a me ke kolohe, a me ka hoopunipuni me ke kumu ole hoi; a ke huna nei i kona waiwai, a hoolilo i kekahi mea e ae i mea e pakele ai i ka uku, a ua kokoke paha e lawe i kona waiwai mawaho o keia Apana, (a ina hiki ole i ka Lunakanawai hoomalu ke hana,) ua kokoke paha e lawe i ka Mokupuni okoa, a ke pee nei paha o loa ia ia ka palapala kii, a ua kokoke paha e haalele i keia Moku, ina hooihiki kekahi kanaka e hana ana oia i kekahi o keia mau mea, alaila hiki no i ka Lunakanawai ke hoopuka i palapala hoomalu i ka waiwai o ua mea aie la pela, ke hoopii mai hoi ka mea nana ka aie; penei ke ano o ia palapala,

Na kekahi o na Makai o ka Apana — ma ka Mokupuni o — ma ko Hawaii Pae Aina.

Ua kauohaia'ku oe e hoomalu i ka waiwai, o — ke loa ia oe iloko o keia Apana, a e malama me ke kakali i kekahi olelo hou a keia Aha, (a e kakali paha i ka olelo a ka Aha kaapuni o keia Mokupuni, e like me ke kupono,) no ka mea, ua hoopii mai, a ua hai mai hoi me ka hooihiki o — i mea e hookaa'i i ka aie, (a i mea e hooko ai i ka olelo paha) i oleloia'i ua kupono ia — ke uku ia — . A hoomaluia ka waiwai, alaila, e kii aku oe ia — ke loa oia ia oe ma keia Apana, (e hele mai e pale aku i ka olelo hoopii a me ka olelo koi a — imua o ka Aha Kaapuni no ka Mokupuni o — ma — i ka la — o — e hiki mai ana.)

Malaila oia e hoike ai i kela manawa, i ka mea e hooholo oleia'i ka olelo kua ia ia, a i ka mea hoi e ohi oleia'i ka waiwai au i hoomalu ai, a kuai a'ku i mea e kaa'i ka aie, a me ka uku hoopanee, a me na koina.

E hai aku hoi oe ia — ina aole oia e hele i kahi, a i ka la, a me ka hora i oleloia'i maluna, alaila, e hooholoia ka olelo kua ia ia mamuli o ka kekahi aoao, no kona hele ole mai.

Na ko'u lima i hana i keia la — o — 18 —

Lunakanawai hoomalu no ka Apana.

PAUKU 7. Ina hoopii mai kekahi e like me ka olelo ma kela Pauku, a hooihiki wahahee, me ka ike pono aole kumu no kela koi ana, alaila, ina hoakakaia mai kela hewa ona, e kau maluna ona na eha, a me na uku o ka hoike wahahee.

PAUKU 8. Ina hoopii mai kekahi a hooihiki pela imua o kekahi o na Lunakanawai Apana a oi aku ka aie mamua o ka haneri dala hookahi, alaila, e hoihoia ka palapala kii, a me ka palapala hoomalu i ka Ahakaapuni, a i ka Ahakoikoi paha, [i ka la mua o ka hoo-kolokolo ana,] a na ka Makai e haawi aku ia mau palapala [i ka Makai nui o ka Mokupuni, a nana no e hoihoi] i ka Ahahookolo-kolo. Ina me ia ke ano, aole pono i ka Lunakanawai ke hoopuka i ka palapala hoomalu, a haawi mua mai ka hoopii iloko o kona li-

ma, i palapala hoopaa me ka uku poho no na dala e like ka nui me ko ka Luna manao he pono me ka hope hookahi a keu paha, e like me ko ka Lunakanawai ike ana he pono; menei ke ano o ia palapala, a me na olelo maloko,

E ike auanei na kanaka a pau ma keia palapala, owau o ——— ka mua a o ——— ko'u hope, ua hoopaa loa ia maua no ——— no ka uku poho;

E uku no kekahi o maua ia, a i ole, o maua elua, a nolaila ma keia palapala, ke hoopaa nei maua ia maua iho, a me na hooilina, a me na hooko kauoha, a me na hooponopono waiwai hooilina o maua, ke malama ole ia keia mau olelo malalo.

Ua hoailonaia ko maua mau sila a ua hanaia i keia la — o — 18 —

Eia ke ano o keia olelo maluna, i keia la ua noi aku o — i palapala hoomalu i ka waiwai o — ka mea i hoopiiia, a ua hanaia ka palapala kii, a me ka palapala hoomalu ma ke ano hoihoi mai i ka Aha i ka mua o ka manawa hookolokolo e hiki mai ana ma ———

Nolaila, ina hele mai ua kanaka hoopii nei a hoakaka i ka oiaio o kana olelo hoopii, ke hiki i ka manawa e hoihoi ai ua palapala la, a ina aole hoopauia kela palapala hoomalu e kekahi Lunakanawai koikoi ma kona keena iho, mamua o ia manawa, alaila, lilo keia palapala i mea ole. A i ole pela, alaila, hiki no ke hooko i keia palapala maluna o maua, a me na hooilina, a me na hooko kauoha, a me na hooponopono waiwai hooilina o maua. no na koina a pau, oia hana ana a ka hoopii, a me ka mea i hoopiiia, na koina o ka Ahahookolokolo, a me ko ka Haa-muku a me ke poho o ——— ka mea i hoopiiia.

Na ko maua mau lima i hana a kau i na sila o maua i ka la a me ka makahiki i olelo mua ia maluna.

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PAUKU 9. Ina nonoi kekahi i palapala hoomalu i ka waiwai malalo iho o ka haneri dala hookahi, alaila e hoihoia ka palapala kii, a me ka palapala hoomalu maloko o na la he umi mahope iho o ka hoike ana i ka palapala kii, a i ka Lunakanawai nana i hoopuka aku, a nana no e hoolilo ia i mea ole, ke hoakaka ole ka mea hoopii i ka oiaio o kana olelo noi i ka wa e hookolokolo ai no ia aie, aka, ina i hele ole mai ka mea i hoopiiia, a hele mai paha a hoomaopopo mai ka mea hoopii i ka oiaio o ka aie, alaila, hiki no ke ohi i ka waiwai i hoomaluia, ke noi mai oia pela, a e hoolahaja ka lohe, alaila kuai kukala aku, e like me na mea e ae, hiki no ke hoopii hou aku, aole hoi e nele ka mea e, ina he kuleana kona iloko o ia waiwai.

PAUKU 10. Penei wale no e hooko ai na palapala hoomalu i hoopukaia, e kau no ka olelo hoomalu maluna o ka waiwai i kuhikuhiia, aole e laweia ma kahi aku o ka mea i hoopiiia no ka mea e ae, no ka hoomalu wale no. O ka Makai nana e hoomalu e kakau

oia i na mea a pau ana e hoomalu ai, a e hui ke kope me ka palapala hoomalu i hoihoiia.

Ina he aina, a me ka waiwai paa ka mea i hoomaluia, e kau oia ma kahi e ike nuiia'i maluna o ua aina la, i palapala hoike; penei,

Ua hoomaluia keia wahi mamuli o ka palapala a _____ ka Lunakanawai hoomalu _____ a e hoihoiia ka palapala i ka la _____ o _____ no ka hoopii ana o _____ no na dala _____

Ua kakauia i ka la _____ o _____ 18 —

Ina noiia'ku kekahi Lunakanawai koikoi ma kona keena, a hoo-pau oia i ka palapala hoomalu, a hele ole mai paha ka mea hoopii, ke hiki i ka la i oleloia'i no ka hana, a ina hiki ole ia ia ke hoakaka i ka oiaio o ka aie, a ina hoakaka ka mea i hoopiiia he ale like ma kekahi aoao i mea e kaa'i, alaila e hoopau ka Makai i ka palapala i kauia maluna o ua aina la. Ina he waiwai hiki ke lawe, alaila, e kau ka Makai i palapala hoakaka ma kahi e ike nuiia'i i kokoke i kahi o ka Lunakanawai; penei,

Mamuli o ka palapala i hoopukaia e _____ ka Lunakanawai hoomalu _____ e hoakaka ana i ka hookokololo _____ i ka la _____ o _____ no ka hoopii ana o _____ no na dala _____ mamuli o ia palapala, ua hoomalu au i mea e kaa'i ia aie, ke hooiaioia keia mau waiwai i oleloia malalo _____

Ina he kuleana ko kekahi kanaka o keia Apana iloko o ia waiwai, ua kauohaia'ku oia e hoakaka mai i kona kuleana iloko olaila mamua o ka pau ana o ia la i oleloia maluna, a i ole, alaila, ua nele oia ke hoopukaia ka palapala ohi ia waiwai.

Ua kakauia i keia la _____ o _____ 18 —

Ina he mau mea hoihoi i ka Aha kaapuni a i ka Aha koikoi ka palapala kii a me ka palapala hoomalu, alaila, aole o keia palapala hoike a ka Makai wale no, e kau no hoi ka Makai nui o ka Moku-puni i palapala like me ia, ma na wahi ike nui ia ekolu ma ke kulanakauhale kahi e hookokololo ai ua Aha la.

PAUKU 11. Ina ohi ka Makai i ka waiwai mamuli o ka olelo i hooholoia e kekahi Luna, penei no e ohi ai, e lawe maoli no ka Makai i ka waiwai i ohiiia, a nana no e malama, nana wale no e kiai, a maluna ona ka hewa ke lilo, a aia no ia ia ka lawe aku i ka waiwai i kahi e, ke manao oia e lawe i mea e malu ai, a i makaukau hoi i ke kuai ku kala aku. Pela no e kakau ai ka Makai i na mea i ohiiia, a e hoolaha aku i ka ike ia ohi ana, a me ia kuai ana, i kanakolu la mahope iho o ka ohi ana; penei hoi e hana'i, e kau oia ma na wahi ike nui ia ekolu i ka palapala e hoakaka ana ia mea, ke pai ole ia kekahi Nupepa maloko o ia Apana, a ina ma Honolulu, e hai oia iloko o ka Nupepa Polunesia no na la he kanakolu; penei, ka olelo pai,

Mamuli o ka palapala ohi a _____ ka Lunakanawai hoomalu _____ i hoopuka'i e like me ka olelo i hooholoia no _____ ka mea i hoopiia no kona aie ia _____ he _____ dala, ua ohi au a e kuai ana hoi i ka mea i oi aku ke koho ana ke hiki aku i ka la _____ o _____ i ka hora _____ ma _____ i keia mau waiwai hoi _____ Oia ka'u e kuai ai ke hookaa ole ia mamua ka aie i hooholoia, a me ka uku hoopanee, a me ka lilo i ka hoopii ana, a me ko'u koina a me ko'u mau hapahaneri.

PAUKU 12. A hiki i ka la kuai a me ka hora i oleloia ma ka palapala, alaila ma kahi i oleloia'i, e hoike aku ka Makai i ka waiwai i ohia, i mea kuai, a e kimo aku oia ia me ke paewaewa ole i ka mea i oi aku kona koho ana, a e haawi aku ka Makai ia ia i palapala hoakaka i ke kuai ana; penei,

I keia la ua kuaiia keia mau waiwai no _____ ka mea i oi aku ke koho ana no ia waiwai, he _____ dala a me na keneta, nolaila, ua lilo pono kela mau mea nona. Ua hanaia hoi ma ke ano kuai Makai, mamuli o ka palapala ohi, e like hoi me ka olelo o ke Kanawai. Eia na waiwai, _____

Ua hanaia i keia la _____ o _____ 18 —

Na ka mea hoopii e uku no keia palapala.

PAUKU 13. Ina ohi ka Makai i ka waiwai o kekahi a hoole mai kekahi mea e aku ia ohi ana, aole ka mea aie, alaila, hiki no i ka Makai ke koho i umikumamalua kanaka paewaewa ole, i jure nana e hooholo i ka olelo no ka mea nona ia waiwai. Aole nae e paa na aoao elua ma ia olelo. Aka, ina olelo ka jure, aole pili ka waiwai i ka mea aie, alaila, hiki i ka Makai ke hookuu aku i ua waiwai la i ohia. Ina nae i haawia mai i ka Makai e ka hoopii ka palapala hoopaa i mea hoopakele ia ia i ka hewa no ka ohi ana, alaila aole hiki ia ia ke palapala ia mau hua ma ka palapala ohi, e kuai aku no oia ia waiwai me ka manao ole i ka olelo a ka jure.

PAUKU 14. I ke kuai ana pela mamuli o ka palapala ohi, aole oi aku ka mea lilo mamua o ke kuleana o ka mea i hoopiia i ka wa i kuaiia'i, a ina i kuai aku ka Makai i ka waiwai o hai i pili ole i ka mea i hoopiia, nona ia hewa a e uku no oia i ka mea ana i hoopoino aku ai, ke hoopii mai oia, a hiki no i ka mea nona ka waiwai ke hoihoi aku mamuli o ka palapala hoihoi.

PAUKU 15. Ina loa i ka Makai ka palapala ohi, a palapala hoomalu, hiki no ia ia ke hoole, aole ohi, aole hoomalu ke haawi ole mai ka hoopii i palapala hoopaa i mea e pakele ai ka Makai ke hewa ke kuhikui ana, a me ka ohi ana, a poino o hai, i palapala

hoopaa hoi i mea e pakele io ai ka Makai; penei ke ano o ua palapala hoopaa la, ke hanaia,

E ike auanei na kanaka a pau ma keia palapala ia maua ia ——— ka mua, a ia ——— kona hope, ua hoopaa loa maua pakahi ia maua iho, ia ——— ka Makai no ——— ma ka Mokupuni o ——— ko Hawaii Pae Aina, no na dala ——— poho ——— No ka uku pono aku ia ma keia palapala, ke hoopaa nei maua ia maua pakahi, a ia maua pu, a me na hooilina, a me na hooko kauoha, a me na hooponopono waiwai hooilina o maua.

Ua kauia ko maua sila, a ua hanaia hoi i keia la ——— o ——— 18 —

Eia ke ano o ua palapala hoopaa nei, o ——— ka Makai, e ohi ana (a e hoomalu ana paha) i ka waiwai o ——— ka mea i hoopiiia i mea e kaa'i ka mea a'u e koi aku nei ia ia, e uku mai ia'u Nolaila, ina hoopii kekahi mea e ae no kona komo hewa ana ia waiwai, a hooheawai ka Makai no ka ohi ana (a hoomalu ana paha) a lilo ia ia ka uku no ke poho, alaila ua pili keia palapala hoopaa, i mea e poho ole ai oia, a hiki no ke ohi noloko mai o ko maua waiwai pakahi, a waiwai hui paha, e like ka nui me ka nui o kona poho, a i aole pela, alaila lilo keia palapala i mea ole.

Na ko maua mau lima i hana a kau hoi i na sila o maua i ka la a me ka makahiki i olelo muaia'i maluna.

—— ——— (Sila)
—— ——— (Sila)

PAUKU 16. Ina haawiiia ka palapala hoopaa e like me keia, hiki no i ka Makai i loaia kela palapala ke koi aku i ka uku ana, penei nae e hana'i; e kiiia na mea nana ka palapala e hele mai e hoi ke kumu, a e hoakaka i ka oiaio o na inoa ma ka palapala, alaila e auhauia ke poho e like ka nui me ka na hoi ke e olelo ai, ua uku ka Makai a me ka uku hoopanee, a me ka lilo ma ia hihia ana, a me na koina no na palapala kii, a me ka uku no ka poino, aole jure ma keia hana ana; a hiki no ke hoopuka i ka palapala ohi no ka waiwai hui o na mea i hoopaaia i ko kekahi paha, na ua Lunakanawai la e hoopuka e like loa no me ka hana ana i ka mea aie maoli.

PAUKU 17. Ina nonoi aku kekahi kanaka i kekahi o ua mau Lunakanawai la me ka hooihiki hoi i ke kumu e manao io ai ka Luna, e huna hewa ana kekahi maloko o kona Apana i ka waiwai o hai, a o kona iho paha, ma ke ano e poino ai kekahi, a ina haawiiia mai ka palapala hoopaa no ka mea i hoohuoia, a waihoia i ka lima o ka Lunakanawai, e like me ka mea hoakakaia ma ka Pauku malalo, alaila, hiki no i ka Lunakanawai ke hoopuka i ka palapala huli i ua kanaka la i hoohuoia, a me kona wahi, a e lawe hoi i ka waiwai i hunia e ia, a e malama mamuli o ka olelo o ke Kanawai, a me ka olelo i oleloia'i iloko o ka palapala noi, a na ka Lunakanawai e nana i ke ku ana o ia hana i ke Kanawai, a me ka pono. Penei ka olelo o ua palapala huli la,

Na kekahi Makai o ka Apana — ma ka Mokupuni o — ko Hawaii Pae Aina.

Ua hoike pono mai o — ia'u me ka hoohiki i ka oiaio, ke huna nei o — e noho la maloko o keia Apana ma ke ano hewa, (a maanei no hoi e hai ai i ka waiwai ke hiki ke hana pela) a no — kela waiwai, (a no kekahi mea e paha) a ua manao oia e hana a puka i ka mea i hoike, (a i kekahi mea e ae paha ana i olelo ai) a ua haawi mai o — i palapala hoopaa, me na hoike i aponoia i mea e lilo ai ia ia ka uku aku ia — no na poho a pau, a me na koina, a me na lilo i loa a i kana hana he komo hewa i ka waiwai o — a ina hooholoia pela.

Nolaila, ua kauohaia'ku oe e huli i ke kino, a me ka pa o — i iko oe i ua waiwai la, a ina he mea ia e pono ai, e wahi i na laka a me na puka, a me na mea e paa'i, a ina kua mai kekahi, e hoopaa no ia ia, a pau ua kanaka la, a me kona pa, i ka huliia. A loa a ka waiwai, e malama pono i mea e hiki ai ke hana e like me ka mea pololei ia — ma keia mea. Ua kauohaia'ku no hoi oe e hopu ia — a e lawe koke mai ia ia i o'u nei, e pale aku i kela olelo, i oleloia no kona huna (hewa ana ma ke ano kolohe, a aihue e like me ka mea oiaio,) na — i olelo.

E hoihoi pono mai oe i keia palapala me ka hoakaka pu mai i kau hana ana no ia mea, a e wikiwiki hoi.

Na ko'u lima i hana i keia la — o — 18 —

Lunakanawai hoomalu.

PAUKU 18. O ka palapala hoopaa no ia mea, e like ke ano me ko ka mea i koiia mamuli o ka Pauku awalu o keia HaaWINA i ka wa e hoomalua'i ka waiwai; menei nae na hua hope,

Eia ke ana o keia palapala. I keia la ua noi mai o — ka mua i palapala huli i (ka pa, a me ke kino, a me ka pa e like me ka mea oiaio) o — e noho la maloko o keia Apana, me ka hoohiki, (ua huna hewa ia me ka wahahee, a me ke ano aihue, e like me ka oiaio) i ka waiwai o — (e like me ka mea nona ka waiwai) me ka manao, a me ka makemake (maanei e hai ai i kona manao i ka huna ana) e hoonoleia o — (a maanei e hai ai i ke ano o ka poho.)

Nolaila, ina he mea pono ia — ke koi mai i uku, a i koina, a i pani lilo, no ke komo hewa ana i kona waiwai mamuli o ia palapala huli, a hooholoia pela, alaila, e ko no keia palapala maluna o maua elua i hoopaaia, a maluna o ko maua waiwai hui, a me ka waiwai o kekahi, a e like ka nui o ka uku me ka mea i oleloia maluna, a hiki no ke ohi mamuli o ka palapala ohi.

Na ko maua lima i hana, a kau hoi i na sila o maua i ka la, a me ka makahiki i olelo mua ia maluna.

— — (Sila.)
 — — (Sila.)
 — — (Sila.)

PAUKU 19. Aole hiki i ua mau Lunakanawai nei, ke hookolo-kolo i ka hihia no ka hoino inoa, a me ke pai ana i ka olelo boino, a no ka olelo hoohilahila, a no ka hoopii kolohe, a no ka haalele i ka

olelo ae mua e mare, no ka paa hewa ana iloko o ka hale paahao a no ka hoowalewale ana i ka wahine ano pono e moekolohe. Aole hiki ia lakou ke hooki i na mea i mareia, aole hookama i na keiki pooole, aole hoonoho i na kahu, aole hooiaio i na kauoha a me na hoike ana, aole haawi i na palapala hooko kauoha, a hooponopono waiwai hooilina, aole hoi mahale e i ka waiwai no na wahine kanemake. Aole hoi e hiki ia lakou ke hookolokolo i kekahi hihia i haia ma ke Kanawai, he karaima, ina haawi ke Kanawai na ka jure e hookolokolo, aole hoi kekahi he kolohe kupono i ke jure ke hookolokolo e like me ka olelo mahope nei. Hiki no ia lakou i ko lakou hui ana ke hookolokolo jure ole, no ka ae ana maluna o ka malu nui, no ka hoohaunaele, no ka hakaka, no ka hooihiki ino i ke Akua, no ka ae ana maluna o ka malu o ka la Sabati, no ka hoohaunaele ana i na kula Aupuni, a me na kula pualu, a me na ekalesia, a me ka hoomana i ke Akua, no ka hoopau ana i ka waiwai kula, a me ka waiwai o na anaina pule, no ka hana ino ana, a me ka hoopau ana i na palapala hoike i kauia maluna mamuli o kekahi Kanawai o keia Aupuni, no ka ona rama, no ka hana hilahila, no ka moekolohe o na mea mare ole ia, no ka malama ana i ka waiwai i aihueia, no ke kue ana i na Kanawai dute, ina aole oi aku mamua o na haneri dala elima, a no ka aihue uuku, oi ole aku mamua o ka haneri dala hookahi. E hoolohe no nae lakou i ka olelo o na aoao, a hiki no ke hoopii mahope.

PAUKU 20. Hiki no i ua mau Lunakanawai la, ke hoopuka i palapala hopu no ka hewa, a e ninaninau, a e waiho i ka hale paahao no ka hookolokolo kaapuni a no ka hookolokolo koikoi paha, i na kanaka hoopiiia e na mea hoike pololei, no na karaima a me na hewa i oleloia ma na Kanawai o keia Aupuni a ua hoopaiia ma ke Kanawai no ka hewa.

PAUKU 21. I na manawa a pau, ina hoopukaia e kekahi o ia mau Lunakanawai ka palapala hopu no ke kolohe, a me ka hewa paha e like me ka olelo ma kela Pauku maluna, mamuli o ka olelo a kekahi mea ike ia mea, e hooihiki ke kanaka ua ike oia, a i ole he kumu pono e manao ai ua hanaia kela kolohe, a o kela hewa, a ina hiki ia ia, e hai mai no oia i ka inoa o ke kanaka, a o kona ano paha, a me kahi i uhakiia o ke Kanawai pela, a me na inoa o na hoike, ina he hoike i ikeia; penei e kakau ai ia palapala hopu,

Na kekahi Makai o ka Apana ——— ma ka Mokupuni o ——— ko Hawaii Pae Aina. Mamuli o ka hoike ana a ——— ana i hooiaio ai me ka hooihiki, ua keniia'ku oe'e hopu a paa i ke kino o ——— ke loaa ia, a e lawe mai ia ia imua o'u ma ko'u keena ma ——— iwaena o ka hora ——— o kakahiaka, a me ka hora ——— o ke ahihi maanei (e pale aku ai i ka olelo no kona karaima a kolohe paha, a hoakaha mai paha i kumu e pono ole ai ka hoopaa ana ia ia no ka hookolo-

kolo mea ana o ka Ahakoikoi, a Kaapuni paha e like me ke kupono.) Ua kenaia'ku no hoi oe, mahope iho o ka hopu ana ia _____ e kii aku i keia mau hoike _____ e hoakaka'i i ka hewa ke loa ia oe. E hoihoi pono mai no hoi oe i keia palapala, me ka hoakaka pu mai i kau hana ana ma keia mea.

Na ko'u lima i hana i keia la _____ o _____ 18—.

Lunakanawaihoomalu. •

PAUKU 22. E hiki no i ka Makai nana e hooko i ua palapala hopu nei, ke hana me ka ikaika nui, a hiki i ka pilikia loa i mea e koi io ai. Hiki no hoi ia ia ke huli, a lalau aku a lawe i kela mea keia mea i pili i ka mea i hoohuoia, a hoopiiia i ka wa i hopuia'i, i mea hoike, a i mea e hoakaka io ai i kona hewa, a i mea e hiki ai ke huli pela, e lilo no keia palapala hopu i palapala huli; aka, aole e manaoia ua papa keia Pauku, a me na Pauku mamua i na Makai, a me na Luna e ae o keia Aupuni nona ia wahi, i ka hopu ana i na kanaka a lakou i ike ai, ua hana i ka hewa a me ke kolohe, a me na mea ino. Hiki no ia lakou ke hana me ka palapala ole a ka Lunakanawai a me ka Ahahookolokolo i oleloia ma keia Kanawai. Aka, i na manawa a pau, ina aole mea hoike mai me ka hoohiki, a hopu wale ka Makai i ke kanaka, e manaoia o ka Makai ka hoike.

PAUKU 23. I na manawa a pau, ina hopuia ke kanaka no ka hana i hoakakaia ma ke Kanawai he karaima a no ke kolohe kupono i ke jure ke hookolokolo paha, alaila, o ka Lunakanawai nana i hoopuka i ka palapala hopu, a o ka Lunakanawai paha i kahi i hanaia'i ka hewa, i ka wa e laweia mai ai oia imua ona, alaila, e noonoo pono oia ina paha e hooheua mai ke jure o ka Ahakaapuni a o ka Ahakoikoi paha i ua kanaka la ke hoonoia, a ke loa ole ka hoike ma kela aoao.

E kakau no ka Lunakanawai i na olelo a na hoike i kela ninani-nau ana, a me na inoa o na hoike. A ina manao oia aole kumu e paa'i ke kanaka, alaila, e hooku aku oia ia ia a e kau no hoi ia ma ka moolelo i malamaia ma kona hale; aka, ina manao oia he kumu no e hooheua'i ka Ahakaapuni ia ia ke loheia ka olelo a na hoike, a me na mea e ae, alaila, e hana oia a kau i kona inoa maalalo i palapala Lawe a e haawi i ka Makai nana e hopu i ka mea i hoohuoia. Penei na hua o ia palapala,

Na _____ a na kekahi Makai e aku maloko o keia Apana _____ o ka Mokupuni _____ ko Hawaii Pae Aina.

No na mea i hoikeia mai ia'u a kakaia maluna, ua manao au, he kumu e manao ai ia _____ ka mea i hopuia no _____ (mamuli o ka hoike ana a _____ a he mea e like me ka oiaio) (e hoakaka boi i ke ano o kona hoohiki ana imua o ka Lunakanawai) e hoalewaia oia ke hoopiiia no ua hewa la. Ua kenaia'ku oe e haawi i ua mea ia ia _____ i ka Makai nui o ka Mokupuni o _____ a i kona hope, p. no ia ia

mamuli o keia palapala e hoopaa ia ia iloko o ka hale paahao o keia Mokupuui, a hiki i ka manawa e hookolokolo ai ka Ahakoikoi a o ka Ahakaapuni paha i hookolokoloia oia, a i kela manawa e lawe oe ilaila i keia palapala me ka hoakaka pu i ke ano o kau hana ana ma keia mea.

Ua hanaia malalo o kuu lima i keia la _____ o _____ 18 —

Lunakanawaihoomalu.

PAUKU 24. Ina loa ole i ka Ahakaapuni a koikoi paha he kumu pono e hookolokolo ai i ke kanaka i hoopaiia a ina he kumu no, a hoopii hou ole ia nae i ka hookolokolo mua ana o ia aha, a hoopaneeia paha, a ina hiki ole ke hooiaio i kekahi hewa i oleloia, a ina olelo mai ke jure, aole oiaio kekahi hewa i oleloia iloko o ka palapala hoopii, a ina like ole ka manao o kekahi jure, i hoonohoia e hookolokolo ia ia, a pela ka lua o ke jure, alaila, e lilo ia i mea e kuuia'i ua mea la i hoopiiia, a e like hoi me ka palapala papa i ka Ilamuku, a me ka Makai nui, a me kona hope, aole kaohi hou aku i ke kanaka mamuli o kela olelo hoopii.

PAUKU 25. Aole hiki i kekahi o ua mau Lunakanawai la, ke hoo-holo i ka olelo no kekahi hihia a ke Kanawai i olelo ai na ke jure e hookolokolo, aole ka hihia waiwai, aole ka hihia no ka hewa, aole hoi e hiki ia laua ke hoonoho i mea e ae nana e wehewehe. E hiki nae i na mea hoopapaa ma ke Kanawai ke koho i mau mea paewawa ole nana e olelo iwaena o laua, no na hihia waiwai a pau, malalo nae o na haneri dala elima i kupono i ua mau Lunakanawai la ke hookolokolo, a ae mua na aoao elua ke hoolilo i na olelo a na mea i hookoia i olelo na ka Ahahookolokolo, alaila, i ka wa e hiki mai ai ia olelo, a hoi keia mai ka oiaio o ka olelo i ae muaia, e hoopaa loa ia olelo a na mea i kohoia i hoo-holo ai no na dala, a e hoopuka oia i ka palapala ohi. E ukuia aku nae ka Lunakanawai.

PAUKU 26. Hiki no i kela kanaka keia kanaka i aie i kekahi i na dala i emi mai i na haneri elima, i hoopiiia, a hoopii ole ia, ke hele maoli i kona kino iho, a o kona hope i hoolilo pono ia a imua o kekahi o ia mau Lunakanawai a ae aku i ka aie ana i ae aku ai a e pili kela aie i kona kino iho, a i kona waiwai no hoi no ia aie a no na koina. A pono i ka Lunakanawai i na manawa a pau i hanaia pela ke hoopaa i ka olelo, e like loa no me kana i hoo-holo ai, ina hiki ole mai ka mea i hoopiiia, a ua hoakakaia nae ka oiaio o ka aie. Aka, aole hiki i kela olelo i aie me ka hoopii ole ke hoomalu, a heonalo i ka waiwai o ka mea aie, aole hoi e manaoia kela ae ana mamua o ka manao ana i ka olelo i hoo-holoia mahope no ka hoopii maoli o kekahi, a ina i akaka ua ohumu pu, a ua hana kolohe i kela ae ana, me ka oiaio ole o ka aie, a me ka manao hoi e hoopomaikai hewa i kekahi mamua o kekahi o na mea i aieia.

PAUKU 27. Aole hiki ke ohi i ka aina mamuli o ka olelo a kela mau Lunakanawai i hooholo ai, aole hoi kekahi waiwai paa e ae maloko o keia Aupuni, a lawe mua ia ke kope i hooiaioia e ka Lunakanawai a i ke Kakauolelo o ka Ahakaapuni o ia Mokupuni, a kakauia malaila, alaila ohi. Aka, e hiki no ke ohi i ka waiwai lewa o ia ano aku ia ano aku, i ka waiwai hoi o ka mea i hoopiiia, ke hoopakele ole ia kela waiwai ma ke Kanawai, a holo ka olelo, alaila, hiki ke ohi, a o ka mea nana i ohi mua, nona no ka waiwai.

PAUKU 28. Hiki no ia mau Lunakanawai, ke haawi i ka olelo hooihiki, ke hoomau i ka olelo a na hoike mamuli o na palapala a na Lunakanawai e ae o ia Mokupuni iho, a me na Mokupuni e ae, hiki no hoi ia lakou ke hoolilo ia hai i Luna lawe i ka olelo a na hoike i mea e akaka'i ka pono iwaena o na mea e hookokololo ana imua o lakou. Hiki no ia lakou ke hooiaio i ka hookama keiki ana e like me ka olelo o ke Kanawai, hiki no ia lakou ke hooko i na Kanawai auhau, maloko o ko lakou mau apana, ke hoopii mai na Luna auhau, a me na Luna hana, a e hooko koke hoi i na Kanawai, e like me ka pono maoli, ke hoopii mai na Kalukula o na Apanakula, maloko o ka apana o ka Lunakanawai, e like me ka olelo maloko o ka Apana aha o ke Kanawai i kapaia, he Kanawai hoonohonoho i na hana i haawi ia i na Kuhina o ko Hawaii Pae Aina.

PAUKU 29. Ina hoopii ke Aupuni a o kekahi kanaka paha a i kekahi o ka Ahahookokololo kakau o ia Mokupuni no kona pilikia i kekahi o na Lunakanawai hoomalu, no ke ano o ka hana ana i kekahi hihia e lewa ana imua o lakou, alaila, hiki i ua ahahookokololo la ke hoopuka i palapala hooki i ka hana a me ka hoopau, a i palapala papa paha, ina aole malama kekahi Lunakanawai ia palapala hooki i ka hana a me ka hoopau, a palapala papa paha e hoopiiia oia imua o ke Kiaaina nana i hoonoho ia ia, a ia ia no e hemo ai, ke oiaio.

PAUKU 30. O kela hihia keia hihia i laweia imua o ia mau Lunakanawai hoomalu a hookokololoia, a hooholoia ka olelo, hiki no ke hoopii hou, ina, hoohalahala kekahi aoao no ka pololei ole o ka hoopili ana i ke Kanawai, a no ka oiaio ole o kekahi mau olelo i kona manao, hiki no ia ia ke hoopii hou, mai ua Lunakanawai la a i ka Ahakaapuni, a i ole ia i ka Aha Mokupuni. E hana nae mamua o ka pau ana o na la he umi mahope iho o ka hooholo ana o ka olelo, a ina ua hoopukaia ka palapala ohi, a ua ohia ka waiwai, alaila, e ko no ia ohi ana, ke aponoia ka olelo mua e ka Ahahookolo hope; penei nae e hanaia'i,

Maloko o na la he umi mahope iho o ka olelo, e waiho ka aoao make-make e hoopii imua o ka Lunakanawai i palapala hoakaka i na mea ana e hoohalahala'i, no ka hoopili ana i ke Kanawai paha, no ka oiaio

ole o na olelo i oleloia paha, a e hoakaka i kona manao e hoopii hou, nana no e uku i na koina, a e waiho pu no hoi oia me ia Lunakanawai i 100 dala, i mea e hookaa'i i na koina a ka hookolokolo hou ana, ke hookahuli ole ia ka olelo mua, a i ole oia e haawi mai ia dala, e haawi no i palapala hoopaa no na dala 150 me ka hope pono, a penei hoi ke ano o ia palapala;

Eia ke ano o keia olelo maluna. I keia la, a i ka la okoa e like me ka oiaio, ua hooholo o _____ ka Lunakanawai hoomalu ma ka Moku-puni o _____ i olelo mamuli o _____ a ua hoohalahala o _____ ka mua, a ua koi mai e hoopii hou.

Nolaila, ina hooikaika oia i kana hoopii ana, a ko ka olelo ana e hoopii ai imua o ka Ahakaapuni o keia Mokupuni i ko lakou halawai ana mahope nei, a i ole ia, imua o ka Aha koikoi, alaila, lilo keia palapala hoopaa i mea ole, a i ole e ko, alaila, e kau no maluna o maua na koina a me na lilo a pau na mea i ukuia no ka hookolokolo ana, a e laweia noloko o ke dala i oleloia iloko o keia palapala hoopaa, a hiki no ke ohi i ko maua waiwai hui a i ko kekahi paha, aole auhau hou ia, aole hookolokolo hou.

Na ko maua lima i hana, a kau hoi i na sila o maua i ka la a me ka makahiki i olelo muaia'i maluna.

—— (Sila.)
—— (Sila.)

Aponoia, a kauia na inoa imua o'u.

Lunakanawai hoomalu.

PAUKU 31. Ina noiia mai ka Lunakanawai pela, a ukuia ke koina a haawiiia mai ka haneri dala, a i ole ia e haawiiia mai ka palapala hoopaa, alaila, e hoike koke ia i kekahi aoao, a ina, ua puka ka palapala ohi, e hoike no hoi i ka Makai i lawe i ka palapala ohi, a maloko o na la he umi mahope iho o ka loa ana i kela palapala noi a me ke koina, a me ka haneri dala, a i ole ia, o ka palapala hoopaa, e hoomakaukau ka Lunakanawai a haawi i ka Ahahookolokolo i kope pololei maoli o na mea a pau i oleloia a hanaiia imua ona, a ina hana ole oia, hiki no i ka Ahahookolokolo ke koiako aku ia ia e hana no ka palapala kena e koi ai, ke noiia kela Aha pela.

PAUKU 32. O ka hana ana e like me ka olelo ma kela mau Pauku, e lilo ia i mea e pau koke ai ka olelo i hooholoia a me ka palapala ohi i haawiiia'ku.

PAUKU 33. Ina hoopii kekahi a ko kona aoao, alaila, na ka aoao i pio e uku i ka lilo a pau no ka hoopii ana, eia nae na mea i koe.

1. Ina hoopiiia kekahi imua o ka Lunakanawai apana, a pio, a hoopii hou aku oia a ko kona aoao, ina ho'emiiia na dala a ka Lunakanawai apana i olelo ai, i hapalima o na dala a pau, alaila,

na ka aoao i ko mamua e uku i ka lilo a pau no ka hoopii hope ana.

2. Ina hoopiiia kekahi imua o ka Lunakanawai apana, a ko kona aoao, a lilo ia ia ka hoopii hou aku, alaila, ina aole hooiia kona mau dala i hookahi hapalima o na dala a pau, alaila, nana no e uku i ke poho a me ka lilo no ka hoopii ana.

3. Ina hoopii kekahi imua o ka Lunakanawai apana, a ko kona aoao, a hoopii hou aku oia, ina aole hooiia'ku kona loa i hookahi hapalima o na dala a pau, alaila, nana no e uku no ka lilo a pau no ka hoopii hou ana.

4. Ma na hihia e ae a pau loa, na ka mea i pio e uku i na poho a pau no ka hookolokolo ana.

PAUKU 34. Ina hoopii hou kekahi kanaka mai ka Luna apana a i ka Lunakanawai maluna, a lilo i ka mea i hoopiiia ka uku i ka lilo, alaila, e uku no oia i ka lilo no ka hookolokolo mua a me ka hookolokolo hope. A ina hoopii kekahi mai ka Luna malalo, a i ka Lunakanawai maluna a ko kona hoopii; a nana e uku i ka lilo no ka hoopii ana, alaila, na ka Lunakanawai e hoolawe i ka lilo o ka mea i hoopiiia mailoko mai o kona aie, a o ke koena wale no kana e hookaa'i.

PAUKU 35. Ina aole e hoopiiia mamua ae o na la he umi mahope mai o ka holo ana o ka manao, o ka pau ana no ia o ka hookolokolo ana, aole e hiki i kekahi Ahahookolokolo ke hana hou malaila.

PAUKU 36. Ina hooholo na kanaka i kohoia i ka olelo no kekahi hihia, a hana hoi mamuli o ka olelo ae like a na aoao elua, e lilo ka lakou olelo i olelo no kekahi o na Lunakanawai hoomalu, a mahope, manaoia ua ohumu hewa, a ua paewaewa ka lakou hana, alaila, hiki i ka mea i manao ia ia iho ua pono. ke nonoi aku i ka Lunakanawai, a na ka Lunakanawai e haawi aku i palajala kii i kela aoao e hele mai a hoike kumu a hoopapaa, a lawe mai i hoike, e hoakaka i ka pono ole o ka hookahuli ana i ka lakou olelo, a ina oiaio, ua ohumu lakou me kekahi aoao, a ua kolohe, a ua paewaewa paha, e hoopau no oia i kela olelo, a e hooholo oia i ka olelo e like me ka pono io, a na ka aoao i ohumu pu me lakou e uku i ka lilo a pau o ka hookolokolo ana; e hiki nae ke hoopii hou e like me ka olelo mamua.

PAUKU 37. Aole e manaoia ka hoolilo maoli ana o ke kanaka i Hope, a i Kookua, a i Koo, imua o keia mau Ahahookolokolo, e like me ka hana ana imua o na Aha kakau, e hiki no i ke kanaka ke hele nona iho, a no hai kekahi, imua o ua mau Ahahoomalu ia. Aole hoi e hiki ia mau Lunakanawai ke hoole i ka ke kanaka hana

ana pela, a e hooponopono imua o lakou; no ka hoowahawaha ana i ko lakou mana ma ke ano Lunakanawai, a no ka hoowahawaha ana i ka lakou palapala, a no ia mau mea wale no e hoole ai.

PAUKU 38. O ka uku no ka hookolokolo ana, aole ia e oi aku mamua o na dala he umi, aole nae i komo iloko o keia ka uku no ka poe hooko malalo o ka Lunakanawai, a na ka aoao i pio e uku, a e hookomo pu i keia me ka aie i hooholoia, aole e auhau na Lunakanawai i kekahi dala no ka Hope a me ke Kokua.

M O K U N A 3.

NA AHAHOOKOLOKOLO KAKAU.

HAAWINA 1.

NO NA AHAHOOKOLOKOLO KAAPUNI.

PAUKU 1. I mea e loaia io ai ka pono i na kanaka o keia Aupuni a me ko na aina e, ua maheleia ke Aupuni o Hawaii nei i Aha Moku.

1. Ka Mokupuni Oahu, ma Honolulu, kahi e hookolokolo nui ai.
2. Na Mokupuni o Maui, Molokai, Lanai, a me Kahoolawe, ma Lahaina ma ka Mokupuni o Maui, e hookolokolo nui ai.
3. Ka Mokupuni o Hawaii, ma Hilo e hookolokolo nui ai.
4. Na Mokupuni o Kauai, a me Niihau, ma Hanalei, Kauai, e hookolokolo nui ai.

PAUKU 2. I kela makahiki a i keia makahiki e halawai ka Ahahookolokolo kaapuni, ma na wahi e hookolokolo nui ai; penei hoi,

Ma ka Moku, helu 2, ma Lahaina, i ka Monede mua o Maraki.

Ma ka Moku, helu 3, ma Hilo, i ka Monede mua o Sepatemaba.

Ma ka Moku, helu 4, ma Hanalei, i ka Monede mua o Feberuari;

A ma ka Moku, helu 1, ma Honolulu, i ka Monede mua o Augate.

I kekahi o keia mau Ahahookolokolo, na kekahi o na Lunakanawai koikoi i hoonohoia ma ka Haawina elua o keia Mokuna e noho i Peresidena.

PAUKU 3. He sila okoa ko kela Ahakaapuni, keia Ahakaapuni, na na Lunakanawai koikoi e hoakaka i ke ano, a hoakakaia, a haaia'ku i ka lehulehu ma ka Nupepa Polunesia; alaila, o na palapala a pau a me na kauoha, a me na moolelo, a me na palapala lua, a me na kope i hooiaioia, o na hana a me na olelo hoopapaapa,

a me na rula, a me na olelo hooholo, a me na olelo paa a na Lunakanawai i hoopukaia e na Akahookolokolo, a kakauia ka inoa o kekahi Lunakanawai, a kauia ke sila i hoakakaia no ua Aha la, e manaoia kela palapala ma na wahi a pau, ua oiaio.

PAUKU 4. Na kela Kiaaina keia Kiaaina e hoonoho i na Moku i oleloia maluna, o kela mea keia mea no ka Moku malalo ona i elua Lunakanawai hele ole, e hana pu me ka Luna koikoi e kaapuni ana e hoconopono i na Ahakaapuni, i oleloia no ua Mokupuni la; a oia hoi ka Peresidena o lakou. O ua mau Lunakanawai la i hele ole, e noho no lakou oia he pono ka hana ana, a na ke Alii iloko o ka Ahakukakuka Malu e hooholo i ka olelo no ko lakou uku. E hiki no ke hoopii ia lakou a hoopau i ko lakou noho ana, e like me ka hana ana i na Lunakanawai e ae o na Ahahookolokolo kakau. Ina hui laua, a o kekahi o laua me kekahi o na Lunakanawai koikoi i ka manawa i hoakakaia no ka hookolokolo kaapuni, i lilo no lakou, a o laua paha i Ahakaapuni nana e hookolokolo i na hihia, a e like hoi ke ano o ka hana ana me ka mea i hoakakaia'i E noho laua, a e malama i wahi hana i kapaia, he keena hana, ma kahi hookolokolo nui o ia Mokupuni, a pela no lakou a pau ma kela Mokupuni keia Mokupuni, a ma ia mau wahi, e lilo ia lakou na mana a pau i haawia malalo i na Lunakanawai, aka, ma Honolulu, aole hiki ia laua ke hana i kekahi hihia iwaena o na haole, i na kanaka maoli wale no lakou e hana'i.

PAUKU 5. Hookahi malama mamua o ka manawa i oleloia'i no ka Hookolokolo kaapuni ma kekahi Moku a me kekahi, e hooholo ka Ahakoikoi i ka mea o lakou e holo no ia hookolokolo ana, a e hoike aku i ka mea e hele ana ma ka Nupepa a lakou e manao ai he pono, i mea e lohe nuiia'i; a na ka Peresidena o ka Ahahookolokolo koikoi e hai ae i kona hoa i koho ia i na Lunakaapuni hele ole o ka Moku kahi e hookolokolo ana, a na laua e kau i ka palapala mawaho o ka puka nui o kahi i hookaawaleia no ka hookolokolo kaapuni.

PAUKU 6. E hiki no i ua Ahakaapuni la ke hookolokolo a hooholo i ka olelo no na hihia waiwai a pau iwaena o na kanaka, a ina o ke Aupuni ka mea hoopii, oia no, a oi aku ka waiwai i hoopaa-paaia mamua o ka haneri dala hookahi, a pela no e hiki ai ia lakou ke hooholo i ka olelo no na uku, a me na pani lilo a me na haule poho i oi aku mamua o ia mau dala, a keia Aupuni e koi ai, ina nae e noho ana ka mea i hoopiiia, a ua loa paha ia manawa ma ka Moku o ua Aha la. Hiki no ia lakou ke hookolokolo a hooholo i ka olelo no na hihia a pau iwaena o na kanaka, ina he poino ko kekahi no ke ano o ka hana ana a kekahi, a ina nui loa ke koi ana, hiki no ia lakou ke hookolokolo. Hiki no ia lakou ke hookolokolo

a hooholo i ka olelo no na hihia a pau iwaena o na kanaka no ka aina, a ina hoopii ke Aupuni e mahele, a hoolilo i ka aina, no kekahi hoaina a me kekahi, e like me ke ano o ke kuleana; hiki no ia lakou ke haawi i palapala hooheho, a me na palapala e loa'i; ia lakou ka mahele i ka waiwai o na wahine kane make iloko o ka aina; ia lakou ka hookeiki i na keiki pooole, a e hookaawale i waiwai e pono ai lakou; hiki no ia lakou ke hooki i na kane a me na wahine, a e hoolilo i ka mare ana i mea ole, ina he kumu e ole ai; hiki no ke hooholo i ka olelo no ka hoihoi i na waiwai lewa, a me ka haawi i palapala hopu, a me ka palapala paahao, a me ka palapala papa holo, a me ka palapala kaohi, a me ka palapala hoomalu, a me ka hoonoho i Luna nana e lawe i ka olelo a na hoike, ina mamuli o ke Kanawai, a mamuli o ka pono paha; hiki no hoi ke haawi i kekahi mea e ae e haawi i ka olelo hooheho; hiki no ke hoololi ae i kahi hookolokolo, a i ka Moku okoa, ina noi mai na mea hihia inua o lakou; hiki no ke hoopanee i na hana, a me ka hoopuka i palapala kuu kino, a me ke kuu aku i na paahao ke haawia mai ka palapala hoopaa.

PAUKU 7. Hiki no i kela Aha keia Ahakaapuni ke hookolokolo no na hewa a pau a me na kolohe a pau i hanaia ma ka Moku o ia Aha. Hiki no ke hookolokolo hou i na hihia i hoopii hou ia mai, mai na Luna apana, a mai na Luna hoomalu mai, a ia lakou ka hookolokolo mua i na hihia e ae a pau, o ka pepehi kanaka ke koe, na ka Aha koikoi ma Honolulu e hookolokolo ia hewa.

PAUKU 8. I ka hookolokolo ana, aole hiki i na Ahakaapuni ke hooko i na palapala Moraki no ka aina, aole hoi i na Moraki a me na palapala e ae e lilo ai ka mokuholo, aka, ina he palapala Moraki no ka moku, a palapala e ae e lilo ai, hiki no i ua mau aha la, a hiki no hoi i ka Peresidena o lakou ma kona keena, ina i ka manawa hookolokolo a me ka manawa e ae ke hoopuka i palapala hoomalu, hoopaa, a lawe, a e hoihoiia kela palapala i ka Aha koikoi ma Honolulu, a hiki no ke kii i ka aoao pale hoopii e hele i ka halawai ana o ka Aha koikoi, malaila e hoike kumu ai. Aole hoi e hiki i ka Ahakaapuni ke hookolokolo i na hihia, ina i hoopiiia ke Aupuni aole hoi i na Kiaaina o na Mokuapuni ke hoopiiia.

PAUKU 9. E hiki no na Lunakanawai hele ole o ua mau Ahahookolokolo kaapuni la, ke hookolokolo hou i na hihia o na kanaka maoli i hoopiiia mai, mai na Lunakanawai o na Apana mai, e like me ka olelo ma ka Haawina akahi o ka Mokuna alua o keia Kanawai. Hiki no ia lakou ke hoopuka i kela palapala keia palapala kupo, i ka hana o ia Aha, a e hoihoiia ka palapala i ka wa e halawai ai ka Aha, a ina kupo ka hihia i ka hana a ka Ahakoikoi, e hoihoiia i kela Aha; a ina oia ka palapala mua no ia hihia, oia ka

hoomakā ana o ka hookolokolo iwaena o na aono i oleloia iloko o ia palapala. Aka, o ka Lunakanawai i hoopuka i ka palapala mua no kekahi hihia, nana wale no e hoopuka iwaena no ia hihia, oiai e waiho ana ia hihia imua o ia Aha, aole hoi e hiki i kekahi Lunakanawai e ae o ia Aha, ke hana ma kona manao ia hihia.

PAUKU 10. Aole oi aku ka manawa o ka hookolokolo ana i ka manawa hookahi mamua o umikumamaha la, a o na hihia a pau i oleloia iloko o ia mau la e hoopaneeia a i kekahi manawa hookolokolo hou aku. E hiki nae i ua Ahahookolokolo la, a i kekahi o ia mau Lunakanawai ma kona keena iho ke haawi aku na kekahi Ahakaa-puni e hookolokolo.

HAAWINA 2.

NO KA AHAHOOKOLOKOLU KOIKOI A KAULIKE.

PAUKU 1. E hoonohoia a ke hoonohoia nei kekahi Ahahookolokolo no ko Hawaii Pae Aina, a e kapaia kela Aha, ka "Ahahookolokolokoikoi a kaulike." Ma Honolulu, ma ka Mokupuni Oahu e halawai mau ai ua Aha la, i ka malama o Ianuari, Aperila, Iulai, a me Okatoba, i kahi a ka Moi iloko o ka Ahakukakuka Malu e olelo ai, a hiki no hoi i na Lunakanawai o ia Aha e hoakaka i manawa iloko o na malama okoa ke manao lakou he pono. E noa wale no ko lakou keena hookolokolo i na kanaka a pau i ka wa e hookolokolo ana, e noho nae ka poe maloko malalo o na kauoha o ia Aha.

PAUKU 2. Na ka Poeikohoia e na Makaainana iloko o ka Aha-ololo e koho i na kanaka ekolu, i akamai, a noiau, a pono, a ina hiki pela, pono e naauao lakou ma na pono kahi o keia Aupuni, a me na Kanawai o na aina e, a me na olelo ae like o na Aupuni. E noho pu lakou a ekolu ma ka Aha hookahi, e lilo nae kekahi o lakou i Peresidena, o ka mea hoi a ka Poeikohoia e olelo ai. Na ke Alii a me ke Kuhina Nui e haawi ia lakou i palapala sila nui i hoailona o ko lakou kohoia. A e noho Lunakanawai lakou oiai ka lakou hana pono ana, a ma ka hookolokolo wale no e hemo ai.

PAUKU 3. A kohoia kela mau Lunakanawai e hooliloia, alaila, e hooihiki lakou, a e haawi ke Kuhina Kalaiaina i ka palapala hooihiki; penei ke ano,

Honolulu, Oahu, ko Hawaii Pae Aina.

Owau, ke hooihiki nei ma ka mea hiki ia'u, a e kokua i ke Kanawai o keia Aupuni, e hoomalu i ka pono, a me ka ili ana'ku o ka papale Alii, e hoomalu hoi au i ka pono a e hana'aku i ka pololei i na kanaka

a pau, a me ke Aupuni, a e hoakaka paewaewa ole au, a e hooko hoi i na Kanawai, a me ka noho oluolu ana, a me na pono a me na pomai-kai, a me ka aie ana o na kanaka a pau, i hele mai, a laweia mai imua o'u ma ko'u ano Lunakanawai o ka Ahakoikoi o ke Kanawai, a me ke kaulike ma ko Hawaii Pae Aina. Pela ke Akua e kokua mai ai ia'u.

Kakauia a hoohikiia _____ i keia la — o — :8 —

PAUKU 4. O ka uku no ka poe Lunakanawai o ka Ahahookolokolokoikoi a kaulike; e hoakaka ia e ka Moi a me ka poe Kukakuka Malu, i ka wa e hoonohoa'i lakou, aole e hoemiia ka uku oiai e noho Lunakanawai.

PAUKU 5. E hiki no i ua mau Lunakanawai la ke hooholo i na rula i kekahi manawa a me kekahi, i mea e polololei ai ka hana a na mea e hookolokolo ana, a me ko lakou kokua imua o ka Ahakoikoi, a imua o ka Ahakaapuni, i pono hoi ka hoomaka ana, a me ka hana ana a me ka hoopau ana. Na lakou e olelo i ka la a me ka hora iloko o na malama i olelo ia maluna e halawai ai.

PAUKU 6. A halawai ua Ahakoikoi nei, alaila, hiki no ia lakou ke hookolokolo hou i na hihia a pau i hoopiiia mai, mai na Lunakanawai malalo mai a ia lakou i na hihia waiwai, a me na hihia no ka hewa, a me na mea hui, a me na hihia no ka pono a me na hihia ma ke Kanawai, ina iwaena o ka lehulehu, oia no, a ina iwaena o na kanaka elua, oia no hoi, ke hoakakaia ke kumu o ka hoohalahala ana, a i ole ia, ua hana paha mamuli o ka palapala hai hewa, a palapala kii i na Moohookolokolo, a kuu kino paha a kekahi Lunakanawai o ia Ahakoikoi, no ka hoohalahala ana mahope, a no ka hoakaka ana ma ke keena o ka Lunakanawai, alaila, hiki no i ka Ahakoikoi ke hookolokolo ia mau hihia a pau, a me na hoopii a me na hoopapaa ino no ka lehulehu, ina iwaena o na kanaka wale no, a ina no ka hewa, a no ka waiwai. Aia no ia Aha wale no ka hookolokolo mua i na hihia waiwai a pau, a me na kumu hihia, a me na hoopii, a me na hoopapaa i hoopiiia mai i ke Aupuni o ko Hawaii Pae Aina, mamuli o ka ae ana o ke Alii maloko o ka Ahakukakuka Malu, a me na Bila kaulike no ka hooko i na palapala Moraki, a me na Moraki no ka moku, a me na aie e ae o kai, a me na Bila kaulike a pau a me na kuu ana'ku, a haawi ana, na hai e malama i mea e kaa'i ka aie, a i mea paha e pono ai na mea aie i ka wa e akaka'i ua hune lakou, a me na hihia a pau o kai no ka waiwai, a no ke kino, ina he mea e hihia'i kekahi moku kahiki iloko o ke kai o ka Moi, a i mea ku i ka lalau ana, a me ka hoopaa ana, a me ka hooheua ana, a me ka lawe ana a me ke kuai ana i kekahi moku kahiki, a me na koina a pau no ka hoopakele waiwai, a me na koina a pau no ka mahele poho. Na ia Aha e hookolokolo mua i na feloni a pau i hanaia maloko o keia Aupuni, ina hiki ole i kekahi

Aha malalo ke hana. Na ia Aha wale no e hookolokolo mua i na hihia, a me na hoopii, a me na hoopaapaa i pili i na Luna Alii a me na Luna e ae, a me na Kanikela e noho la maloko o keia Apuni. O na hihia a pau, a me na hoopii, a me na hoopaapaa a lakou e hookolokolo ai, ina he hookolokolo mua, a he hookolokolo no ka hoopii hou paha, e hiki ke lawe hou aku ia hihia a i na Lunakanawai kiekie i oleloia iloko o ke Kumu Kanawai, a hooponopono houia iloko o keia Kanawai.

PAUKU 7. Aole e oi aku ka manawa o kekahi hookolokolo ana o ka Ahakoikoi mamua o ka malama hookahi, a o na hihia a pau i koe, aole i hookolokoloia, e manaoia kela mau hihia ua waiho wale ia a hiki aku i kekahi manawa e hookolokolo ai.

PAUKU 8. E hiki no i ua Aha la, ke koho, a hoolilo, a hookohu i mau mea paewaewa ole nana e olelo no ka hihia e lewa ana imua o lakou, ina he mooaie loihi a hihia paha, a nui paha na hana iwaena o na aoao. Hiki no i ua Aha la ke haawi i ka hihia, a hiki no ke koi i na aoao elua e hele imua o na mea i kohoia, a malaila e hoakaka'i i na mea i hoopaapaaia iwaena o laua, a i ole hele, e hoopai no ka hoowahawaha, o ka nele hoi ka hoopai. Hiki no i ka Ahakoikoi ke lawe ia olelo a na mea i kohoia, a e hoolilo ia olelo i mea paa loa iwaena o na aoao, a e hooko no hoi i ka haawi ana i palapala hooko.

PAUKU 9. E hiki no i ua Aha la, ke noiia mai pela, ke hoopai i ka mea pale hihia no kona hele ole mai i ka la i oleloia iloko o ka palapala, i ka la hoi i hoihoiia mai ai ka palapala kii, a palapala kauoha ma ke kaulike, penei e hoopai ai, e hooholo i ka olelo hoo-nele ia ia no ka hele ole mai, a no ke ano ae, a ina noiia, hiki i ua Aha la ke hoopai i kela mea keia mea hoopii, a hele ole mai i ka la e hoihoiia mai ai ka palapala kii, a palapala kauoha ma ke kaulike, a i ka la okoa paha mahope iho, ka la i oleloia'i no ka hoopanee ana, a ina hele mai, aole hana, a hiki ole ke hooiaio i kana olelo hoopii, penei e hoopai ai, e hooholo ka olelo, ua ko ole ka hoopii.

PAUKU 10. O ka mana i haawiia i ua mau Lunakanawai nei o ka Ahakoikoi, e manaoia he mea e hoomaka'i, a e hookomo wale, a e hana, a e hoopau i na hihia i laweia imua o lakou, a ina e lewa ana imua o kekahi Aahakaapuni a ina e imi wale kekahi i wahi e hiki ai ke hoopii; a o na kauoha a pau a ua mau Lunakanawai nei e hoopuka'i ma na keena i ka wa kaawale, a i ka wa e hoomaha ana ka Aha nana e hookolokolo ia hihia, ka Aha hoi i hoopii ia mai no ia hihia, e ko no ia mau kauoha a pau a like no ka pono a me ka paa maluna o na aoao, me ka olelo i hoopukaia e ka

nui o na Lunakanawai i ka manawa e hookolokolo maoli ana. O na kau hookolokolo o na Ahakaapuni o na Mokupuni a me ka Aha-koikoi ma Honolulu, e heluia ia i mea e pono ai ka hookolokolo ana, mai ka manawa mua o kekahi halawai ana a i ka manawa mua o kekahi halawai ana, a o ia mau kauoha, olelo hoopuka, a me na olelo paa, o ka mea mua, o ka mea waena, a o ka mea pili wale mai a o ka mea hoopau e kapaia ia, a e hookolokoloia ia, ma ke ano o na mea i hoopukaia ma ia kau hookolokolo.

PAUKU 11. E hoonoho ua mau Lunakanawai nei i Kakauolelo no ka Ahahookolokolo koikoi, a e noho oia, a e malama i kona hale hana ma Honolulu. E hooiki ua Kakauolelo nei e hana pololei i kana hana. Nana no e malama i ke sila o ua Ahahookolokolo nei, a e kauia no ia ma na palapala a pau a ua Aha la e hoopuka'i, a ina aole e kauia, aole no e hookoia ka palapala, aole hoi e paa na kanaka i oleloia mamuli o ia palapala, aole hoi e paa ka Luna i loa a ua palapala la nana. Na ke Kakauolelo e malama i ka Mooolelo no ka hana ana a ka Ahahookolokolo, a nana wale no e hoopuka i na palapala kii mamuli o ka olelo a ka mea nonoi mai, a mamuli paha o ka olelo a kona kokua i ae pono ia a hookohuia. A e hoihoia mai ia mau palapala a pau i ua Kakauolelo la, a e hoonohonohoia i ua mau palapala la ma kona hale Oihana. E loa'uanei ua palapala kii la ma ke ano a na Lunakanawai e hooholo ai i kekahi manawa a me kekahi. E kakau no hoi ke Kakauolelo iloko o ka buke e like me na hua palapala i na olelo i hooholoia, a me ka nui o ke dala i hooholoia'i, a me na koina o ua Aha koikoi nei; ina he hookolokolo mua, oia, ina he hookolokolo hope, oia no hoi, a ina noia mai pela, e hoopuka na Lunakanawai i ka palapala ohi a ka waiwai no ia mau dala e like me ka hoakaka mua ana, no na Ahahoomalu ma Maui, a me Oahu. O kela olelo i hooholoia, e lilo ia i mea e paa'i ka waiwai paa o ka mea i hooheuaia mai ka la aku o ke kakau ana ma ka buke, ma na wahi a pau o ke Apuni, a hiki no i ka Ilamuku, a o kona Hope paha ma ia wahi aku ia wahi aku ke hookaa ia mau dala noloko o ia waiwai, o ke dala i olelo mua ia, oia ka mea ana e hookaa mua'i. O ua mau palapala ohi la, e lilo ia i mea e paa'i ka waiwai lewa o ka mea i hooheuaia ma na wahi a pau o ke Apuni, o ka mea nana i ohi mua ia waiwai, o kana aie ka i hookaa mua ia. A e loa i ka mea nana i hoopii, a i ka Ilamuku, a me kona Hope, na rula a me na pomaikai, a me na pono a pau i haawia ma na hihia like i na Makai i loa na palapala kii ma ka lima o na Lunahoomalu ma Maui, a me Oahu. E malama no ke Kakauolelo i na rula i hanai no ka hoopii ana, a me ka hookolokolo ana ma ke akea a me ka hookolokolo ana ma na keena o na Lunakanawai koikoi a ma

na mea a pau i pili i ka Lunakanawai ke hana ma kona keena, aole hiki i ke Kakauolelo ke hana a kauoha mua ia mai oia pela; a ina kauohaia mai oia ma ke keena, a ma ke akea paha, e kekahi o na Lunakanawai no kekahi hana i kupono ia ia ke hana, no kekahi hoopii e lewa la, a e lewa ana mahope paha, e malama no oia ia kauoha.

PAUKU 12. Ina kauohaia ke Kakauolelo pela, e haawi no oia i palapala hoakaka i ka nui o na olelo i hooholoia, a me ka olelo i hooholo mua ia no ka aie o ka mea i hoopiiia, na olelo hoi i kakauia iloko o kana buke, na olelo hoi e paa'i kona waiwai paa. E ukuaia mai nae oia no ka imi ana, a no ke kakau ana, a like me ka na Lunakanawai e olelo mua'i.

PAUKU 13. E hiki no i ua Kakauolelo nei ke haawi i ka olelo hooihiki, a e lawe i ka olelo hooihiki a na hoike, a e hooholo i ka manao no ke poho o na palapala ho'aie, na palapala hoopaa; a no ka malama ole ana i na palapala ae, na bila kikoo, palapala kikoo, a me na palapala aie e ae ua maopopo loa ka houluulu ana; e like no ka paa o ka manao ana e hooholo ai, me ka paa o ka olelo a ke jure. Nana no e kakau i ka olelo i hooholoia i na manawa a pau, ke kauohaia mai oia pela e na Lunakanawai, a e ka Lunakanawai paha, ina ma ko lakou keena, a i ko lakou hui ana paha. Nana no e hoonohonoho i ka olelo o na mea pæwæwa ole i kohoia e hooholo i ka olelo, a nana no e kakau i ka olelo i hooholoia.

PAUKU 14. Hoekahi hebedoma mamua aku o ka manawa e hookolokolo ai ka Aha koikoi e palapala mai na Lunakanawai o na Ahakaapuni, a i ua Kakauolelo nei, a e hoakaka pololei loa mai i ka moolelo i kakauia no kela hihia keia hihia i pili i na kanaka maoli ke hoopii mai lakou, a e kakau pu ke Kakauolelo ia mau hihia me na hihia haole, a nolaila e haawi aku ka Peresidena Lunakanawai ia ia i ka buke moolelo, a na ke Kokuatunakanawai e hoomakaukau i Moohihia, a e kakau mua i ka mea i hoopii mua ia i ka Ahakoikoi, a e kakau kaawale ia na hihia i hookolokolo mua ia e lakou, a kaawale hoi na hihia i hoopiiia, mai na Lunakanawai e ae. E kakau no hoi oia i ka moo no na hihia i hoopii mua ia mai i na Lunakanawai koikoi, a e waiho ia moo imua o lakou i ka hoomaka ana i kela manawa hookolokolo i keia manawa hookolokolo.

PAUKU 15. He iwakalua la mamua aku o ka manawa e hookolokolo ai ka Ahakaapuni ma Lahaina, a ma Honolulu, e unuhi mai ke Kakauolelo o ka Ahakoikoi noloko o ka pahu no ia Mokupuni, imua o ke alo o ka Ilamuku, a me ka Lunakanawai Peresidena i kanakolukumamaono inoa kanaka no ke jure, a e hoike aku oia i ko lakou inoa i ka Ilamuku, a nana no e kii aku ia lakou, a i ole ia

o kona hope paha, a like me ka hoakaka ana mahope aku nei. E hoouna aku no hoi oia i kope i hooiaioia o ia mau inoa, a i na Lunakanawai kaapuni, i kauia ia ma ka aoao o ka puka nui e komo ai iloko o ka Halehookolokolo no ia Mokupuni, a e paia no hoi ia iloko o kekahi Nupepa i mea e ike ai na kanaka a pau. E unuhi no hoi oia e like me ka olelo maluna noloko o ka pahu jure no ka Mokupuni Oahu, i kekahi poe i like ka nui me ka olelo maluna no kela manawa hookolokolo keia manawa hookolokolo o ka Ahakoikoi, ke ikeia he hihia, a he hewa paha i ku i ka hookolokolo jure. E hoike no hoi oia i ka Ilamuku, i mea e kiiia'ku ai lakou, a e kau no hoi i papa hoike i ko lakou inoa ma ka aoao mawaho o ka puka o ka hale kahi e hookolokolo ai ka Ahakoikoi, a e pai no hoi iloko o kekahi Nupepa. O na jure i unuhia pela, a kii pono ia he 48 hora mamua aku o ka manawa hookolokolo, ina aole lakou e hele, e hiki no i na Lunakanawai o ia Aha ke hoopai ia lakou i ka uku dala, a i ka paahao paha, a hiki no hoi ke kii koke aku ia lakou me ka ikaika no ia hoopai.

PAUKU 16. Ina he kanaka hoopii, a hoopiiia paha no ka hihia waiwai, a no ka hewa paha, a e lewa ana ia imua o kekahi Aha-hookolokolo kakau, aole nae ka Ahakiekie, e haawi no ke Kakau-olelo ia ia, a i kona Kokua paha i ae pono ia e hana i kela hana i mau palapala kii i kakau hakahaka ia a na ua mea la i pili ia mea e hookomo i na inoa maloko o kela palapala i kauia ka inoa o ke Kakauolelo, a e kauia no hoi ke sila o ka Ahakoikoi, a e kaa no ka mana o kela palapala maluna o ka Ilamuku, a maluna o na Luna-hooko a pau malalo o ia Ahahookolokolo a maluna o na hoike i ike mai i kela palapala. Ina hoohiki kekahi Luna, ua kii aku oia i kekahi hoike e like me ia olelo, a hiki ole mai ka hoike, e hiki no i ka Lunakanawai ke koi aku ia ia e hele mai, a hiki no hoi ke hoopai i na hoike ma ka uku dala, a ma ka hale paahao no ka hoowahawaha, e like me ka manao o na Lunakanawai.

PAUKU 17. I ka hoomakaukau ana i ka papa palapala hoopii imua o na Ahahookolokolo Kaapuni, e hookaawaleia na hoopii no ka hewa, a me na hoopii no ka waiwai, na ke Kakauolelo o ka Ahahookolokolo koikoi e hana, a i mea e hiki ai, pono i na Makai nui o na Mokupuni i kanahakumamawalu hora mamua o ka manawa hookolokolo o ko lakou wahi iho, ke hoouka mai i ka Ilamuku i papa inoa o na mea a pau e waiho ana me ko lakou paa, me ka hoakaka hoi i ka manawa i hoopaaia'i a me ka hewa hoi, ke kumu o ka paa ana. Pela no hoi oia e hoomakaukau ai i papa o na hihia hewa e hookolokolo ana i kela manawa i keia manawa e hookolokolo ai ka Ahakoikoi, ina he hookolokolo mua, a ina he hookolokolo hope paha.

PAUKU 18. E haawi ke Kakauolelo iloko o ka lima o ka Lunakanawai e holo ana i ka hookolokolo i kope i hooiaioia o na papa hoike i oleloia maluna; a mamuli o ia palapala e hana'i ka Lunakanawai i kona hookolokolo ana. A pela no hoi oia e hana'i i na hihia ma ka waiwai manua aku o ka manawa hookolokolo o ka Ahakoikoi; e hoike mai oia i ka papa i hooiaioia no na hihia waiwai hoopii mua ia me kekahi papa no, na hihia i hoopii hope ia, a me kekahi papa no na hihia hewa i hoopii mua ia a me na hihia hewa i hoopii hope ia, a i ka Peresidena o ka na Lunakanawai kiekie.

PAUKU 19. O na palapala hooko a pau, ina no ka waiwai, a no ka hewa paha, ina hoopukaia mamuli o ka olelo i hooholoia e ka Ahakoikoi, e kakauia na ka Ilamuku ke nonoi aku ka mea ko pela, a na ke Kakauolelo e kakau i kona inoa iho malalo, a i ole oia, o kekahi o na Lunakanawai, a kau no hoi i ke sila o ia Oihana.

PAUKU 20. Ina i hanaia ka palapala hoopau i na hana no na hihia, a me na palapala hoohalahala a kii buke, i mea e lawe ai i ka olelo kakau mai kekahi Ahahookolokolo malalo a i ka Ahakoikoi, a me na palapala hoole, a me na palapala papa, a me na palapala kenna a ka Ahakoikoi, a aeia e ka Ahahookolokolo i ka manawa e hookolokolo ai, a e kekahi Lunakanawai ma kona keena, e ko no ia olelo maluna o ka Aha malalo i oleloia maloko, na ka Ilamuku nae, a o kona hope paha e haawi aku ia palapala i ka mea nana ka olelo maloko. Pela no e ko ai na palapala like a pau a ka Ahahookolokolo kiekie e kakau ai no ka Ahakoikoi, ke hoikeia ia i ke Kakauolelo o ia Aha, a nana no e hoike aku i ka Peresidena o ko laila Lunakanawai.

PAUKU 21. O ka lilo a pau loa i ka hookolokolo ana, a i ka hana ana a ka Ahahookolokolo, a i ke pale ana, a i ka Ilamuku, a i ke Kakauolelo, na lilo hoi i pili i ka hookolokolo ana, a i ka hana ana ma ke Kanawai no ka hoopii, a no ke pale aku, ina no ka waiwai, a no ka hewa paha, e haawiia ke dala mamuli o ka auhau ana o ka Lunakanawai ma kona keena, a e huiia kela dala me ke dala i hoopiiia a ko, na ke Kakauolelo e helu a kakau pu a komo ia a pau loa iloko o ka palapala ohi e hoopukaia mahope.

HAAWINA 3.

NO KA AHAHOOKOLÓKOLO KIEKIE.

PAUKU 1. O na Lunakanawai kiekie i oleloia iloko o ke Kumu Kanawai, e noho no ke Alii i Peresidena no lakou, a ina, aole ia malaila, o ke Kuhina Nui, a ina manaē lakou e hana pela no kaka-

hi manawa pokole, no ka hiki ole ia laua ke noho ma ka Ahahookolokolo, a no ka make paha o ke Alii, a opiopio kona hope, alaila, na lakou e koho like i Peresidena, a e hiki no i na mea eha, o ka Moi, a o kona hope ka lima, ke hana i ka hana.

PAUKU 2. E akoakoa ua Ahahookolokolo nei ma Honolulu ma ka Mokupuni Oahu, elua no akoakoa ana i ka makahiki, i ka Monede mua o Iune, a me Dekemaba ma kahi, a i ka hora a ka nui o ua mau Lunakanawai la e olelo ai.

PAUKU 3. O ka olelo a ua Aha la, oia ka olelo mana, a olelo hope loa hoi, a e pili no ia olelo i na mea a pau, a me na hihia a me na hookolokolo, a me na hoopii a me na hakaka, na mea hoi i kuponono i kekahi Ahahookolokolo e ae o keia Aupuni ke hookolokolo, a ua hoopii pololeia mai ia lakou, a i ka Aha kiekie, no ka hoohalahala i ko lalo, a ma ka palapala hooheua, palapala kena moolelo, a ma ka palapala kuu kino, a ke Kakauolelo o na Lunakanawaikiekie e hoopuka'i me ka ae mai o ko laila Peresidena; e noi mai nae ka mea hoopii mamuli o kana olelo hoopii, me ka hooheua maoli, a me ka hoakaka pono i na hewa i hanaia.

PAUKU 4. E hiki no hoi i na Lunakanawai kiekie ke hookolokolo mua i na hihia a pau, ina he Kiaaina ma kekahi aoao, he hoopii paha, he pale aku paha. Ia hookolokolo ana, e malama no na Lunakanawai kiekie i na rula, a e hookolokolo hoi, e like me na olelo i oleloia no na Ahahookolokolo koikoi, i ka lakou hana ana i na hihia like ma ke Kanawai a ma ke kakau like ana no hoi.

PAUKU 5. Aole hiki ke hoopii i na Lunakanawaikiekie, a pau na Ahahookolokolo kuponono malalo i ka hana e like me ke ano kuponono. Aka, o na hoopii a pau loa mai na Luna hoona kumu kuleana aina, e hoopii pololei i na Lunakanawaikiekie, aole Lunakanawai e ae iwaena o ia hana. Eia hoi kekahi. Ina he hihia iwaena o na kanaka maoli o keia Pae Aina wale no, a manao kekahi ua hoopoinoia oia e kekahi o na Lunakanawaikaapuni, i kana hana ana ma kona keena iho, hiki no i ka mea manao pela, ke hoopii pololei aku i ka Ahahookolokolo kiekie, me ka manao ole i ka Aha e ae, e waiho mua nae oia i iwakaluakumamalima dala o ka Lunakanawaikaapuni i mea e kaa'i ke poho no ka hoopii ana. O na hihia a pau i hoopii ano e ia pela, e hookolokolo pololei maoli no ka Ahakiekie ma ke ano pono a oiaio, me ka manao ole i na hua liili o ke Kanawai, a na lakou e hooheua i ka olelo no ia hihia e like me ke Kanawai me ke kii aku i na hoike hou paha, kii ole paha, aia no i ko lakou manao. Aka, aole hoole keia Pauku i na kanaka maoli, ina makemake lakou e hoopii i na Ahahookolokolo e ae, e like me ko

kekahi poe, hiki no ia lakou ke hana, aole hoi e hoopli maia i ka Ahakiekie.

PAUKU 6. O na olelo hoopii a pau i ua Ahahookolokolo kiekie nei no kekahi olelo i hooholoia e ka poe hooa kuleana aina, e hanaia mawāena o na la he kanaiwa mahope aku o ka hoike maia i ka aoao poho a i kona hope paha, a maopopo ua olelo la i hooholoia'i e lakou.

PAUKU 7. A hoopii kekahi no ka olelo i hooholoia e ka poe hoona kuleana aina, aole ia he mea e pono iki ai nona, a kakau e oia i ka olelo hoopaa a e haawi i kela aoao, e paa no e like me ka manao a ka Peresidena o ua poe hoona kuleana aina la e ae ai no ka hoopii koke a e hana mau ma ia hoopii ana a nō ka hookaa ana i na dala i hooholoia mamua e uku ai ua mea hoopii la, a me nauku hou no hoi, a no ke poho ke hoopii oia, a e hoopau paha i kona hoopii ana, aole hoi e hiki ia ia ke hooiaio i kona hoopii ana.

PAUKU 8. Ina i hooholoia ka olelo e hoolilo i kekahi waiwai paa no kekahi mea, a hoopii kekahi no ia olelo ana, alaila, aole loa e hookiia ka hooko ana o ia olelo, a haawi mai ka hoopii i ka palapala hoopaa nona a no kekahi mea e ae e like me ka manao o ka Peresidena o ka Poe Hoona kuleana aina, e hoopaa ana, aole oia e hana ino i ua waiwai paa la aole hoi e ae aku ia hai e hana ino i ua waiwai paa la oia oia e noho ana maluna; a ina e haalele i kona hoopii, a hooleia paha, a hookoia paha ko kela aoao, alaila, e uku ka mea nana ka hoopii e like me ka uku pono ana no kona noho ana maluna o ua waiwai paa la, mai ka wa o ka hoopii, a hiki i ka wa e haawi pono ai oia i ka waiwai e like me ka olelo i hooholoia.

PAUKU 9. Ina i manao lakou he pono ia, e hiki no i ka poe Hoona Kuleana aina ke koi aku i ka hoopii e hana i na hana e ae a me na mea e ae, i kona wa e hoopii ai, no ka olelo i hooholoia e lakou, i mea e puka mai ai ka pono maoli a i mea hoi e malu ai kela aoao; aole hoi e lilo ka hoopii i mea oiaio, a hiki i ka wa e hanaia'i ua mau hana la a me ua mau mea la paha, aole hoi e keakea ia i ka hooko ana i ka olelo i hooholoia e ua Poe Hoona kuleana la a me ka hana ana e like me ia olelo.

PAUKU 10. Aole hookolokolo jure imua o na Lunakanawaikiekie, hiki nae ina he Kiaaina ma kekahi aoao. Ina hiki ole ia lakou ke hooholo i ka olelo no kekahi hihia no ka maopopo ole o ka oiaio o kekahi mea, hiki no ia lakou ke kauoha aku, a na ke jure no e olelo i ka oiaio no ia mea, e hana nae imua o ka Ahakoikoi, a i ole ia, imua o ka Ahakaapuni, a e haia ka olelo a kela jure a i na Lunakanawaikiekie, i mea e ike ai lakou. O na hoopii a pau, na hoo-

pūi mua a me na hoopūi hope, a kakauia kela hoopūi ana ma ka moohoopūi e ke Kakauolelo o ua Aha la, a e kakauia na moolelo a pau no ka Ahahookolokolokiekie ma ka olelo Hawaii.

PAUKU 11. O na noonoo a me na manao a me na olelo hoopaa-paa a pau i hoikeia imua o ua Aha la, e hoikeia kela mau mea ma ka olelo Hawaii wale no, ma ka palapala pai, a i ole ia, ma ka palapala lima. Aole hoopaa-paa waha imua o lakou, ke ae oleia mamua, no ke ano e o ka hihia, aole hoi lakou e nana i kekahi palapala hooponopono, ke kakau ole ia malalo ka inoa o kekahi kokua i acia e lakou, a ua hooiki, a i ole ia, o ka inoa o ka mea hoopūi, a mea pale aku paha.

PAUKU 12. O ke Kuhina no ke Aopalapala, oia no ke kakauolelo no ka Ahahookolokolo kiekie, a i ole ia o ka mea a ke Kuhina Nui e koho ai. Nana no e hooponopono a malama i ka moolelo o ua Aha la. I mea e kokua'i i na Luna, hiki no ia ia, ke kauoha mai lakou ia ia pela, e hoonohonoho i na olelo oiaio no ka hihia i hoonaiia mai a laweia mai imua o lakou ma ke ano hoopūi mai kekahi Ahahookolokoto mai, me ka hoakaka pokole i ke ano o ka kekahi aoao a me ka kekahi, a me ke kumu o ka lawe hou ana imua o lakou, a e pai oia i kela mau poo no na Lunakanawai, a na ka mea i pio e uku no ia pai ana.

PAUKU 13. Ina haawīia mai i ke Kakauolelo i palapala hooalahala i kakauia ma ka moo o na hana, a me ka olelo hooholo, a me na olelo paa o ka Ahakoikoi, alaila, pono ia ia ke hoopuka i palapala hooalahala ma ka Peresidena o na Lunakanawai koikoi, a e kau i ke sila o ka Ahakiekie, a na ka Peresidena e kau i kona inoa malalo; a e kauoha aku ia palapala i ua Peresidena la e hooiaio a haawi mai no ka hookolokolo hou, i ka olelo i kakauia no na hana ma ia hihia, e like me ka oiaio o ka waiho ana ma ia Aha, a ma ka Aha paha kahi i hoomaka'i, i nana pono ia ka hewa a hooponoponoia. Mamua nae o ka hana ana i keia, e haawīia mai i ke Kakauolelo i palapala hoopaa i mea e kaa'i ke dala lilo.

PAUKU 14. Ma na hihia a pau i kupono i ka Ahakiekie ke hookolokolo mua a hookolokolo hope paha, ina noia mai lakou i olelo hooholo mua, a hooholo iwaena a hooholo hope; o na olelo a pau a me na moi ana a me na olelo hoakaka i na hana, a hoakaka i ke Kanawai, e hanaia ma ka palapala wale no, no ka Peresidena o na Lunakanawai, a na ke Kakauolelo e haawi ia ia; no ka mea, maluna ona ia hana ke haawi mai kekahi ia palapala ia ia, a nana no hoi e hoike aku i ka mea i pili, a i kona hope paha i ka olelo i hooholo hope ia no ia hihia.

PAUKU 15. Ina he hihia kupono i ka Luna kau poua ke hana, a i ka mea auhau ma ke Kanawai paha i mea e ike ai ua Aha la i ka oiaio o na hana a i ka houluulu ana i na helu dala paha, a i ka auhau ana i na dala poho, uku hoopanee a me na lilo, i ka wa e hai ai na Lunakanawai, hiki no ke haawi ia hana na ke Kakauolelo, a nana e hoike mai ia mea e like me ke Kanawai, a like me ka pono kau like paha, aia no i ka olelo ana o na Lunakanawai, a i ole ia e hana pela, hiki no ke hookolokolo a hoopai ia ia e like me ka olelo ma ke Kanawai hoonoho i na Kuhina Alii. A i ka wa e hoo-holo a i ka Ahahookolokolo i kekahi olelo e kakau pu ia ia me ka ke Kakauolelo, ina i like, a ina i like ole, oia no. Aka, aole hiki i ua Kakauolelo nei ke hana ia mea no ka Ahahookolokolo, no kekahi hihia i hoopiiia, mai na Luna Hoono kumu kule ana aina mai.

PAUKU 16. O na pono a pau o ka hookolokolo hope i haawiiia mai keia Kanawai i na Lunakanawai o na Ahakakau i mea e hiki ai ke hana ma ko lakou keena iho. Ua haawiiia kela mau pono i na Lunakanawaikiekie; a pela no ke hookolo mua lakou i na Kiaaina, e hana no na Lunakanawai ma ko lakou keena, ma ke ano hookahi no me ka keia Kanawai i olelo ai no ka Ahakoikoi, ina ma ke akea, a ma ke keena paha.

PAUKU 17. Eia ke sila o ka Ahalunakanawai kiekie, o ke sila nui o ko Hawaii Pae Aina.

E kauia ia sila ma na palapala, a me na olelo kena a pau a ua Aha la, a o na kope, a me na hana, a me na palapala, a me na kope a pau, i kauia ka inoa o ke Kakauolelo, a kauia kela sila, e manaoia ma na Ahahookolokolo a pau, ua oiaio, a e hoolohe na mea a pau o keia Aupuni i kela olelo, me ka malama pono.

M O K U N A 4.

KE ANO O KA HANA ANA A NA AHAHOOKOLOKOLO KAKAU.

HAAWINA 1.

NO KA HOOMAKA ANA, A ME KA HANA ANA, A ME KA HOOHOLO LOA ANA I KA OLELO I NA HOOPII WAIWAI.

PAUKU 1. Ina hoopii kekahi e loa ke dala mamuli o na palapala akaka i hiki i ka Ahahookolokolo ke helu i na dala maloko, mamuli hoi o na palapala hoai, palapala hoakaka, bila, bila kikoo, kauoha dala a me na palapala hoopaa, a me na palapala e ae i kauia ke sila, a kau ole ia paha, alaila, e hoike aku ka mea hoopii ma

kona kiho iho, a i ole ia, ma ke kokua a i ke Kakauolelo o ka Ahahookolokolo i palapala noi i hookolokolo, a e kakau ia kela palapala noi na ka Peresidena o na Lunakanawai; penei ke ano nui,

Ke noi aku nei ka mea i kakauia ka inoa malalo, e uku mai o — ka mea e noho ana ma — ma ka Mokupuni o — i dala (maanei e hai ai i ka mea e maopopo ai ka aie) no ka mea o ka la — manua aku no ka manawa kupono ke hookaa mai, a me ka uku hoopanee i — hapahaneri mai ka la — mai. Aole ia i uku mai, a ua hoole maoli hoi, a hiki mai i keia la (Ina i kolohe ia, a huna, a wahahee, a hana hewa e ae ma na mea pili i ka hooaie ana, a i ka hookaa ole ana, maanei e hoakaka'i ia mea.)

Nolaila, ke nonoi aku nei au i keia Ahahookolokolo e hana i ka mea kupono a kii aku i kela kanaka e hele mai e olelo no keia aie.

Ua kakauia i keia la — o — 18 —

Kokua o ka Hoopii a ka Hoopii paha.

PAUKU 2. Ina haawii mai ka palapala noi pela a hoike ole mai ka hoopii i ke kolohe, alaila, e hoopuka ke Kakauolelo, me ke kau o ke sila o ia Ahahookolokolo i palapala kii na ka Ilamuku o ko Hawaii Pae Aina; penei paha ke ano nui,

PALAPALA KII.

Ke kauoha aku nei au — (ka Ahahookolokolo koikoi, a o ka Peresidena o na Lunakanawai kaapuni no ka Mokupuni o — e like me ka oiaio) ia oe e kii aku ia — i ka mea i hoopiiia, e hoike mai ma ka palapala mailoko mai o na la he iwakalua mahope iho o kona ike ana i keia, a e hele mai hoi inua o keia Ahahookolokolo i ka la — ka hookolokolo ana, ma — ma ka Mokupuni o — i ka la — o — e hiki mai ana, i ka — o ka hora o kakahiaka, e hoike mai i ka mea e pono ole ai ka na Lunakanawai hooholo ana i ka olelo e uku i a'ku o — ka mea nana i hoopii mai nei, e like me ke ano o kana olelo noi i pili mai i keia. A malaila oe e lawe ai i keia palapala, me ka olelo hoakaka i kau hana ana ma ia mea.

Hoike — ka Peresidena (a o ka Peresidena o na Lunakanawai kaapuni paha) o ka Ahahookolokolo ma Honolulu, i keia la o 18. (Sila.)

— Kakauolelo

PAUKU 3. O na palapala kii a pau i hoopukaia e kekahi Ahakau a kauia ke sila na ka Ilamuku e lawe, a i ole ia, o kekahi Hope ona, a i ka mea i hoopiiia, a e haawi aku oia ia i kope i hooiaioia, a me ke kope o ka palapala noi a ka hoopii, a e huipua me ua palapala noi la, ke kope no ka palapala kumu no ka aie, ina he kumu, a ina loa ole ka mea i hoopiiia, alaila, e waihoia ke kope i hooiaioia me kekahi kanaka ona, a me kekahi mea paha i hana i kana hana, a i ole ia, me kekahi mea e ae e noho ana ma kahi ana i noho hope ai he mea i oo no hoi. Ina hoopiiia na mea hui, a hoikeia ka palapala kii i kekahi o lakou, ua kupono ia i ke Kanawai

no lakou a pau, i mea e hele ai lakou i ka hookolokolo, a e hiki ke hooholo i ka olelo hooheua i na mea o lakou i hoopiiia.

PAUKU 4. Ina hoikeia ka palapala kii a i kekahi kanaka e like me ka olelo ma kela mau Pauku maluna, pono ia ia maloko o na la he iwakalua, mahope iho o kona ike ana, e haawi aku i ke Kakauolelo o ka Ahahookolokolo nana i hoopuka i ka palapala kii, i palapala hoakaka i kona manao no ka palapala noi a ka hoopii, hoole loa i na kumu paha, a me kana olelo, a ina pela, e kapaia kela mea, he hoopaapaa kumu, e hiki nae ia ia ke ae i ka oiaio o ka olelo a ka hoopii, a hoole i ka pono o ka aie mamuli o ia olelo ke nana pu ia ke Kanawai o ke Aupuni; a e kapaia keia olelo, he hoopupu. Ina aole haawi mai ka mea pale i kana palapala maloko o ka manawa i oleloia maluna, alaila, e hiki no i ka hoopii ke hoakaka mai i ke kii ana, a e hoakaka i ka palapala ole mai o ka mea i hoopiiia, na ke Kakauolelo e hai mai ia ma ka palapala, a pau ia, hiki no ia ia ke koi aku i ka Lunakanawai kaapuni i kupono ia hana, ma kona keena e koi ai a loa mai ka olelo hoakaka i ke kii ana i ka mea i hoopiiia, a me kona palapala ole mai, a nolaila, e kauoha aku i ke Kakauolelo e houluulu i ka aie, i ke kumupaa, a me ke poho, a me ka uku hoopanee, a me na koina, a na ka Lunakanawai e hooholo loa i ka olelo no ia mau mea ma kona keena. Aka, ina haawi mai ka mea i hoopiiia i palapala hoopaapaa kumu, alaila, e kau ke Kakauolelo ia hihia ma ka Moowaiwai hihia no ka Ahahookolokolo kahi i hoomakaia'i, alaila, hiki no ia ia ke hoike mai i na mea nui e pili ana, ke hai mua mai oia i kela manao ma ka palapala. Ina haawi mai ka mea i hoopiiia i palapala hoopupu i ke noi ana a ka mea hoopii, alaila, e hui ka mea hoopii ma ia mea maloko o na la he iwakalua, a i ole, ua nele oia; hiki no nae ia ia ke nonoi mai i kela Lunakanawai e hoolohe ia mau mea ma ke keena mamua o ka hookolokolo nui. Alaila, hiki i ka Lunakanawai ke kii aku i ka aoao i haawi mai ia palapala, a hoakaka i ka la e hookolokolo ai, kii aku i na hoike i mea e maopopo ai na mea pili wale mai a nana no e hooholo i ka olelo no ka pono o kela palapala hoopaapaa Kanawai. Aka, e hiki no i kekahi aoao, a me kekahi ke hoohalahala, a no ia hoohalahala ana e kakauia kela hihia ma ka Moohihia, e kakau pu ia no me ka olelo a ka Lunakanawai i hooholo ai ma kona keena, i mea e hookolokolo hou ai ke hiki i ka manawa e hookolokolo ai na Lunakanawai hui, a na ka aoao pio e uku i na koina. Ina aole hoohalahalaia ka olelo a ka Lunakanawai i hooholo ai ma kona keena no ka pili ana o ke Kanawai, a ina aole mea ninau no ke kumu i koe, i mea imi hoi na ka Ahahookolokolo, alaila, na ka Lunakanawai ma kona keena e kauoha aku i ke Kakauolelo no ka hooko i ka olelo ana i hooholo ai, a e paa no ia.

PAUKU 5. Aka, ina huikau a loihi loa na mooaie, alaila, hiki no

i na Lunakanawai i ko lakou hui ana, ina noia pela ma ka palapala me ka hooiki e kekahi aoao a me ka hoakaka i ke kumu, ke hoonoho i mau mea paewaewa ole ekolu a lakou i ike ai, ua akamai, a na lakou e imi a hoike mai i ka oiaio o ia mau mea.

PAUKU 6. O ka poe hoonohoia pela, e hooiki mua lakou e imi pono a e imi koke no na mea a pau i haawia ia lakou. O na mea a pau loa e noho ana ia manawa malalo o ka malu o ia Ahahookolokolo, hiki no ke koiako aku ia lakou e hana mamuli o ka olelo a ka Ahahookolokolo kakau, ke hoonohoia lakou e like me kela olelo, a ina hoole hiki no ke hoopai e like me ka manao o na Lunakanawai, e like me ka mea hoowahawaha inai.

PAUKU 7. O ka olelo a ua mau mea la e hooholo ai, e kauia ka inoa o ka nui o lakou malalo a e manaoia ma ke Kanawai, ua hana oiaidia me he mea la i hooikiia. E haawi lakou i ke kope o ia olelo i ke Kakauolelo o ka Ahahookolokolo kahi i hoopii muaia'i, nana no e hoike aku i na aoao a elua. Mailoko mai o na la he umi mahope iho o ka loa ana ia ia olelo, e koi aku ka mea i ko i ka Ahahookolokolo, a i kekahi Lunakanawai paha ma kona keena, e hooholo a hoopaa i olelo, a na mea paewaewa ole i olelo ai, a e hoike aku no hoi oia ma ka palapala i kona koi ana, a i kela aoao, alaila, e ae aku, a e hoole aku paha, mahope nae o ka lohe ana i ka na aoao elua, aka, ina lohe ka aoao i eo i kanahakumamawalu hora mamua, a hele ole mai, hiki no ke ae wale aku me ka lohe ole. Ina manao kekahi aoao ua hoopoinoia oia i kela olelo a ka Lunakanawai no ka palapala a na mea paewaewa ole, hiki no ia ia ke kakau i ka hewa ana e manao ai, a e waiho i ka lima o ke Kakauolelo o ka Ahahookolokolo, i mea e oki ai ka hana; a e koi aku ia ia e kakau ia hihia ma ka Moohihia, i mea e hookolokolo hou ai. Aka, ina ua hui na Lunakanawai o ka Ahakakau ma ia ae ana, a hoole ana paha, alaila, hiki no i ka aoao i hoohalahala, ke hoopii hou i ka Aha maluna ae, e like me ke ano pii pono, mai kekahi Ahahookolokolo a i kekahi, a hiki loa iluna i ka Ahakiekie.

PAUKU 8. I na manawa a pau, ina olelo mai ka mea hoopii no ka waiwai, ua kolohe maoli ka mea aie i kona aie ana, a i kona uku ole i ka aie i ka wa i oleloia'i, a hooiki ka mea hoopii i ka oiaio o kana olelo, alaila, hiki no i ka hoopii ke nonoi aku i ka Lunakanawai koiko i kekahi o na Lunakanawai kaapuni paha ma kona keena, a nana no e kakau ma ke kua o ka palapala kii i kauoha na ka Ilamuku, a na kona Hope paha, e koi aku i ka mea i hoopiiia e haawi mai i palapala hoopaa no na dala i palua ka nui i ko ka aie i hooikiia, a i ole oia e haawi mai i palapala hoopaa, alaila, e hoopaa ia ia iloko o ka hale paahao, a hooholoia ka olelo no ia mea ke kuu ole aku ka Lunakanawai ia ia mamua.

O ka mea kau i kona inoa hope ma ka palapala hoopaa, hiki no ia ia ke haawi i ke kino o ka mea iloko o ka lima o ka Ilamuku, a i ole ia, i ka Makai paha, alaila, kuuia ka hope.

PAUKU 9. A hakiia ka palapala hoopaa, na ka Lunakanawai wale no ma kona keena e hooholo i ka olelo no ka uku o ka hope, aole make jure ma ia hana.

PAUKU 10. Ma na hihia waiwai a pau no na aie i hookaawaleia, ina he hihia ma ke ano wale no, a he hihia i manao wale ia, a he hihia pili wale mai mahope; no ke ano o ka hana ana a ke Aupuni, a ke kanaka paha, a ka poe hui paha a me ka mea e ae, ina hoopii kekahi o lakou e loa ke dala, a o ka uku mamuli o na olelo, a mamuli o ke ano, a me ka manao nui paha o kekahi Kanawai i kauia mamua, a i keia manawa, a mahope aku paha, a mamuli paha o kekahi palapala i kauia ka inoa o kekahi, a mamuli paha o kekahi olelo i hooholoia ma ka waha wale no, a no ka hoopoinoia paha e kekahi i ka hana maoli ana o kona kino, o kona waiwai paa a waiwai lewa, a i kona inoa maikai, a me kona manao, alaila, e waiho aku ka mea i hoopoinoia, a o kona hope paha, ma ka lima o ke Kakauolelo i palapala noi aku i ka Peresidena o na Lunakanawai i hookolokolo; penei ke ano nui,

Owau ka mea i kakauia ka inoa malalo ke koi aku nei au e uku mai o _____ e noho la ina _____ ma ka Mokupuni o _____ i _____ dala no ka ino ana i hana mai ai (maanei e hoakaka'i, ina o ke kino ka mea i hana ino ia, ka waiwai, ka inoa maikai, a o ka manao paha, e like me ka oiaio) no ka mea (maanei e hoakaka'i i ke kumu, a me ke ano o na mea i hanaia, a e olelo hoakaka loa i ka olelo hiki ke hooiaio i na hoike) a ke olelo maopopo nei au ua hana oia i kela mea ma ke ano kue i ko'u pono iho malalo o ka malu o na Kanawai. Nolaila, ke nonoi aku nei au i ka palapala kii a keia Aha, i mea e hiki mai ai ka mea i hoopiiia, e pale aku i keia olelo a'u imua o ke jure o ka aina, ke hiki aku i ka manawa _____ e hookolokolo ai keia Aha, ke hooholo ole ia keia olelo mamua e na Lunakanawai. (Ina hihia kupono i ka haawi mai i palapala hoopii, i ka nana ana i ka palapala noi i hoohikiia, alaila, hiki no i ka mea hoopii ke nonoi i ka Lunakanawai i palapala hoopaa, a i palapala hoomalu i kona waiwai, a i palapala papa i ka holo, ina hoi i manaoia, ua kolohe) a ke hoohiki nei au i ko'u manao e hana no kela mea i hoopiiia i kona waiwai (a ke kuai aku nei, a ke hoomakaukau nei e haalele i keia Aupuni, a ke hana ino nei, a ke hoomaunauna nei i kona waiwai) a nolaila, ke nonoi aku nei au (i palapala hoomalu, papa holo, hopu, e like me ka mea kupono.)

Ua kakauia i keia la _____ o _____ 18 —

Ina i kupono i kekahi ma ke Kanawai ke loa hou ia ia kekahi waiwai maopopo, waiwai paa, a waiwai lewa paha, a he lihi paha, a kuleana maloko o kekahi mea, e like me ka waiwai i paa hewa i kekahi, a ua manao ia, e lawe i kela waiwai, a e hemo paha ka aina,

alaila, e waiho ka mea hoopii, a i ole ia, o kona hope i aeia ma ka lija o ke Kakauolelo, i palapala noi i ka Peresidena o ka Luna, i palapala no ka hookolokolo; penei ke ano nui,

Owau ka mea i kakauia ka inoa malalo, ke hoopii aku nei au no ——— e noho la ma ——— ma ka Mokupuni o ——— ma ke ano hewa kue i ke Kanawai, a kue i ko'u pono, ua lawe oia nona iho i ke'u waiwai (maanei e hoakaka'i i ke ano o ka waiwai e waiho ana i ka mea i hoopiiia, ina he waiwai paa, a he waiwai lewa paha; a ina he waiwai lewa, e hoakaka i ka inoa a me ke ano; a ina he waiwai paa, e hoakaka i ka waihona ana a me na mokuna, a me ka nui, a me kahi, a me ke ano o ke kuleana o ka hoopii) he ——— dala maloko o ia waiwai (a ina he waiwai paa, e hoakaka i ka nui o ka poino i loaa, ma ke dala e hoakaka'i) nolaila, ke nonoi aku nei au i ka palapala a keia Aha, i mea e hoihoiia mai ai ua waiwai la, a me ka uku no ka paa hewa ana ia ia (ina hoi he lewa ka mea hoiboi) e like me ka olelo ma ka'u palapala hoopaa (ina hoi he aina hemo) e like me kona loaa, a o ka uku hoopanee, a me na lilo a me na loaa. (Ina he kumu pono e manao ka mea hoopii e mahale ana i ka waiwai paa, a e hoopau ana i ka waiwai a i mea i hanaia maluna iho, e ka mea i hoopiiia a i kona hope paha mamua o ka hookolokolo ana, alaila, e hiki i ka mea hoopii ke hoakaka ia mea, a nonoi aku i palapala papa, a i mea e ae paha e ole ai) a ke hohiki nei au i ko'u makau (o hana ino oia i kekahi mea e ae paha e pono ai, e hai e like me ka oiaio) maluna o ua aina la, nolaila ke nonoi aku nei au i palapala (maanei e hoakaka'i i ke ano o ka palapala kupono, hoomalu, papa, hopu, papa holo e like me ke kupono.)

Ua hanaia i keia la ——— o ——— 18 —

PAUKU 11. Ma na hihia waiwai a pau i oleloia'i iloko o ka Pauku maluna, ina aole manao e hoopaa i ke kanaka, aole hoi hoomalu i ka waiwai, alaila, aole koi i ka mea hoopii ke hohiki i ka oiaio o kana olelo noi, e hiki no nae i ka mea i hoopiiia ke kii ma ke keena o ka Lunakanawai i palapala kauoha i ka mea hoopii e haawi mai i mea e akaka'i ka uku no ke poho o ka mea hoopiiia, a i ole haawi mai, neie ka hoopii. Ma na hoopii waiwai a pau, ina i manaoia e hoopaa i ke kanaka, o kona waiwai paha, a i ole ia, ua manaoia paha e hoomalu, aole e hoopukaia ka palapala no ia hana, a hohiki mua ka hoopii, a o kona hope paha i ka oiaio o kana palapala noi, a haawiia mai ka palapala hoopaa i mea e kaa'i ke dala poho a pau a ka mea i hoopiiia a me ke koina, a o ke dala lilo no kona hoopii ana, ke ko ole ka ka hoopii. I ka haawi ana mai i kela palapala nonoi i hohikiia a me ka palapala hoopaa, alaila, hiki no i kela Lunakanawai keia Lunakanawai o ka Ahahookolokolo kakau, ma kona keena ke ae aku i ka palapala kaohi, a e kakau i kona ae ma ke kua, a i ole hanaia pela, aole hiki i kekahi Luna malalo o na Lunakanawai ma keia Apuni ke hopu, a kaohi, a hooke, a hoopaa i ka halepaahao i kekahi mea i hoopiiia no ka hihia waiwai, aole hoi e ohi, a hoomalu, a lawe i kahi e, a kaohi, a papa i kona waiwai, aole ka waiwai paa, aole hoi ka waiwai lewa, aole hoi e aponoia ka mea hana pela.

PAUKU 12. Ina haawiiia mai ka palapala nonoi pela, aole nae he olelo kaohi maloko, alaila, e hoopuka ke Kakauolelo i palapala kii na ka Ilamuku, a e kau hoi i ke sila o ia Aha; penei ke ano nui,

PALAPALA KII.

Mamuli o ka olelo a ka Ahahookolokolo koikoi, ua kauohaia'ku oe (a mamuli o ka olelo a ka Lunakanawai o ka Ahakaapuni paha, e like me ka oiaio, (e kiiia ————— ka mea i hoopiia, ina oia e hai mai i kana ma ka palapala maloko o na la he iwakalua, mahope iho o kona ike ana i keia, e hele mai imua o ka Ahahookolokolo ma ————— ke hiki aku i ka la ————— o ————— i ka hora ————— kakahiaka, e hoike [imua o ke jure e hoonohoa'i malaila] i ka mea e hooko oleia'i ka olelo koi a ka mea hoopii e like me kana i nonoi mai ai. A i kela la e hoike mai oe i keia palapala a me kau hana kekahi i kakauia maluna.

Hoike —————

(Sila) Peresidena Lunakanawai (a he Lunakanawai e ae e like me ka oiaio) o ka Ahahookolokolo ma Honolulu i keia la ——— o ——— 18 —

————— Kakauolelo.

Ina hoikeia mai ma kela palapala ke kumu e hoopaaia'i ka mea i hoopiia, a o kona waiwai paha, a noia ka palapala e hiki ai, a hooiaioia me ka hooihiki, a ina ua haawi mai ka mea hoopii i ke Kakauolelo i palapala hoopaa kupo no i ke pani i ke poho o ka mea i hoopiia, me na hope pono no hoi, i ka nana ana o ka Lunakanawai ma kona keena, alaila, pono no ke Kakauolelo ke hoopuka i palapala kii ma ke ano like me kela maluna, a eia nae kekahi mau hua e hookomo hou mahope o na hua a ua kauohaia'ku oe (e hopu i ua mea pale nei a e hoopaa ia ia ma ka hale paahao) a i ole ia (e hoomalu i kela waiwai lewa a hooholoia ka olelo no ka hoihoi aku a hoihoi ole paha) a i ole ia (e hookapu i ua mea pale nei, aole e kuai aku, aole haawi i ka Moraki, aole e hoolimalima, aole haawi aku i kela waiwai paa, ka aina a me na mea e pili ana a hoonoia, keia palapala e kekahi Luna kupo no, ina hana oia, e uku no ia i ————— dala.)

PAUKU 13. Ina hoomaluia ka waiwai paa, a lawe hoomoiea, a papaia paha, alaila, o ka Luna nana e lawe ia palapala, e haawi no oia i ke kope o ka palapala i ka mea i hoopiia, a e kau no hoi oia ma kahi i ike nui ia ma ua waiwai la, i kekahi kope o ia mea, a me ka hai pu i ka la a me ka hora i hanaia'i, a mahope iho e hoike aku oia maloko o kekahi Nupepa. O na palapala hoolimalima, a me na palapala Moraki, a me na olelo kuai, a me na olelo kauoha, a me na olelo hoolilo, a me na olelo haawi i ua waiwai la mamua o ka hoonoia ana i kela palapala maluna, e manaioia keia hana hope he kuae ia i ka mea hoopii mua.

PAUKU 14. O na kanaka a pau maloko o keia Aupuni i komo hewa a hoopoino ia hai, ma ke kino a ma ka waiwai paha, a i ka lakou wahine paha, a i ko lakou keiki hanai paha, alaila, e uku ka mea nana i hana, e like me ka olelo a ka Aha nana i hookolokolo, a pela no oia e uku ai ke hana kana wahine, a o kana keiki, a o kana hanai, a o kekahi mea e ae malalo ona. a ina hana kana holoholona laka, a hihiu, nana no e uku, a hiki no i ka mea i hoopoinoia ke hoopii no ia mea imua o na Ahahookolokolo i hoonohoia ma keia Kanawai.

PAUKU 15. Ina hoopiiia kekahi a haawiia ia ia ka palapala hoike e like me ka olelo ma keia mau Pauku maluna, a olelo ole mai oia maloko o na la he iwakalua mahope iho o ka loa ana ia ia ke kope o ka palapala kii, a me ka palapala nonoi a ka mea hoopii, alaila, hiki i ka mea hoopii ke koi aku i ka Lunakanawai ma kona keena ke hoikeia mai ka ole, a e haawi ka Lunakanawai i ka mea hoopii i palapala hooholo i ka olelo, a ma ia hope aole hiki i ka mea i hoopiiia ke olelo mai. Aka, ina manao ka Lunakanawai e wehe hou i ka hana, alaila, hiki no ia ia ke wehe, ke ike ke kumu pono.

PAUKU 16. Mahope iho o ia hana, e kakau ke Kakauolelo i kela hihia ma ka Moohihia, i mea hookolokolo mamuli o ka olelo hoike a ka hoopii wale no ke hiki i ka manawa hookolokolo, aole hoi e hiki i ka mea i hoopiiia ke hoole iki i ka ka hoopii hoike ana. E hiki nae ia ke hoohuahualau i na hoike, a i ole ia o kona Kokua paha a e olelo aku i ke jure i mea paha e emi ai ka uku.

PAUKU 17. Eia wale no ke ano o ka uku i oleloia ma ka Fauku umi o keia Mokuna, e like loa no me ka olelo ma ka palapala a laua, o ka palapala ae like hoi, a o ka palapala i hooholoia, a na ka Lunakanawai e nana i ke ano o ia, a ina i hoopoinoia ke kino o ka mea hoopii, a o kana wahine, a o kana keiki, a o kona kanaka, a i ole ia, ua hoioia ka inoa, a ua eha paha ka manao, alaila na ke jure no e hooholo i ka olelo hoakaka i ka nui o ka uku.

PAUKU 18. I ka hooheho ana i ke kanaka i mea e komo ai ka mea kuleana oiaio, penei e hana'i; pono e hoike aku ka mea e noho ana ma ua wahi la, ina nona ka hewa, a ina aole nona, oia no, a ina aole mea e noho ana, pono e kau i kope o ka palapala hooheho ma kahi ike nui ia maluna o ua wahi la i mea e ike ai ke kanaka e koi hewa ana ia wahi nona, a e hana hoi i keia i kanakolu la mamua aku o ka la mua o ke kau hookolokolo a ka hoopii e manao ai e hoakaka i kona kuleana. Ina aole hele mai ka mea i hoopiiia imua o ka Ahahookolokolo a hoakaka i kona, alaila, e hooholoia ka olelo mamuli o ka ka hoopii e like me ka hana ana i na hihia e ae; a ina i hele mai a hoakaka i kona kue, alaila, e kakau ke Kakauolelo ia mea ma ka Moohihia e like me ka hana ana i na mea e ae.

PAUKU 19. Ina he hoopapaa kumu ka na mea hookolokolo e like me ka mea i oleloia ma na Pauku umi a umikumamakahi o keia Mokuna a kakauia ia ma ka Moohihia e ke Kakauolelo, alaila, na ke jure a ia Aha i hoonohonoho ai no ia manawa e hookolokolo i ka manawa i hoakaka mua ia. E hoonohonoho hoi ka Aha i na jure a e unuhi mai hoi i na inoa e like me ka olelo mahope no ka jure hookolokolo i na hihia waiwai. Aka, i ka hookolokolo ana ia mau hihia, aole loa e hiki i ke jure kekahi olelo no ka pili ana o ke Kanawai a me ke ano o ke Kanawai e pili ana. Ma ia mea, na ka Lunakanawai e noho ana e alakai ia lakou; o ka oiaio o na mea i hanaia, oia wale no ka ke jure e hai ai.

PAUKU 20. Ina nonoi kekahi kanaka i kekahi o na Ahahooko-
lokolo kakau i hookoia ka Moraki no ka waiwai paa, a no ka moku paha, moku Hawaii a moku o ka aina e paha, a i hookoia hoi na kuleana o na kanaka hoolako moku a i uku no ka hihia o kekahi moku i kekahi moku, a i hookoia na kuleana iwaena o na Kapena a me ko lakou mau luina o na moku kahiki, no ka malama ole ia, ina i hookumuia kela kuleana mawaho o ka malu o keia Aupuni; o na mea a pau i nonoi i ka hoopau ana i ke ino, ina he ino no ka lehulehu a no ka mea hookahi paha; a nonoi i ka hoopau ana i na palapala hui, a me na kuleana o na mea hui, a me ke kaohi a me ka papa i ka hana mamuli o ia palapala; a nonoi i palapala hoolaha i ka ike kumu; a nonoi i ka lawe maoli i ka waiwai o hai, no ke kumu maopopo ma ke Kanawai: a nonoi i palapala oki a palapala hookaawale, aole nae na mea imua o na Kiaaina; a nonoi i ka hookeiki i na keiki pooole; a nonoi i ka mahele ana i ka waiwai paa; no ka mahele ana i ko ka wahine kuleana iloko o ka waiwai paa; a nonoi i ke Kokua, no ke kaa ole o ka aie, a no ka pau e o ka waiwai, a no ka pilikia; o na mea a pau e nonoi i kekahi o keia mea, penei oia e hana'i; e palapala lakou i ka Peresidena o na Lunakanawai koikoi, a e hooihiki ma ia palapala. A haawia ua palapala la, alaila, na ka Peresidena ma kona keena e hooholo i ka olelo mamuli o ka ka mea nonoi, kii aku paha i kela aoao, kaohi paha, o na mea elua, oia no e like me ko ka Peresidena ike ana he pono. Ina he mea kupono ole ka hana malu, a he mea kanalua paha, hiki no ia ia mamua o ka hoopuka ana i ka palapala ke kauoha aku i kela aoao e hoike kumu, a kauoha aku i ka mea e ae, a hana i ka mea ana e manao ai, i loa ka pololei. Ina hoopukaia ka palapala, alaila, e haawi pu ia me ia palapala, ka palapala noi a i ka mea i hoopiiia, a loa ole, e haawia i kekahi mea e noho pu ana ma ua wahi la, a hui ma ia hihia, a maluna paha o ka moku i hoopaaia no ka hooko Moraki, a hoomaluaia paha no ka aie makai mai paha. A i ka manawa mua e hiki ai mahope iho o ka haawi ana ia palapala, e pui ka Luna nana e haawi ia mea iloko o kekahi Nupepa, e like ka

loihī o ke pai ana me ka ka Lunakanawai e manao ai he pono, e pai hoi i ka olelo hoike ia hoopaa, a hoomalu a hooko Moraki ana, a e nonoi i na kanaka a pau i pīli e hoike mai i ke kumu e pono ole ai ke hana e like me ka nonoi ana mamua o ka la i oleloia'i. Na ka Lunakanawai ma kona keena e hooholo i ka olelo no ka nui o ka aie i koe e kaa'i ka Moraki no ka waiwai paa a me ka waiwai lewa, a me na moku, mahope o ka lohe ana i ka na aoao elua, a me ka na hoike, aohe jure i keia hana ana. Nana no e kauoha aku e hoopaa ia olelo no ka nui o na dala ana i olelo ai, a e hoopuka i ka palapala ohi no ia mea. Hiki nae ke hoopii, e like me na hihia e ae, e hoopii nae i na Lunakanawai hui. O na mea Moraki mua a Moraki hope a pau, ina i ikeia, a loheia ko lakou inoa e ka mea hoopii, e huiia lakou me ka hoopii, a ina i ikeia mamua o ka la hookolokolo, e komo no iloko o ka palapala hoike, a e haawii ke kope o ka palapala noi. E ukuia na kanaka mea Moraki e like me ka helu o na la i kakauia ka palapala Moraki, o ka Moraki mua, e uku mua ia, aole lakou e ukuia ma na hapahaneri.

A ina i hookoia ka palapala Moraki, alaila, ua lilo na Moraki hope o ia waiwai i mea ole. Ua paa nae na Moraki mamua, aia i ka manao o ka mea nana ka Moraki. Aka, i ka hooko ana i kekahi Moraki, ina kaa ka aie o ia, a koe ke dala, alaila, e haawii kela dala i ka mea Moraki hope, a kaa ia, a koe no, ina he Moraki hou, ma'aila e haawi ai, a pela e haawi ai e like me ka helu. O na Moraki moku a me na aie e ae o ka moana mai, e like no ka hooko ana me ke Kanawai o na aina lehulehu, ke Kanawai hoi o ka aina kahi i aie ai, a me ke Kanawai moku, a me ke Kanawai kuai o ia wahi; na ka Lunakanawai nana e hooko ia kuleana, e hoopili ia mau Kanawai i kona mahele ana, a me kona haawi ana i ka waiwai i paka ma kela hana ana. Aka, ina he mau haole lahui e wale no na mea i pili ia hihia, a ua aie ka moku, aole loa e hiki ke hooko i ka Moraki, a me ka hoopaa i ka moku, ma koonēi Ahahookolokolo, ke nonoi ole mai ka Luna o ka aina o ke kanaka nona kela moku i manaoia e hoopaa, a kuai paha. E hiki no i ka mea i aie ma ka Moraki a i ka mea i aie hope ia ke hele imua o ka Lunakanawai a hoike i ka mea i hanaia, a me kahi i pili ke Kanawai ma ia palapala a me ia nonoi ana, a pono ia ia ke hoike mai i ka mea e pono ole ai ka hooko ana ia Moraki. Ia hana ana, hiki no i ka Lunakanawai ma kona keena ke haawi na hai e lawe i ka olelo hoike, penei nae e hana'i, e hoakaka mua ia ke kumu o ka hoopaa, alaila, kakauia na olelo ninau, a me na olelo hoohuahualau, e like me ka hana ana ma na Ahahookolokolo kau like, a loheia, alaila, e hooholo i ka olelo e kuai, a ina he aie no ka moku e hooholo i ka olelo e hoohewa, a hoopaa, a kuai aku, a hiki no ke haawi, e hiki nae ke hoopii hou ma ka palapala hoakaka hewa. Ina hoopii kekahi e hoopauia kekahi ino, a e loa ka uku no ke ino; a e hookeikiia ke

keiki poole; a e oki, a e hookaawale; a e uku no ka hewa ma ka moana, iwaena o na luina a me ko lakou alii moku o ka aina e, ina oi aku ka uku i koiia mamua o ka haneri dala hookahi; o ka imi ana no ka hehena, a me ka pupule, a me ka hanau keiki i mea e pono ai ka waiwai; e hoomakaia keia mau hoopii a pau e like me ka olelo ma keia Pauku, a pela no e hoohiki ai ka mea hoopii, a ina he mea pili i ka moana, e lawe pu mai oia i ka palapala noi a ka Luna o kona aina, a e hookoia keia mau hana a e hoakakaia ke kumu e hoopaapaa'i ma ke keena, e like me ka hana ana i na hihia e ae i olelo mua ia; aka, o ka olelo no ka uku, a me ka olelo no ka oiaio o na mea i hanaiia, na ke jure wale no ka olelo no ia mau mea, a na lakou e auhau, a no ka hana e hiki no i ka Lunakanawai ke koho ano e i jure no ia hana wale no, e like me ka mea i hoakakaia mahope nei. O na mea hooiaioia, a me ka hoonene i ka Poehui i ko lakou pono; a me na olelo no ka mahele a me ka hookaawale i ka waiwai; a me ka olelo no ka poe aie nui a kaa ole a pilikia paha; e hiki no ke hookolokolo ia mau mea ma ke keena wale no, me ke jure ole. Na ka Lunakanawai hookahi a na na Lunakanawai hui e hana, a hooko, a hoopuka i ka palapala ohi.

PAUKU 21. O na hihia i kakauia ma na Moohihia, e hookolokolo mua ia ka mea kakau mua, a e hoopauia mamuli o ka pono i puka i ka hookolokolo ana, ke hoopanee ole ia nae mamuli o ka olelo a kekahi aoao no kekahi kumu pono. I na manawa a pau e kahea aku ke Kakauolelo i ka hoopii ke hiki i kona wa pono, a ina aole oia malaila, aole hoi kona Hope, a ina hoole ka hoopii a o kona Hope paha, aole hana, alaila, e haia kona pio ana, a lilo ia ia ka uku no na poho a pau. E hiki no i na mea pale a pau ina i aie aku oia, a aie ano like mai ka hoopii ia ia, hiki no i ka mea pale ke hoike mai ia mea, a ina ua haawi maoliia'ku i mea e kaa'i, a hoole ka hoopii aole e lawe, pono i ka mea pale ke hoike mai ia mea; a lawe mai hoi i kela dala iloko o ka Ahahookolokolo, i mea pale aku i ka uku hoopanee a me ke dala poho mahope iho o ka haawi ana. I ka wa i kaheaia ka hoopii, ina hele mai oia a hoakaka i ke kumu o ka hoopaapaa, alaila, ina aole hele mai ka mea pale a pale i ka olelo, alaila, e hookolokolo ka Ahahookolokolo i ka olelo mamuli o ka ka hoopii ma ke ano kue i ka mea i hoopiiia, a e hana wale ka hoopii imua o lakou, a na ke jure paha, a e holo no ka olelo a na Lunakanawai, a me ke jure e olelo ai a hoolaha aku mamuli o kela hoike ana a ka aoao hookahi, ina nae i manao ka Ahahookolokolo he kumu e hoopanee ai, hiki no.

PAUKU 22. O ke kanaka i hai mai i na hana, a me ke Kanawai paha i pili i ka mea i hoopaapaaia imua o ka Ahahookolokolo, oia ka hoopii no ia hihia, a nana uo e hoakaka i ka oiaio o kana, a nana

no e kuhikuhi mai i na hoike. Nana no e wehewehe mua i ka hookolokolo ana, a e lawe mua mai i kona mau hoike, a me na mea e akaka'i, a pau na hoike i ka hai mai i ka lakou olelo, nana no e hoonohonoho i ka lakou a hoakaka i kona manao no ka lakou. O ka mea hoole i na mea i hanaia, a hoole i ka pili ana o ke Kanawai, oia ke pale hihia, a eia kana hana, o ka hoakaka i ka ole o ka mea a ka hoopii i hai ai. Pono no ia ia ka hoohuahualau i na hoike a ka hoopii, a olelo ka hoopii, ua pau kana, alaila, e lawe mai oia i kona mau hoike na mea e ole ai ka ka hoopii, a hiki no i ka hoopii ke hoohuahualau ia lakou. A pau ia, alaila, na ke pale hihia e hoonohonoho i na olelo a kana mau hoike a hoakaka i ka pono o kana imua o na Lunakanawai i ko lakou hui ana, a imua o ke jure paha, a na ka hoopii ka olelo hope loa, mahope iho o ka pau ana o ka ka mea nana i pale.

PAUKU 23. Ina he hihia e lewa wale ana imua o ka Ahahookolokolo, hiki no i kekahi aoao a me kekahi ke loa ke kumu nui e pono ai, ke nonoi mai i ka Lunakanawai me ka hooihiki, e hoonohoa ka Luna nana e lawe i ka olelo a na hoike e noho ana ma ka aina e, a ma kekahi Mokupuni e aku, aole ma ka Moku kahi e hookolokolo ana. I mea e pono ai keia hana, a ka mea nonoi mai i Luna, e hoike mai oia ma ka palapala i na olelo ninau a pau ana e makemake ai e ninau i na hoike, a e kakau pu ia keia me ka palapala nonoi ana i hooihiki ai, a nana no hoi e hai mai i na Lunakanawai i ke kanaka ana e manao ai he mea pono ke lawe ia olelo hoike, he kanaka paewaewa ole a pili ole i kela aoao i noho ma kahi o na hoike, alaila, na na Lunakanawai e noonoo. E haawi aku no hoi oia i kope o keia palapala nonoi hoike a ninau a i kona hoa paio, a hiki no i na Lunakanawai ke ae aku ia palapala, a hai i ka manawa e hoolohe ai i ka olelo kue a kekahi aoao. Ina aole hoikeia mai ka mea e ole ai, hiki no i na Lunakanawai ke kauoha i kela aoao e hoike mai i kana ninau hoohuahualau ia mau hoike maloko o ka manawa ana e olelo ai, a malama ole kela aoao ia kauoha, alaila, aole hiki ke hoohuahualau aku. Ina haawi mai ka aoao elua i kana mau olelo hoohuahualau, a hoole paha, aole haawi mai e like me ke kauoha, e hiki no i na Lunakanawai ke hoonoho i na Luna a e haawi aku ia ia i na olelo ninau, a me na olelo hoohuahualau, a e kauoha aku ia mau Luna e kii aku i ua mau hoike la a mamuli o ka mana o na'lii o ia wahi e koiako aku ia lakou e hele mai a e hooihiki. Aole hiki i kekahi Luna ke ninau aku i ka hoike i kekahi mea e ae, i na olelo ninau wale no a na aoao i pili i kakau ai. E kau no na hoike i ko lakou inoa malalo o na olelo a lakou e olelo ai no na ninau i ninauia ia lakou, a e hai mai na Luna ua oiaio ka lakou olelo ana pela; a e hoouna mai ia palapala me ka hoopaaia i ke sila, a i ke Kakauolelo o ka Ahahookolokolo nana ka hana, i lilo ia i hoike. E laweia na olelo i hooihikiia pela imua o ka Luna

i hoonohoia, i hoike oiaio, ke pili ia i ka hihia waiwai, a ke ike ole ia hoi ka wahahee, a o ka hui paewaewa ana, a o kekahi hewa nui e ae paha.

PAUKU 24. Ina hookolokoloia kekahi mea a holo ka olelo e hoapono ana ia ia, he olelo paa, a olelo uku, a olelo hocioio paha, ina holo like i na Lunakanawai, a holo ma ke akea, a holo i ke keena o kekahi Lunakanawai, a holo jure paha, a ina he hookolokolo waiwai; alaila, hiki no i ka mea i aponoia ke nonoi koke ia Aha i olelo hooko, e kakali nae i eha la mahope iho o ka hooholo ana i ka olelo, a ina hoike ole mai ia ia ka mea pio i kona manao hookolokolo hou, a manao hooki i ka hooko, a haawi ole mai i palapala e malu ai ka aie, a me ke poho, a ae aku ka Lunakanawai i ka pono o kela palapala, me ka lohe o kekahi aoao, ina aole hanaia keia, alaila, hiki ke nonoi i ka hooko. A holo ka olelo hooko i ka Lunakanawai, alaila, hiki i ka mea i aponoia ke koi aku i ke Kakauolelo e hoopuka aku i ka palapala ohi, e like ka nui o ka ohi ana me ka olelo i holo, a me na koina, a me na dala poho, a e auhauia kela mau dala, a e haawiiia kela palapala ohi i ka Ilamuku, a nana no e ohi, e kau nae maluna ona ka olelo kena a ka Ahahookolokolo.

PAUKU 25. O ka Luna hooko i loa ka palapala ohi i kauia ka inoa o ke Kakauolelo o kekahi Ahahookolokolo, a kauia ke sila, e kakau oia ma ke kua o ia pepa i ka la, a me ka hora o ka loa ana ia ia, a i kona ohi ana i ka waiwai lewa e ohi mua oia mamuli o ka palapala i loa mua; hiki no nae i ka Luna ke hoole, aole e ohi i ka waiwai i kuhikuhiiia a loa ia ia ka palapala e pakele ai oia i ka pilikia no ka ohi ana.

PAUKU 26. Eia na waiwai lewa i kapu loa a hiki ole i na Ahahookolokolo o keia Aupuni ke hoomalu, a ohi, a kuai i mea e hoo-kaa'i i ka aie i aie pono ia, aole hoi mamuli o ka olelo i hooholoia e ka Ahahookolokolo, no ka uku dala; penei hoi,

1. O na mea paahana a pau a ke kanaka paahana, ina e hana io ana oia me ia mea; ina he kanaka i mareia, a mare ole ia, aka, ina oi aku na dala elua haneri maloko, hiki no ke ohi i ke keu.

2. Eia ka waiwai hale, a me na mea e ae e hiki ole ke ohi, ina he kanaka i mareia ka mea nana i aie, hookahi hikiee a me ona pulu moe, a me na lolo e pili ana, eono noho, eono pa, eono kiahati, a me na pa olalo, eono pahii, a me na o, eono puna, hookahi papa ai, oihana kuke, aole nae e oi aku ia i na dala he iwakalua; na kii o ha hoahanau, lolo komo, aole nae e oi aku na dala maloko i na dala hookahi haneri; na buke, aole nae e oi aku i na dala he kanalima, o na gula pepeiao a me na mea milimili i pili i ka wahine, hookahi bipi wahine, elua puua, hookahi lio, a ina he waiwai lewa

ko ke kane nona iho, e hookoeia ka mea i loaia ia na kana waihine mai, ina nae i mau ka malama ana ia mau mea.

PAUKU 27. Ina haawia pela kekahi palapala ohi waiwai i kekahi Luna pili i na Ahahookolokolo, e ohi no oia, alaila, e hoolaha aku oia i ka lohe i ke kuai ana ia waiwai i ohia, ina he waiwai lewa, oia, ina he waiwai paa, oia no hoi, i kanakolu la mamua o ke kuai ana, maloko o kekahi Nupepa e hoolaha'i i ka lohe, ina he Nupepa i paia, a i ole, i ke kau ana i ka palapala maluna ma na wahi ike nui ia ekolu ma ka Apana o ka mea nona ka waiwai; a ina ma ka Mokupuni Oahu, e paia iloko o ka Nupepa Polunesia. Ina hiki aku i ka la i oleloia a hoike ole ia mai ia ia i ke dala i oleloia, a me ka uku hoopanee, a me ke poho, a me kona koina, a me na lilo i kakauia ma ka palapala, alaila, e kudala aku oia i kela waiwai i ka mea i oi aku ke koho ana, alaila, e unuhi mai oia noloko mai o ka loaia ma ia kuai ana i mea kupono i ka hookaa aku ia palapala ohi, a me kona poho, a me kona lilo, a me kona mau hapahaneri, a e hoihoi aku oia ia palapala me ke kaa, ke hiki ia ia ke hana pela, a me ka uku pu aku i ke dala i loaia mai ai ia ia no ia palapala, a i ka mea nana i hoopii. Ina hana kekahi Luna hooko mamuli o ka palapala ohi waiwai, maluna ona ka hewa a me ka pono o kana hana ana a pau ma kana hana, a ina hana oia ma ke ano kue i ka palapala a me ka olelo kena i waihoia ma kona mau lima; ina hoihoia mai ka palapala ohi a i ka Ahahookolokolo me ke kaa ole, hiki no ke hoopuka i palapala ohi hou ma ia Mokupuni hookahi, a ma ka Mokupuni e ae paha malaila, i mea e kaa'i ke koena o ka aie, a me na dala poho hou, a me na lilo, a me na uku hapahaneri; a e hookoia kela palapala ohi hou a palapala hoike paha e ka Ilamuku a e kona hope paha, e like me ka hooko ana i ka palapala ohi mua.

PAUKU 28. Ina hoopukaia ka palapala ohi e kekahi Ahahookolokolo kakau, hiki no i ka Lunakanawai o ia Aha ma kona keena, ke haawi hou i palapala hooki i ke kuai ana, ina he kumu pono, i ka wa e waiho ana ka palapala ohi ma ka lima o ka Makai nui, aole no ka hoopii hou keia, aole no ka palapala hoohalahala; a hiki no i ua Lunakanawai la ke ae aku i ka mea i hoopiiia e haawi mai i palapala hoopaa me na hope i mea e kaa'i ka aie a me na dala poho a hiki ia manawa.

O ka waiwai i ohia mamuli o ia palapala ohi, aole ia e kuuia'ku mamuli o ia palapala hoopaa, a hala ka manawa i oleloia iloko o ka palapala hoopaa, alaila, ina aole i hookoia, hiki no i ka mea nana i hoopii ke hana e like me kona makemake, a kuai i ka waiwai i ohia, a i ole ia e hooko i ka palapala hoopaa, e like me kana a manao ai. Aka, ina aole i nui ka waiwai i ohia e kaa'i ka aie, a me na dala poho a pau, a me na lilo, a me na uku hapahaneri, a me ka

uku o ka hoopanee ana, alaila, na na hope i oleloia iloko o ka palapala hoopaa e hookaa i ke koena.

PAUKU 29. Ina hooalahalalaia kekahi hookolokolo ana, a nolaila haawiia ka palapala hooalahalala ma ke keena o ka Lunakanawai, a haawiia mamua o ke kuai io ana i ka waiwai, a me ka hookaa ana i ka aie, alaila, aole hiki i ka Luna ke hana, aole e kuai, aole e hookaa, aole hoi ina e hoopii hou aku, a hooheuaia paha e kekahi Ahahookolokolo maluna, a e kekahi Lunakanawai paha; aole nae e noa ka waiwai i ohia, ua malu no ia i ka Luna, a e lilo no ia i mea e kaa'i ka aie, ke hiki aku i ka manawa a ka Ahahookolokolo maluna e hooiaio ai i ka olelo a ka Ahahookolokolo malalo.

PAUKU 30. Ina manao kekahi ua poino oia i ka olelo pono ole a kekahi Lunakanawai ma kona keena, a i ka olelo hui a na Lunakanawai, a i ka olelo paha a ke jure ma ka hoopii waiwai, a ina aole i hala na malama eono mahope iho o ka hookolokolo ana, a ina aole i hookaaia, hiki no i ka mea i manao ia ia iho ua poino oia, ke hoakaka ma ka palapala i ke kumu o kona manao ua hoopoinoia oia, a haawi ia palapala i ke Kakauolelo o ia Ahahookolokolo, a malaila hoj e hoakaka'i i ke kumu o ka lakou hoopoino ana ia ia i kela olelo i hooholoia.

Ina hana kekahi pela, a hoike aku ia palapala i ka mea i hoopoinoia, a i kona kokua paha, a hoike pu aku i ka palapala hoopaa no ka hookaa ana i na dala poho, a me ka uku hoopanee ke hooiaio mai na Lunakanawai maluna, a ina hana oia i keia i anahulu mamua o ka nonoi ana, alaila, hiki ia ia ke hele aku i kekahi Lunakanawai maluna ae o ka mea nana i hana mamua, a nonoi ia ia i palapala hookolokolo e kauoha ana i ke Kakauolelo o ka Ahahookolokolo malalo e hoike aku i ke kope o na hana i hanaia, i mea e hiki ai ke hooponopono i na mea i hewa. Alaila, o ka Lunakanawai i nonoia pela, i ka wa e hoihoia mai ai ka palapala a me ke kope o na hana i hanaia e na Lunakanawai malalo, e kena aku oia i kekahi aoao e tele mai e hana hou, a i ole, e hooleia ka olelo mua. Ina imua o na Lunakanawai koikoi e hoopaa hou ia ma ka noho hookolokolo, aka, ina imua o na Lunakanawai kiekie, ma ka palapala wale no e hoopaa'ia, a o na Lunakanawai hana hou pela, hiki no ia lakou ke hoopaa i na olelo i olelo mua ia, a hoole paha, a haawi paha na ka poe malalo i hana mua e hookolokolo hou.

PAUKU 31. Aole hiki ke hoopii ma ke Kanawai a koi aku i ke kanaka e hooko i ka olelo waha a me ka mea i ae like ia ma ka waha wale no, ina i hala ka makahiki hookahi mahope iho o ka olelo ana. Ina i aie kekahi i kekahi a palapalaia ma ka buke Mooaie, a hala na makahiki elua mahope iho o ka aie hope ana, alaila, aole hiki ke hoopii ma ke Kanawai, a koi aku i ke kanaka e hookaa. Ina

waiho wale ia ka palapala hoai'e, ka Bila, ka Bila Kikoo, ke kauoha dala, palapala hai aku, a palapala e ae e maopopo ai ka olelo ae like, a ina hanaia kela mea maloko o keia Aupuni, a hala na makahiki ekolu mahope iho o ka manawa i oleloia e uku, alaila, aole hiki ke hoopii ma ke Kanawai, a koi aku i ke kanaka e hookaa. Ina hanaia ka palapala hoopaa, a palapala ae like, a palapala hooihiki iwaena o kekahi mau mea, a kauia ke sila, a kau pu ia na inoa, i hanaia maloko o keia Aupuni, a waiho wale ia i umi makahiki mahope iho o ka manawa i oleloia'i e hookaa, alaila, aole hiki ke hoopii ma ke Kanawai. Ina i haawiiia ka palapala Moraki a me kekahi palapala hoomoe no ka waiwai paa maloko o keia Aupuni, a waiho wale ia i umikumamalima makahiki mahope iho o ka manawa e hiki mua'i ke hooko, alaila, aole hiki ke hoopii ma ke Kanawai ma ia hope iho. Ina e noho malu kekahi ma ka aina maloko o keia Aupuni, a ma ka waiwai paa, me ke keakea ole a me ka hooke ole ia mai no na inakahiki he iwakalua, a noho ma ke ano e nele ai ka mea e ae nana e koi mai, alaila, ma ia hope iho, aole hiki ke hoopii ma ke Kanawai e hemo, a kipaku a hoonole i ka mea e noho ana pela. Aka, aole e mana'ia, ua pili kekahi o keia mau hua i ka hoonole i ka mea e noho ana ma kahi e, a me ka mea hehena, a me ka mea hupo loa, a me na kamalii oo ole, a me na wahine mare; aole hoi e laweia keia olelo i mea e pomaikai ai na kanaka aie, a me na mea i hoopiiia, a ua noho mawaho o keia Aupuni, aole hoi i pili i ke kanaka e noho aina'na, ina aole ia i noho ma ke ano e nele ai ka mea e nona kahi.

HAAWINA 2.

NO KA HOOMAKA ANA, HANA ANA A ME KA HOOHOLLO ANA I KA OLELO NO NA HEWA.

PAUKU 1. O na hewa a pau a na kanaka e hana'i ma ke ano kue i na Kanawai o keia Aupuni, ua haawiiia ka hana na ka Ahahookolokolo kakau wale no, e hopuia a e hoopiiia ka lawehala ma ka palapala hoopii lawehala a ka mea Kokualunakanawai o ka Moi, i ka halawai mua ana o ka Ahahookolokolo kupono i keia hana, mahope aku o ka hoopii ana, e hiki nae i ka Lunakanawai ke hoopanee no ka nonoi ana o ka mea i hoopiiia, a i mea paha e loa'i ka manawa pono e imi ai i hoike e hooiaio ai i ka hewa.

PAUKU 2. Elima la mamua aku o ke kau hookolokolo, e haawi ka Loio o ke Aupuni, i ke Kakauolelo o na Ahahookolokolo kaa-puni a pau, a me ka Ahakoikoi i papa inoa o na hoopii a pau, no ke ano karaima, na mea hoi a ke jure e hookolokolo ai ia kau, a

me ka inoa o na hoike a pau e hooiaio ai ia hewa, i hoonohonoho pono ia na hana o ka hookolokolo ana, i kiiia hoi na hoike.

PAUKU 3. Hiki no i ke Kokualunakanawai ke koi aku i ka Lunakanawai kakau ma kona keena, e haawi mai na hoike nui no ka hoopii kupono i ke ano karaima, i palapala hoopaa ia lakou iho e hele imua o ka Ahahookolokolo e hoike i na mea a lakou i ike ai, a i ole haawi mai ia palapala, e hoopaa ia ia i ka hale paahao; a e hiki no i ka Lunakanawai ke hana e like me ke koi ana.

PAUKU 4 I ka hookolokolo ana mahope iho o ka hoopaa ana i ka mea hana hewa, ina aole he kumu e ole ai e laweia oia imua o ka Ahahookolokolo ma ka palapala hoakaka hewa, e like me ka olelo ma ka Apana elima o ke Kanawai hoonohonoho i na hana i haawiiia i na Kuhina. E heluheluia kela palapala imua o ka lawehala ma ka Ahahookolokolo, a pau, alaila, e ninau aku ka Lunakanawai ia ia i kona ae mai, a i kona hoole mai ia hewa.

PAUKU 5. Ina he olelo ae ka ka mea i hoopiiia, alaila e kakau ke Kakauolelo ia mea, aole hoi e hoonohoia ke jure no ia hihia; aka, ina he olelo hoole ka ka mea i hoopiiia no na hewa a pau i oleloia iloko o ka palapala hoakaka hewa, alaila, e hoonohoia ke jure e like me ka olelo mahope nei. Ina ae ka lawehala i kekahi hewa i oleloia, a hoole i kekahi, alaila, ina noi aku ka mea hoopii pela, hiki no i ka Ahahookolokolo ke hooholo i ka olelo no na hewa i aeia, a haalele wale i ka hoopii no kekahi; a ina nonoi ka mea hoopii pela, hiki no ke hookolokolo no na hewa i hoole ia me ka olelo ole i na hewa i aeia. Ina ae mai ke pio, ua hana io no oia i na mea i oleloia ma ka palapala hoakaka hewa, a hoole nae i ka hewa o ia hana, alaila, aole hookolokolo jure, aka, e hookolokolo hoopapaa no imua o na Lunakanawai no ke ano o ka pili ana o ke Kanawai.

PAUKU 6. Ma na Ahahookolokolo a pau no ka hihia ano karaima, e aeia ke pio ke hoohuahualau i na hoike, a me ka hoopapaa, a me ke Kokua pono. Na ka hoopii e hoakaka i ka oiaio o ka hewa, a na ke pio e hoakaka i ka ole, e like hoi me ka hana ana i ka hoopii waiwai, a me ia no ka hoomaka ana, a me ka hoopau ana i ka olelo.

PAUKU 7. I na manawa a pau, ina aole loa i ka mea i hoopiiia no ka hewa ka mea nana e kokua ia ia, e hiki no i ka Ahahookolokolo ke hoonoho i kokua nona noloko o ka poe i hookohuia i Loio imua o lakou, a nana no e kokua io ia ia ma ke ano pono me ka uku ole ia mai, a ina aole ae kekahi e kokua ia ia pela, hiki no ke hoopai no ka hooawahawa i ka na Lunakanawai.

PAUKU 8. O ka olelo a ke jure, a i ole ia, o ka olelo a na Lunakanawai, oia ke kumu, a e like me ia olelo ana, pela e hooholo loa ai i ka olelo no ka hoopai ana, e like me ka olelo o ke Kanawai a ka hoopii i olelo ai ua haki, a loa, ua hakiia no. Na ka Lunakanawai e hooholo. Hiki nae ke hoomanao i kumu e oki ai ka olelo hoopai, a hiki no hoi i ka Moi ke kala i ka hala, a hiki no hoi ke noi aku ina he kumu e oki ai ka hoopai.

PAUKU 9. Hiki no i kela a me keia Lunakanawai o ka Ahakau e like me kona manao he pono ke hoopanee i ka hoopai i ka mea i hoohewaia no ka manawa kupono i ke aloha, ina nae i hoi-keia mai ia ia he kumu no ia mea, aole nae e hana ma ke ano e poino ai kekahi mea e aku.

PAUKU 10. Aole e hoopaiia kekahi i ka make ina i hehena, a pupule paha, aole hoi ka wahine hapai, aole hoi e hoohewaia kekahi keiki e make mamua o kona hoike ana i ka manao hoomaopopo i ka pono a me ka hewa.

PAUKU 11. Ma keia Aupuni i na manawa a pau ina holo ka olelo, ua hana ke kanaka i ka hewa i ku i ka make, aole loa e holo ka olelo hoopai e make a hala na hora he kanahakumamaha mahope iho o ka olelo hoahewa, aole hoi e ko i ka make a hala na la he umikumamaha mahope iho o ka holo ana o ka olelo hoopai.

PAUKU 12. Na ka Ilamuku, a i ole ia, o kona Makai nui, a Hoape e ae paha, e hoopai i ka make; penei, e li i ka mea i hoohewaia ma ka ai, a make loa ia, alaila, e hana i ke kupapau e like me ka olelo a ka Ahahookolokolo. Aole nae e hookoia ka make pela, a kau mua ka Moi i kona inoa ma ka palapala make me ka ike o ke Kuhina nui: aole hoi e hookoia ka make mahope iho o ko ka Moi kala ana i ka hala.

PAUKU 13. Ina holo ka olelo no kekahi hewa i uuku iho ka hoopai ana i ka make, alaila, na ka Peresidena o na Lunakanawai e hooholo i ka olelo hoopai e like me ka olelo o ke Kanawai, a e hana koke no e like me ka mea kupono, a mahope iho e hoike oia ma ka palapala a i ka Ilamuku, a i kekahi hope ona, a e lilo ia palapala i olelo kauoha ia ia e hoopaa i ke pio, a hoopai ma ke ano kupono.

PAUKU 14. Aia no i na Lunakanawai o kela Aha keia Aha ka mana a pau maluna o ka waiwai, a maluna o ka hewa, a maluna o na mea pili i ke Kanawai, a me na mea kau like, ka mana hoi i haawiia i ua mau Lunakanawai la pakahi a ma ko lakou keena iho, a pela no ma ia ano hookahi e hiki ai ia lakou ke hoopuka i pala-

pala kena, a i palapala kii i ka mea hoopii a me ka mea i hoopiiia, a me na hoike, a hiki no ia lakou ke hana i rula no lakou a me na olelo kena, hiki no ke hoopaa, a kuu aku, ke kaohi, a ke papa, a kauoha aku, a hiki no hoi ke hoonoho i Luna a haawi i kekahi hana na hai e like me ka mea ku i ka hana pololei.

HAAWINA 3.

NO NA HANA KUPONO I KA LUNAKANAWAI KE HANA MA KONA KEENA IHO.

PAUKU 1. E malama na Lunakanawai o na Ahahookolokolo kau i hale hana, a e kapaia ko lakou wahi hana, keena. E hoakaka lakou i na hora hana, a me na rula no ka hana i pili i ko lakou Ahahookolokolo, aole nae e kua i ke Kanawai, kahi a lakou e noho ana i Lunakanawai. Hiki no ia lakou ke koiako aku i kanaka e hele ma ia mau rula, ma ka hai aku i ka nele, a me ka hoka, haa-lele hoopii, uku, paa, a i kekahi paha o ia mau mea. Hiki no ia lakou i ka wa noa o ka hana ke hoopuka i palapala hopu, i palapala kii, a i palapala kauoha i mea e koi ai i na aoao elua e hele imua o lakou a me na hoike kekahi, e like me ka lakou e hana'i i ke kau hookolokolo. Hiki no ia lakou ke hana ma ke keena ina na hihia waiwai a me ka hewa maoli, i kupono ke hana ka Ahahookolokolo Kaapuni, a me ka Ahakoikoi, a me ka Ahahookolokolo kiekie, i na hana a pau i haawiiia ia lakou e keia Kanawai i ka Lunakanawai a i ka Luna paha.

PAUKU 2. Ma na hihia a pau i pili i ka hoopaa ana, a me ka hoahewa ana, a me ke kuai ana i kekahi moku, e hoomakaa ka hana ma ia mea maluna o ka palapala noi ma ke ano hoohewa, a haawiiia i ke Kakaulelo o ka Ahahookolokolo koikoi, a e hanaia e like me ka olelo a ka Peresidena o na Lunakanawai ana e olelo ai ma kona keena iho, hiki nae ke hoopii mai ka Peresidena a i ka poe hui o ia Aha. Hiki no i ua Peresidena nei ke hoonohonoho i jure e auhau i na dala i hoopohoi no ka hihia pu o kekahi mau moku, a no ke poho e ae o kai, a me na mea i hanaia malalo o ka malu o keia Aupuni, a hiki no hoi ke olelo i ka uku o na luina, a e hookolokolo no na mea i hanaia no ka waiwai a me ke kino. Ina e hana ia mea, e kii aku ka Peresidena o na Lunakanawai i na aoao elua e hele mai imua ona, alaila, e unuhi mai oia i jure noloko mai o ke jure no ka Mokupuni Oahu, a hiki no ke koi aku ia lakou e hele mai, e like loa no me ka hana ana i ke kau hookolokolo. E hooloheia ka na aoao a elua, a e laweia mai na hoike e like me ka hana ana i ke kau hookolokolo, a ina hoakaka ke jure i na mea i hanaia, a i ole, holo maoli paha ka olelo i ka Peresidena o na Lu-

nakanawai mahope iho o ka hooholo ana ma ke keena, alaila, e kauoha ka Lunakanawai i ke Kakauolelo e kope i ka olelo i hooholoia iloko o ka buke a ka Ahahookolokolo, a e hoopuka hoi i palapala ohi, e hiki nae ke hoopii hou.

PAUKU 3. Ina make kekahi mea maloko o keia Aupuni, a waiho i palapala kauoha waiwai, ina he kanaka maoli, a haole i hookupaia paha, a mea kuleana hale, a mea aea wale paha, a maanei ka waiwai, a ma ka aina e paha; a i ole pela, ua make paha ma kahi e, a eja maanei ka waiwai malalo o ka malu o keia Aupuni, alaila, he mea pono i ke kanaka i hoakakaia i Hooke Kauoha, a i ole ia, kekahi kanaka i hoopomaikaiia i kela palapala, a i ke kanaka paha nana i malama i kela palapala kauoha, a i kekahi mea paha e hana ana ma ka inoa o kekahi o lakou, ke nonoi i ka Peresidena o na Lunakanawai o ka Ahahookolokolo, a i ole ia, i kekahi Lunakanawai e ae o kekahi Ahakakau, ma ke keena e nonoi ai, i hooiaioia kela palapala kauoha waiwai, i kiiia hoi ka hoahanau pili loa i ka mea i make, a me na hoike kekahi.

PAUKU 4. Pela no, ina make kauoha ole ke kanaka a he waiwai kona maloko o keia Aupuni, a makemake kekahi kanaka kupono, nana e hooponopono i ka waiwai hooilina, a pela no ina make ma ka aina e, a he waiwai kona maanei, pono ia ia e like me ka olelo mahope nei, ke palapala nonoi mai i ka Peresidena o ka Ahahookolokolo koikoi ma kona keena, a i ole ia, i kekahi Lunakanawai e ae o ka Ahakakau i haawiiia mai nana e hooponopono ia.

PAUKU 5. Ina kupono i kekahi kanaka ke malama i kekahi keiki malalo iho o na makahiki he umikumamaha, a me ka waiwai paha, o ia keiki, pono ia ia ke palapala nonoi aku i ka Peresidena o na Lunakanawai koikoi ma kona keena, a i kekahi Lunakanawai e ae paha o ka Ahakakau: alaila, e kii aku ka Peresidena i ka hoahanau pili loa i ua keiki la, a ina he mea e akaka'i, e kii aku i na hoike kekahi, a ina pono i kona manao, hiki no ia ia ke hoolilo i ua kanaka la i makua hanai no ua keiki la; a hiki no hoi ke hoopau i kona noho ana, ke loa ke kumu no ka hoopau. A ina noia mai a hoakakaia ke kumu, hiki no ia ia mahope iho o ke kii ana, e hoonoho i makua hanai, ke maopopo ia ia ua hihia na keiki opiopio, a o ko lakou waiwai paha imua o na Ahahookolokolo kakau.

PAUKU 6. Ina nonoi aku kekahi wahine kane make iloko o keia Aupuni, i ka Peresidena o na Lunakanawai koikoi ma kona keena, hiki no ia ia ke hookaawale ae, a e haawi aku na kekahi mea e e hookaawale ae i ko ka wahine haawina iloko o ka waiwai paa a me

ka waiwai lewa o ke kane, a nolaila, hiki no ke hoonoho i Luna no ia hana, a ina he mea ia e pono ai, hiki no ia ia ke kauoha aku e ana pono ia ka aina.

PAUKU 7. Na ua Peresidena nei ma kona keena, a nana wale no e mahele i na poho o na mea ku i ka mahele, a nana no e olelo i ka uku o na mea hoopakele waiwai, nana no e olelo iwaena o na mea poho a me ka mea kau inoa hoomalu, ke hele mai laua i o na la; a paa loa no kana olelo ke hoopii hou ole ia, a hiki no ia ia ke hooko i kana i ka haawi ana i palapala ohi, na ke Kakauolelo e hoopuka. Nolaila, hiki no ia ia ke koho i mea paewaewa ole, nana e huli e like me ka olelo ma ka Apana ekolu o ke Kanawai hoonohonoho hana i haawiia i na Kuhina Alii; a nana no e hooiaio i na hana, a o kela palapala hooiaio, he hoike pono ia ma na Ahahookolokolo a pau i ku i ka hookolokolo ia mea.

PAUKU 8. Eia kekahi mau hana a ua Peresidena nei ma kona keena, o ka hookolokolo i na Bila kaulike, no ka hoakaka i ke kolohe, a no ka hoomaopopo i na hana e pono ai ka hoopii, a nana no e hooholo i ka Bila a i ka olelo paa paha, i ke kau like ana i na pono o na kanaka maloko o ka waiwai i olelo wale ia; nana no ka olelo no ka hooko ana i na palapala hoomoe ma ke ano Moraki, ina no ka waiwai paa, a waiwai lewa paha; nana no ka olelo no ke oki, ina aole olelo mua ia imua o kekahi Kiaaina; nana no e hoopau i na ino a hoalualu mai i ka lilio o ke Manawai i pili i kekahi hihia, a e hoopalalaha aku, a e hoololi mai i ke ano o na Kanawai ke pili ia i ka hoopoino hewa i ke kanaka. E hiki nae ke hoopii hou, mai ka Peresidena a i ka Poehui. E hiki no i ka Peresidena ma ke ano kau like ke hoopau i ka pilikia o ka poe aie hiki ole ke hookaa, ina nae e haawi mai lakou ia ia i ko lakou waiwai no ka poe a lakou i aje ai, a nolaila, hiki ia ia ke hoonoho i mau Luna no ka nele i mea lawe i ka waiwai, a nana no ka olelo maluna o lakou, a me ka lakou hana, i mea e pomaikai pu ai na mea a pau i pili ia mea. A hiki no hoi ia ia, ina noi mai na kanaka loa ole ka aie ia ia, a hoike mai i kumu pono no ia hana ke hai aku i ka pau waiwai o na mea hoao i ka hoopanee a hoalo, a pale aku i ka manawa uku i ka lakou aie. Nana no hoi e noonoo i na olelo noi a pau no ka hoopau i ka hui ana o ka Poehui, a me na olelo noi i palapala hoolaha ma ke ano hoike nele, a me na olelo hoopii no ka loa mai i uku no ka malama ole i ka olelo o na Palapala sila nui.

PAUKU 9. Ma kela mau mea, a me kela mau nonoi ana a me kela mau hoopii, e lilo no i ua Peresidena nei na pono a pau i pili i ke kau like ana a ka Lunakanawai kau like e hana'i mamuli o ke Kanawai kaulana, aka, o kana mau rula a me na kauoha a me na olelo paa, hiki no i na Lunakanawai a pau i ko lakou hui ana ke

nana hou, a hoohuli, a hoopau, ma ka moolelo i kakauia e nana ai lakou; a pela no na Lunakanawai e hana'i.

PAUKU 10. O na olelo noi a pau i oleloia ma kela mau Pauku ehiku, e hanaia ma ke ano bila e nonoi ana i ke kaulike, a ma ia bila e hoakaka'i ka mea hoopii i na hana, a me na mea, a me na manao a pau ana e hilinai ai i pono nona. Ma ia palapala ia e hui ai i na kanaka a pau i komo maoli iloko o ia hihia, a me na mea i pili mai. A pau i ka palapalaia, alaila, e hoohiki ka mea hoopii i ka oiaio o kana palapala noi, a e hoopili mai i ka hope o ia palapala i papa inoa o na hoike ana e hilinai ai.

PAUKU 11. Na ua Peresidena nei e hoakaka i na rula o kana hana ma kona keena, nana no e hoakaka i na hua e komo ai iloko o na palapala kii, a me na palapala e ae i kakauia ma kona keena, a me ka manawa e haawi ai i kekahi no ka olelo mai, a no ka hoopaa-paa ana, a no ka hoohalahala, a nana no ka olelo no-ka pili ana o na bila hoopea. Hiki no ia ia ke koho i mau mea paewaewa ole nana e olelo i ka oiaio o na mea i hanaia, a e hoonoho i Luna, a i mea nana e imi a e hana i keia mau mea e like me kona manao he pono, a e koho hoi i Luna nana e lawe i ka olelo a na hoike a hoomau.

PAUKU 12. I ka hooponopono waiwai ana o na mea make e haawi oia ia hana; penei e haawi ai oia ia lakou,

1. I ke kane a ka wahine i make.
2. I ka wahine a ke kane i make.
3. I na keiki i oo a ka mea i make.
4. I na kaikuaana a me na kaikaina a me na kaikunane a me na kaikuwahine o ka mea i make.
5. I na keiki a kekahi makua o ka mea i make.
6. I kekahi mea a ka mea make i aie ai ke nonoi mai oia e lilo ka hooponopono ia ia.

PAUKU 13. I ka hoonoho ana i kahu, e hoonoho oia ia lakou penei,

1. I ka makuakane o ke keiki.
2. I ka makuahine ke ole ka makuakane.
3. I kekahi makamaka kupono paewaewa ole, ke ole ka makuakane a me ka makuahine. Ina aole makua, aole hoi hoahanau kupono, alaila, o ka mea e no, o ke kane nae ka pono.

PAUKU 14. I na manawa a pau, e ko'i aku ua Peresidena nei e haawi mai na mea hooponopono waiwai hooilina i palapala hoopaa i mea e hiki ole ai ke lawe hewa i ka waiwai, a pela no na kahu, i mea e hiki ole ai ke hoomaunauna a me ka hana hewa ana i ka waiwai o kana hanai.

PAUKU 15. Aole loa e hoonohoia kekahi kanaka inu mau i ka rama, i mea hooponopono waiwai hoolilina, aole hoi i kahu keiki.

PAUKU 16. Aole e hiki ke koi aku i ka mea hooke kauoha, aole hoi i ke kahu keiki i hoonohoia ma ka palapala kauoha e haawi mai i palapala hoopaa.

PAUKU 17. I na manawa a pau, na ua Peresidena nei e palapala a e hoakaka i ka loihi o ka manawa oiai e hoike aku ka hooke kauoha, a me ka hooponopono waiwai hoolilina, i ka poe aie mai i ka mea make, a me ka poe i aieia'ku, aole hoi e hiki ke hoopii e uku laua i na aie, a hala na malama eono mahope iho o ka haawi ana i ka palapala hoolilo ia lakou, a e kauoha aku oia ma kona keena, e hoike mai lakou i papa waiwai, a i ole, e hoopai no no ka hoowahawaha.

PAUKU 18. E hiki no i na Lunakanawai ke koiako aku i na hookokauoha, a me na hooponopono waiwai hoolilina a me na kahu keiki e hana pono i ka lakou hana iho, a e koi aku no hoi ia lakou e hoike mai i ke ano o ka lakou hana ana. Ina i pono ole a kolohē maoli paha kekahi hookokauoha a ikeia mahope iho o ka haawi ana ia ja na palapala hoolilo, a ina i make paha, a haalele wale i kana hana a mahuka hewa kekahi hookokauoha, a hoike pono ia mai, alaila, hiki i ua Lunakanawai la e hoonoho hou i kanaka pono e ae, i ka mea hoi i noi mai, a ae mai paha ia hana, a nana no e hooponopono i na mea i koe; a e huiia me kana palapala hoolilo ka palapala kauoha a ka mea i make. A ina loa ke kumu e like me ia, e hiki no ia ja ma kela ano hookahi ke kapae i ke kahu keiki i kauohaia, a hooliloia paha ma ka palapala hoolilo, a e hoonoho i kahu hou.

PAUKU 19. O ua Peresidena Lunakanawai nei, a me kona hoa o ka Ahakoikoi ina kii mai kekahi me ka hohiki ma ka palapala, hiki no i kekahi o laua ma kona keena, ke hoopuka i palapala kuu kino, i mea e hiki ai ke huli i ka oiaio no ke kumu o kona hoopaa-ia, a hiki no ke kuu aku, a i ole ia, e lawe i ka palapala hoopaa na ke kanaka paahao, aole nae i ke kanaka i ku kona hoopai i ka make.

PAUKU 20. Ipa noia mai ka Peresidena ma kona keena, me ka hoike pono mai ia ia i ka hiki ole o ka hookolokolo pololei i kekahi hihia ma kuu wahi imua o ka Ahakaapuni, hiki no ia ia ke kii aku i kela aoao, a nana i ke ano, a e lawe aku ia ia i kahi e e hookolokolo ai imua o ka Ahakaapuni okoa, a e kauoha aku e lawe ia na palapala no ia hihia i kela wahi.

PAUKU 21. Na ua mau Lunakanawai nei o ka Ahakoikoi e hoakaka, a e hoolaha aku i na rula e malamaia'i i ka hoopii ana, mai na Lunahoomalu ma Lahaina a me Honolulu mai a i na Ahakaapuni, a no ka hoopii ana i ka Ahakoikoi, mai na Aha malalo mai, a me na rula no ka lawe ana i na hihia i kahi e ma ka palapala kii Moolelo, a me na palapala kuu kino, a me na rula no ka hoopii ana mai ka Ahakoikoi, a i ka Ahakiekie, a hiki no hoi ia lakou ke hoololi ae ia mau rula, a e hana hou paha e like me ko lakou manao, a e hooko koke no hoi ia mau rula, e like me ka hooko ana i na olelo e ae.

PAUKU 22. Ina ma ka palapala e nonoi mai ai kekahi kanaka i hoopiiia no ka hihia waiwai i ua mau Lunakanawai koikoi nei ma ko lakou keena paha, a ma kahi hui paha, i ka manawa hoomaha paha, i ka wa hookolokolo paha, hiki no ia lakou ke koiako aku i ka mea hoopii e haawi mai i palapala hoopaa no ka uku i na poho a pau no kana hoopii ana imua o ka Ahakaapuni, a o ka Ahakoikoi paha, a i ole, e nele oia e like me ka mea haalele hoopii.

PAUKU 23. Ina nonoi mai kekahi i ka Peresidena Lunakanawai ma ka palapala i hoohikiia, a hoakaka i kumu pono e kii aku ai i jure kaulike no ka hehena, a no ka haha ana i ke kino a hiki no hoi ia ia ke hana mamuli o ka olelo a ua jure la, e like me ka mea kupono i ka pololei, a me ka manao oiaio. Aole hoohalahala ia poe jure e like me ka mea i hoakakaia mahope nei no na jure e, aka, na ka Lunakanawai e koho e like me kona manao; hiki nae i kekahi aoao a me kekahi ke hoole, ina he kumu.

PAUKU 24. Ina hoopii kekahi no ka hookaa ole, a no ka ae ole a no ka hooko ole, pono ia ia ina he hihia waiwai, e hoakaka pu i na inoa o na mea hui ma ka palapala hoiie a me na mea kikoo, a me na mea hana i na bila kikoo, a me na mea kauoha, a me na mea hoolimalima waiwai paa, a me na mea hui ma ka olelo ae like, aka, aole manao e hoike ia'ku kela papa inoa i na mea a pau i pili. Ina e kii pono ia kekahi o na mea hui ma ke pale ana, e hiki no ke hooholoholo i ka olelo hoohewa ia poe hui a pau.

HAAWINA 4.

NO KA HOOKOLOKOLO JURE.

PAUKU 1. E halawai pu ke Kiaaina me ka mea i kohoia, a o ka Poeikohoia paha, ma na Mokupuni Oahu, o Maui, Hawaii, a me Kauai, i kela makahiki keia makahiki ma ko lakou mau Mokupuni iho. I ka Monede mua o ka malama mahope mai o ke kau ana o

keiā Kanawai; e halawai pu no a e kakau iho i na papa inoa o na kanaka hookahi haneri, o ka poe e noho ana ma ko lakou mau Mokupuni iho, o na kanaka maoli no; a ua manaōia e kupono lakou i ka noho jure ana i ka Ahahookolokolo kupono i na kanaka Hawaii. E kau no ke Kiaaina a me ka mea i kohoia a o ka Poeikohoia paha i ko lakou mau inoa i kela papa inoa keia papa inoa, alaila, e hoounaia i ke Kakauolelo o ka Ahahookolokolo koikoi ma Honolulu; a nana no e kakau iho i na inoa o ia mau papa inoa ma na Apana liliū okoa a e waiho iloko o na pahu i hoomakaukauia e ua Kakauolelo la.

PAUKU 2. Iwakalua la a keu ae paha mamua o ka akoakoa ana o kekahi Ahahookolokolo kaapuni, a o ka Ahahookolokolo koikoi paha ma ka Mokupuni o Hawaii, a o Kauai paha, ina he mea hoo-
kolokolo iwaena o na kanaka maoli o Hawaii nei; a iwakalua la a keu ae paha mamua o ka akoakoa ana o kekahi Ahahookolokolo kaapuni, a o ka Ahahookolokolo koikoi i ka Mokupuni Oahu, a o Maui, ina he mea hoo-
kolokolo iwaena o na kanaka maoli o Hawaii nei; a he kanaka maoli paha ma kekahi aoao, a he haole paha ma kekahi aoao; na ke Kakauolelo imua o ke alo o ka Peresidena o ka Ahahookolokolo koikoi, a me ka Ilamuku nui o ko Hawaii nei Pae Aina, e unuhi ae oia noloko mai o ka pahu kupono i na inoa he kanakolu-kumamaono, a e kiiia ua poe la i poe jure hoo-
kolokolo kuleana waiwai no na Ahahookolokolo i oleloia maluna.

PAUKU 3. E halawai pu ke Kiaaina a me ka mea i kohoia, a o ka Poeikohoia paha ma ka Mokupuni Oahu, a o ke Kiaaina, a me ka mea i kohoia a o ka Poeikohoia paha ma ka Mokupuni o Maui; elua halawai ana i ka makahiki hookahi ma ko lakou mau Mokupuni iho, i ka Monede mua o ka malama mahope iho o ke kau ana o keia Kanawai ka hoomaka ana; a e kakau iho i na papa inoa o na inoa haole he kanalima, ka poe e noho ana ma ko lakou mau Mokupuni iho, he haole hoo-
hiki a he haole hoo-
hiki ole paha, i kupono hoi i ko lakou manaō e noho jure ma na hihia i kupono ai ke jure haole, he haole ma na aoao elua, ma ka aoao hookahi paha i ka hoo-
kolokolo ana; aka, ina aole e loa i ke Kiaaina a me ka mea i kohoia ma ka Mokupuni o Maui, na haole he kanalima kupono i ka noho jure; alaila, e kakau no i na inoa he kanaha (i panihakaha-
ka no ka poe kanalima.) E kakauia na inoa o ke Kiaaina a me ka mea i kohoia a o ka Poeikohoia paha ma kela papa inoa keia papa inoa, a e hoouna i ke Kakauolelo i oleloia mamua, a nana no e kakau hou i na inoa o ia mau papa inoa ma na Apana pepa liliū, a e waiho aku iloko o na pahu kupono; okoa hoi keia, okoa no na inoa o ke jure maoli; na ia Kakauolelo, e malama no hoi ia.

PAUKU 4. Iwakalua la a keu ae paha mamua o ka halawai ana

o ka Ahahookolokolo kaapuni, a o ka Ahahookolokolo koikoi, ma Lahaina, a ma Honolulu paha, ina he mea hookolokolo iwaena o kekahi haole hoohiki a he haole hoohiki ole paha ma na aoao elua, a he kanaka maoli ma kekahi aoao, na ke Kakauolelo i olelo ia maluna e unuhi ae imua o ke alo o ka Peresidena o ka Ahahookolokolo koikoi, a me ka Ilamuku o ko Hawaii nei Pae Aina, noloko o ka pahu kupono; maloko olaila na inoa e na haole he kanakolukumamaono, e kiiia lakou i poe jure no ia Ahahookolokolo e like me ka olelo ma keia Apana (maluna ae nei.)

PAUKU 5. Ina aole hiki i ka Peresidena, a o ka Ilamuku paha, ke noho mai a e unuhi ae i ka poe jure; e paniia ka hakahaka o ka Peresidena, e kekahi Lunakanawai e ae o ka Ahahookolokolo koikoi; a e paniia ka hakahaka o ka Ilamuku e ka Makai nui Oahu.

PAUKU 6. Ma na Ahahookolokolo jure a pau, ina he haole ma kekahi aoao, a he kanaka maoli ma kekahi aoao, alaila, like a like, na kanaka maoli a me ka poe haole (he haole hoohiki a hoohiki ole paha,) e unuhi kikoola ia lakou, he haole, a he kanaka maoli noloko mai o na pahu i waihoia'i ka inoa o ka poe i kiiia e noho i poe jure ma kela Ahahookolokolo ana.

PAUKU 7. Iwakalua la a keu ae paha mamua o ka la hookolokolo o ka Ahahookolokolo kaapuni, a o ka Ahahookolokolo koikoi, kahi i hookolokoloi'a'i kekahi haole hoohiki ole i hoopiiia no ke karaima; na ke Kakauolelo no ka Ahahookolokolo koikoi e palapala aku i ke Kanikela, a i kona hope paha i pili ai ua haole hoopii la, a e noi aku ia ia, e hoike mai oia iwaena o na la he umi i na inoa o na haole he kanakolukumamaono, i ae aku ke Apuni o Hawaii nei, a lilo lakou i poe jure, a noloko mai o lakou e unuhi ae ka poe jure nana e hookolokolo i ka mea i hoopiiia.

PAUKU 8. Ma ia hana ana, ma ka ae ana i ka Poeikohoa he poe jure: na ke Kakauolelo o ka Ahahookolokolo koikoi e hana ma ka aoao o ke Apuni.

PAUKU 9. A ina e hoole ke Kanikela a o kona hope paha a waiho paha aole e hoike mai i ka poe jure iloko o ia mau la he umi mahope o ka loa ana ia ia ua palapala la; alaila, e lilo kona hoole ana a waiho ana paha, i hoike na ua Kanikela la a o kona hope paha i ka jure no ka hookolokolo ana i ka haole hihia waiwai, a e unuhiia noloko olaila ka jure nona e hookolokolo i ka mea i hoopiiia.

PAUKU 10. A hoikeia ka papa inoa o na haole he kanakolukumamaono e ke Kanikela a e kona hope paha, a ae aku ua Kakauolelo la; alaila, e hoomaopopoia lakou e ua Kakauolelo la i ka Ila

moku o ko Hawaii Pae Aina, a nana no e kii aku ia lakou e hele mai i ka Ahahookolokolo i poe jure no ka hookolokolo ana i ka mea i hoopiia.

PAUKU 11. O na kanaka Hawaii a pau a me na haole hohiki, ina i hoopiia lakou no kekahi karaima, e hookolokoloia no e ka poe jure i unuhiia e like me ka hookolokolo ana i ka hihia waiwai.

PAUKU 12. O kela mea keia mea i hoopiia a i hookolokoloia no kekahi hewa pili me ka make; e aeia oia e hoole wale i kekahi mau mea i unuhiia i poe jure no ia hookolokolo ana. E hiki no ia ia ke hoole wale a umi ka hoole ana, a o ke oki no ia.

PAUKU 13. I na hookolokolo ana a pau no ka waiwai a no ka hewa ma ke jure mamuli o ke Kanawai, e hiki no i kela aoao i keia aoao ke hoole aku i kekahi mea i unuhiia i mea jure no ia hookolokolo ana, ma ka hoakaka ana i ke kumu o kona manao hoole, i ka Peresidena, a ia ia ka manao ua kupono ka noho ana o ka mea i hooleia i mea jure a me ka ole, a i ole ia, e haawi aku ka Lunakanawai ia mana i kekahi poe hoao ekolu no lakou ka manao, ua kupono ka noho ana o ua mea ia i mea jure a me ka ole,

PAUKU 14. Ina paha he mea pohihihi a komo paha na mea kupono i kekahi hana akamai a noeau i ka hookolokolo ana ma ka Ahahookolokolo kaapuni a ma ka Ahahookolokolo koikoi, ina e noi mai kekahi aoao, aia i ka Peresidena, ke kuleana e kii aku ai i kela aoao e hele mai imua ona, a e hoike mai i ke kumu ke manao oia e hoole i ka holoi ana i na inoa o kekahi poe jure no ia hookolokolo ana, i puka mai na jure kupono. Ina aole hele mai ka mea i kiiia, a ina e hele mai ia, aole nae i hoike mai i ka manao kupono, a ina i manao ka Peresidena, oia ka mea ku i ka pono a me ka oiaio ma ke jure holoi inoa, hiki no ia ia ke kauoha iho e holoi i na inoa a loa ke jure kupono ia mea.

PAUKU 15. Penei ka holoi ana i na inoa jure ku i kekahi hana. Na ka Peresidena i oleloia maluna e hoomaopopo i ka manawa a me kau wahi e holoi ai i na inoa o ka poe jure, na ka mea nana ke noi ana i wahi jure holoi inoa, nana no e hoakaka aku i kela aoao e hele mai ia manawa a ma ia wahi hoi. Na ke Kakauolelo, o ka Ahahookolokolo koikoi e kakau iho i ka manawa a ma kahi hoi i olelo mua ia i ka papa inoa o ka poe jure i haawii ia ia no ka hookolokolo ana, a no ka hihia waiwai e like me keia. A hiki mai na aoao elua, a o laua maoli paha, a o ko laua mau pani hakahaka paha; alaila, ma ka aoao o ka mea hoopii e hoomaka ai, a e holoi no oia i kekahi inoa, a o kela aoao no hoi e holoi i kekahi inoa, pela e holoi kike ai, a koe iho na inoa he umikumamalua wale no ma ka

papa inoa, a o ia poe inoa i koe iho, oia ka poe jure e hookolokolo i keia mea hookahi no. Ina aole e hele mai kekahi aoao i ka manawa a i ka hale hoi i oleloia no ka holoia ana i na inoa jure, a ina aole oia e holo i kekahi inoa e like me ka mea i oleloia maluna, na ke Kakauololo e holoia nona. A o ka poe jure i kohoia pela i kela aoao a i keia aoao, e kiiia no lakou e like me ka poe jure e ae, a e hoopaiia no ka hele ole mai; aole nae e pono ke hoole ia e kekahi aoao, no na kumu a pau.

PAUKU 16. Na ka mea i noi aku e holoia jure e uku no keia hana, aole ia e komo iloko o ka bila dala lilo no ka hookolokolo ana.

PAUKU 17. Ina e makemakeia ka poe jure no ka hookolokolo ana i kekahi mea ma ka Ahahookolokolo kiekie, na ke Kakauolelo o ia Ahahookolokolo e unuhi noloko ae o ka pahu i waihoia'i na inoa o na kanaka hookahi haneri i hoikeia ia ia i kela makahiki keia makahiki e ke Kuhina Kalaiaina i ka Monede mua o ka makahiki, iwakalua la a keu aku paha mamua ae o ka halawai ana o ka Ahahookolokolo i hookolokoloia ua mea la i kanakolukumamaono inoa: imua o ke alo o kekahi Lunakanawai o ia Ahahookolokolo a me ka Ilamuku o ko Hawaii Pae Aina keia hana ana.

Na ka Ilamuku e kii aku i na kanaka he kanakolukumamaono i hoomaopopoia ko lakou inoa ia ia: i hele mai lakou i ka Ahahookolokolo kiekie e like me ka hana ana i na jure i na Ahahookolokolo koikoi a kaapuni paha.

PAUKU 18. I ka hookolokolo ana i kekahi mea ma ka Ahahookolokolo kiekie, a ma ka Ahahookolokolo koikoi a kaapuni paha, a i manaoia e jure, na ke Kakauolelo o ia Ahahookolokolo e unuhi ae i ka poe jure he umikumamalua noloko ae o ka pahu i waihoia'i na inoa o ka poe i kiiia e hele mai i poe jure no ia hookolokolo ana; a ina hooleia kekahi o ia poe umikumamalua, alaila, e unuhi hou ae no noloko mai o ka pahu a o na pahu paha a loa na mea he umikumamalua, e hoohikiiia lakou i poe jure no ia hookolokolo ana.

PAUKU 19. Ina aole hele mai ka poe jure i unuhia a kiiia aole i lawa ka poe jure, alaila, na ka Lunakanawai e kauoha i ka Ilamuku a i kona panihakahaka paha e lawe mai i kekahi o ka poe e ku ana malaila, a e noho ana ma ia Mokupuni paha, a lawa ka poe jure.

PAUKU 20. Na ka Ilamuku a o kona panihakahaka paha e kii aku i ka poe jure i oleloia a e hoihoi i ko lakou mau inoa i ka Ahahookolokolo. O kela mea keia mea i kiiia, ia manawa, e hele mai no a noho jure ke hookuu ole aku ka Lunakanawai ia ia, a ina e

hoole oia, aole e hele mai e pili ke Kanawai ia ia e like me ka poe jure i unuhi maoli ia a i kiiia e like me ka olelo mamua. E hiki no i keia poe jure ke hoole ia e like me ka poe jure e ae.

PAUKU 21. Aole e hoemiia ka poe jure malalo ae o ka umiku-mamalua ma kekahi hookolokolo ana no ka hewa a no ka hihia waiwai; aka, ina e holo like ka manao o na mea eiwa o lakou, e hoike mai no, a oia manao e paa no e like ia me ka manao o lakou a pau, ka poe umikumamalua.

PAUKU 22. Ina paha e hai mai ka poe jure i ka Ahahookolokolo a e hoakaka mai i ka like ole o ko lakou manao, aole i like ka manao o ka poe eiwa; aia i ka Peresidena o ia Aha ka hookuu ia poe jure, a i ole ia e hoihoi ia lakou e imi hou; aia i kona manao.

PAUKU 23. O ka uku no na jure, a no na hoike hoi ke kiiia i hoike i kekahi Ahahookolokolo, hookahi dala no ia no ka la hookahi, i kona wa e noho mai ai; a o ka poe noho ma kahi e, aole ma ke kauwahi i hookolokolo ia'i, e loa no ia ia na keneta elima no ka mile hookahi i kona hele ana a me kona hoi ana i kona wahi. Okoa ke dala hookahi, okoa keia mau keneta elima no ka mile hookahi. Aole e koiia kekahi hoike e hele i kahi hookolokolo ke hookaa e ole ia kona uku mile i ka wa i kiiia; a o ke jure hoi, e uku hou ia oia i hapalua hou iho me kona dala okoa no na la e noho ai oia a e hana maoli i ka oihana jure. O ka uku no ka poe hoike a me ka poe jure, e komo no i ka bila no na dala i lilo no ka hookolokolo ana; a na ka mea i ku i ka hewa e hookaa aku ia. Eia hoi keia, aole e manaoia ma keia Kanawai e loa i na hoike ka uku no ka hoike ana i na hookolokolo no ka hewa.

OLELO PILI I O IA NEI.

PAUKU 1. E kau no keia Kanawai a e lilo i Kanawai paa loa no keia Aupuni, ke hala na la he 30 mai ka la aku o ke pai ana maloko o ka Nupepa Polunesia, a me kekahi Nupepa e ae a ke Kuhina Kalaiaina e olelo ai. Ma na poo nae e pai ai. Mai ka la aku o ia pai ana, ua noa ka Mokuna 46 o na Kanawai i kauia ma Lahaina i ka la 5 o Mei, 1842, a ua komo hoi keia Kanawai ma kona hakahaka, a o keia wale no ke Kanawai no ka hookolokolo ma keia Aupuni, a o na palapala hookohu i na Lunakanawai i kakauia mamua, e noa no ia la, aole nae na palapala hookohu i na Lunakanawai kiekie.

PAUKU 2. Mahope o ke kau ana o keia Kanawai, o na hoopii a pau a me na mea puka, a me na hana, no ka waiwai paha no ka hewa paha ma ke Kanawai, ma ke kupono, a o na palapala hoopii e waiho wale ana, aole i hoopukaia ma na Ahahookolokolo i keia manawa e noho i keia Aupuni, e lilo no ia mau hana i na Ahahookolokolo e hoonohonohoia ana e keia Kanawai.

PAUKU 3. He mea pono i ke Kuhina Kalaiaina e pai i keia Kanawai i ka olelo Hawaii a i ka olelo Enelani, a e hooona aku i poe kope o keia Kanawai i Maui i mea kuai aku i kanaka, a pela no i Hawaii a me Kauai, a e like ke kuai ana me ka ka Moi e olelo ai iloko o ka Ahakukakuka Malu; a o ke dala o ke kuai ana, no ka waihona dala ia o ke Aupuni. E haawi no hoi oia pakahi na kope i na Kuhina no ka lakou hana, a na na Lunakanawai a me na Luna o na Ahahookolokolo kakau ole; pakahi lakou i ka buke hookahi; a pau ka Oihana a kela Luna keia Luna, a o kela Lunakanawai keia Lunakanawai paha; alaila, e hoihoi hou aku oia i ua buke la a me na palapala e ae a pau o kana Oihana i kona Hope.

Ua hanaia a hooheleloia ma ka Hale Ahaolelo ma Honolulu i keia la 7 o Sepatemaba, 1847.

KAMEHAMEHA.

KEONI ANA.

NA MEA I PAKUI HOU IA MAI.

NO KA AWA. — OLELO AE LIKE.

I ke Akoakoa ana o na Lii Ahaolelo, a me ka Poeikohoa e na Makaainana o ko Hawaii Pae Aina, hooholoia keia manao ae like.

1. Mai ka la aku o ka laha ana ae o keia Kanawai, e hookapuaia, a ke hookapuaia nei ke kanu wale ana, a me ka inu wale ana i ka awa ma na wahi a pau loa o keia Pae Aina. O ka mea hana kue i keia, he umi dala ka uku ke hoopakele ole ia oia ma ka olelo malalo.

2. Pono i ke Kuhina Kalaiaina, maloko ae o ke Kiaaina, ke haawi i palapala ae i ke kanu ana i ka awa ma ko lakou mau Mokupuni, i mea laau lapaa; penei,

Ma ka Mokupuni o Hawaii, hookahi mala wale no e aeia.

Ma ka Mokupuni o Maui, akahi mala wale no e aeia.

Ma ka Mokupuni Oahu, akahi mala wale no e aeia.

Ma ka Mokupuni o Kauai, akahi mala wale no e aeia.

Aole e oi aku ka nui o ka mala hookahi mamua o eono eka. O ka mea hooi i kona kanu ana mamua o keia, he haneri dala ka uku.

3. Mahope iho o ka la mua o Sepatemaba e hiki mai ana, e hookapu i ke kuai ana i ka awa ma na wahi a pau loa o keia Aupuni, o na mea loa ka palapala ae i ke kuai ana, o lakou wale no ke kuai, e like me ka olelo malalo.

4. Pono i ke Kuhina Kalaiaina maloko ae o na Kiaaina ke haawi i palapala ae i ke kuai ana i ka awa, aole nae e oi aku mamua o na palapala eha, no ka Mokupuni hookahi, ma Hawaii nae, ina eono, pono no. Maloko o ka palapala e hoakaka i ka nui, a me ke ano o ke kuai ana; eia, nae kekahi ano mau, aole e kuai i kekahi kanaka, ke lawe ole mai ke kanaka i ka palapala a ke Kahuna nona ia wahi, a me ka inoa pu o ke Kiaaina, a e hoakaka ia palapala i ke ano o ka mai, a me ka nui o ka awa e pono ai.

5. Pono i ke Kuhina Kalaiaina maloko ae o na Kiaaina o na Mokupuni, e haawi aku e like me ko lakou manao he pono ia mau palapala hoolilo no na Kahuna, aole e oi aku mamua o na Kahuna eha no ka Mokupuni hookahi, ma Hawaii nae, hiki no eono. A

pono i na mea mai ke hele i ua mau kahuna la, a na lakou mamuli o ka lakou palapala hoolilo e olelo e like me ko lakou manaio, no ke kupono o ka awa ia mai, a ina palapala kekahi o lakou a kakau ke Kiaaina i kona inoa ma ke kua, alaila, hiki no i ka mea kuai awa ke kuai i ka mea nana ia palapala, a e like ka nui me' ka olelo maloko. A ina aole palapala e like me ia, aole hiki ke kuai.

6. O ka awa a pau e ulu ana mahope iho o ka la mua o Dekemaba e hiki mai ana, a me ka awa e waiho ana ma ka hale, aohē mea pono ke kuai, o na mea i aeia wale no, a o ka poe mea awa e waiho ana ia wa, pono no ke haawi aku na na mea i aeia e kuai, a hoihoi mai i ke dala i ka mea nana ka awa. E ukui nae ka mea nana e kuai e like me ka olelo a ke Kiaaina maloko o ka palapala ae, a ina i kuai kekahi ma ke ano kua i keia, he umi dala ka uku.

7. O ka awa a pau loa i ikeia e ulu ana ma ke ano kua i keia Kanawai, hiki no i kela mea keia mea ke uhuki wale, a hiki no i na Lunakanawai a pau ke hooko i keia Kanawai maluna o ka mea i hewa.

Ua holo keia olelo ma ka Hale Ahaolelo i keia la 6 o Augate 1846.

KAMEHAMEHA.

KEONI ANA.

KANAWAI NO NA MAHELE O KA MOKUPUNI OAHU.

I ka akoakoa ana o na'lii ahaolelo, a me ka Poikohoiā e na Makaainana, heluhelu ia ka palapala nonoi o na kanaka o Koolau "e hoololi i kekahi mau hua olelo maloko o ke Kanawai," ma ka Mokuna 3 no na kula ma "ka aoao 157 o ke Kanawai hou" a eia ka olelo i hooholoia, e hookaawaleia na Koolau, o Koolauloa ka Apana 5, o Koolaupoko Apana 6.

Eia hoi kekahi olelo i hooholoia no na Apana Auhau, aia ma ka aoao 126. E kaawale o Honolulu a me Ewa, a e hui o Ewa me Waianae, penei, 1 mai Kanau o Kapukaki, 2 Koolaupoko, 3 Koolaulou, 4 Waiialua, 5 Ewa a me Waianae.

Hale Ahaolelo, Okatoba 12, 1846.

KAMEHAMEHA.

KEONI ANA.

NO KA AUHAU OLE A ME KA HELE OLE I KA HANA.

Eia ka manao i hooholoia e na'lii Ahaolelo, a me ka Poeikohoia e na Makaainana no ka Auhau a me ka poe hele ole i ka hana.

1. Ua kuuia ka poe koa a pau, aole uku i ke dala o ka makahiki, aole lakou e hele i ka poalua; i ka poalima o ko lakou mau Konohiki iho wale no e hele ai.

2. Ua kuuia na kamana, a me na olo papa, a me na kuihao, a me na luna puhiko, a me na paipalapala, a me na humukamaa, a me na tela, a me na kupa, a me na kalaiwaa, a me na kakauolelo o na hale kuai, aole loa lakou e hele iki i ka paahao ke hana mau lakou ma ka lakou hana iho. O ka poe ai aina nae e hele lakou i ka hana a na Konohiki.

3. O ka poe aialo, a me na aipuupuu e hele no lakou i ka hana o ka poalua o ke 'Lii, a hele no hoi i ka hana a na haku i ko lakou wa e olelo ai, aka, ekolu wale no la iloko o ka mahina e hele ai ka hana o ke 'Lii: aka, ina hemahema na'lii, e hiki no ia lakou ke hai i ka lunaauhau i ka inoa o na aipuupuu hele ole, a hele ole no.

4. Eia kekahi, o na Misionari a pau loa o na aoao elua, aole lakou e auhauia, aole hoi e auhauia ko lakou aipuupuu; aole e hele i ka hana, aole hoi e pili kekahi kaumaha o ke Aupuni maluna o lakou, aole nae e hoopakeleia na aipuupuu a oi aku mamua o na mea elua o ka Misionari hookahi, aole nae e pili keia i na kanaka o ka aina.

Hale Ahaolelo; Okatoba 12, 1846.

KAMEHAMEHA.

KEONI ANA.

NO NA KULEANA AINA, A ME KA HOOLIMALIMA ANA, A ME KE KUAI ANA, A ME KA MAHELE ANA I KA AINA. — OLELO AE LIKE.

Eia na olelo i hooholoia e na'lii Ahaolelo a me ka Poeikohoia e na Makaainana.

1. Eia ko ka hoaina kuleana iloko o ka aina, o kona mau loi no, a me na wahi e ae a pau ana i mahi ai ai nona iho; a ina manao oia e mahi hou aku ma kahi kaawale hiki no. He kuleana no hoi kona ma ke kula, ina he aina kula, a hiki no ia ia ke kii aku i mauu, a i pili nona iho, a i mea hoolimalima; a hiki no hoi ke kii aku i wahie, a i laau hale a me na mea e ae ma ke kuahiwi. Hiki no hoi ia ia ke hanai i kona lio, a me kona bipi, a me kona mau hoololona e ae, aole nae e nui loa, a aneane nele ke Konohiki. Aole

hiki ia ia ke hoolimalima e hanai i ko hai holoholona, a ae mua ke Konohiki, a me ke Kuhina Kalaiaina, alaila hiki. Hiki no hoi i ka hoaina ke lawaia ma ke kai o ke Konohiki, a me na wahi e ae e like me ka olelo ma ke Kanawai.

2. Eia ko ke Konohiki kuleana. O kona koele iho no, a hiki no ia ia ke hana i koele hou nona, a nona no hoi kekahi o ke kula, a me ka laau o ke kuahiwi, e like me ka olelo ma ke Kanawai; nana no hoi kana ia makai, a me ka poalima o na kanaka. Aole hiki ia ia ke hoolimalima i ke kula a pau loa, a nele ke Aupuni, aole hoi e nele ka hoaina. Ina hoolimalima oia, e lohe no ka Poekukakumalu, a pono ia lakou, alaila, hoolimalima, a no ke Aupuni kekahi hapalua o ka uku. A hoolimalima pela, alaila, aole hiki i ka hoaina ke kii aku i wahie a me ka laau, a me ka mauu, a me ka pili i mea hoolimalima nona, ke ae ole ka mea nona kahi; e hiki nae ia ia ke hanai i kana mau holoholona, aole ia e hooneleia ia mea, a me ke kii aku i mauu, a i wahie noua iho.

3. Eia ko ke Aupuni kuleana, o kona mau koele iho no, a hiki no ke hana i koele hou aku, a nona no kekahi o ke kula, a me ke kuahiwi, a nona no ka kai kapu e like me ka olelo ma ke Kanawai; a i manao ke Aupuni e hoolimalima, e hoolimalima no, e lohe nae ke Konohiki, a na ke Konohiki kekahi hapalua o ka uku, a e mau no ke kuleana o na hoaina, e like no me ka olelo maluna. Hiki no hoi i ke Aupuni ke lawe i ke kauwahi kaawale noloko o kona kuleana a haawi i mea e pono ai na kula a i mea hoi e pono ai ka hoomana i ke Akua paha, e like no me ka olelo o ke Kanawai.

4. Ina makemake kekahi kanaka e lilo ia ia ma ke ano alodio kahi ana i mahi ai ai, a me kahi i paa ai kona lima, eia kana e hana'i, e nonoi oia i ke Kuhina Kalaiaina ma ka palapala, a holo ka olelo no ka uku ia laua me ke Kuhina Waiwai, alaila, e haawi nona ma ke ano alodio kela wahi, a e loa ia ia ka palapala sila nui e like me ka olelo ma ke Kanawai elua, Apana 1, Mokuna 7, Haawina 2, alaila, aole ia e hele hou i ka poalua, aole i ka po alima, ua hemo ia kaumaha; e hele nae oia i ka hana alanui, a me na hana e ae ke hoopilikia mai ke Aupuni. No ke Aupuni kekahi hapalua o ka uku, a no ke Konohiki kekahi hapalua.

5. Ina lilo aku kekahi aina i mahiia i ke kanaka ma ke ano alodio e like me ka olelo maluna, a koe ke kula o ia aina, a me na wahi waiho wale, alaila komo like o Aupuni, a me ke Konohiki iloko o ia kula, a me na wahi waiho wale.

6. Ina makemake ke kanaka aina ole e kuai i aina nona, eia kana e hana'i. E palapala aku oia i ke Kuhina Kalaiaina, a e imi oia i kahi kaawale, a e kuai no ia ia, e like no hoi ke ano o ke kuai ana me ka ka Poekukakumalu e olelo ai, a no ke Aupuni keka-

hi hapalua o ka uku, a no ke Konohiki kekahi hapalua; aole nae e hiki ke kuai nui a hoonele loa i na hoaina.

7. Ina makemake kekahi Konohiki e maheleia kona aina, i loaia ia ia kona kuleana ma ke ano alodio, alaila, e palapala aku oia ma ka pepa hoailona pai a i ke Kuhina Kalaiaina, a holo ka olelo iwaena o laua, alaila, e lohe ka Poekukakuka malu, a apono ke alii, alaila, e haawiia i kela Konohiki i palapala sila nui, e like me ka olelo ma ke Kanawai alua, Apana 1, Mokuna 7, Haawina 2.

8. Ina makemake ke Aupuni e maheleia kona kuleana ma ke kau wahi kaawale, i mahi ole ia, alaila, e olelo ke Kuhina Kalaiaina i ke Konohiki, a holo pono ia laua, ua pono no. Aka, irfa aole i like ko laua manao, alaila, na ka Moi iloko o ka Poekukakuka malu e hooholo ai i ka olelo iwaena o laua. Aole nae e hiki ke hoonele i na hoaina.

9. Eia kekahi, o na kanaka a pau i hemo i ka paahao, a hele ole i ka hana no ka loaia o ka aina ma ke ano alodio, aole lakou e pakele i ka uku i ke Kahukula i mea e pono ai na kamalii. E uku like lakou ke hiki aku i ka manawa e olelo ai ka Ahaolelo, a nolaila o ka poe kuai i ka aina ma ke ano alodio, a me ka poe i hoopakeleia i ka hana, aole pono ia lakou ke manao ua pono ka naupo, a hoole i ka uku no na Kahukula. E hoomauia no na kula no na kamalii, a e kokua no kela kanaka keia kanaka i ka naauao, aole e hoopau ana ia mea.

Ua hanaia ma ka Hale Ahaolelo i ka la 7 o Novemaba, 1846.

KAMEHAMEHA.

KEONI ANA.

NO NA HOLOHOLONA AEA. — OLELO AE LIKE.

I ka noonoo ana o na'lii a me ka Poeikohoa e na Makaanana o ko Hawaii Pae Aina i na olelo noi he nui loa o na makaainana, no na holoholona hele hewa; eia na olelo i hooholoia,

1. Ina e komo hewa kekahi bipi, lio, miula, a hoki paha iloko o ka mahinaai, e ulu ana ka ai maloko; alaila, e uku ka mea holoholona i ka mea nona ka mahina ai i elima dala no kela holoholona keia holoholona i komo hewa; a ina i hoopauia na mea ulu e ka holoholona a hanaia kekahi mea e ae e poino ai, e uku hou aku no ka mea poino e like me ka nui o kona poino ana. Aka, ina ike ka Kanakanawai i kekahi manawa ua pili kaumaha loa keia kanawai no ka nui o na holoholona i komo hewa, hiki no ia ia ke hoemi i ka uku.

2. Ina komo hewa ka holoholona a kekahi iloko o kahi mahi ole ia, alaila, e uku ka mea nana ia holoholona i ka mea aina e like me ke ano paha o ka lilo, a me ka hoolimalima ku pono o ka ai i hoo-paia.

3. Ina kuu wale aku kekahi i ka holoholona o hai i paa, i mea e komo hewa aku ai oia i ka mahina ai, a i ole ia, ua hoowalewale paha i ka holoholona, me ka manao e hookomo hewa ia ia iloko o ka mahinaai, e uku mai oia a e haawi mai iloko o ka waihona waiwai o ke aupuni i hookahi haneri dala, a i ole ia e hoohanaia oia ma ke ano paahao, aole emi mai i na malama eono, aole hoi e oi aku i na makahiki elua.

Ua hooholoia ma ka Hale Ahaolelo i ka la 7 o Novemaba, 1846.

KAMEHAMEHA.

KEONI ANA.

MANAO LIKE I HOOHOLOIA.

E hoololi hou i ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina o ko Hawaii Pae Aina, i hooholoia i ka la 27 o Aperila, M. H. 1846.

PAUKU 1. I ka akoakoa ana o na'lii Ahaolelo, a me ka Poeiko-hoia e na Makaainana, hooholoia keia manao ae like.

Mai ka la aku o ke pai ana i keia olelo iloko o ka Nupepa Polu-nesia, a iloko o kekahi Nupepa e ae a ke Kuhina Kalaiaina e olelo ai paha, e hoonoia na olelo a pau iloko o ke Kanawai i hooholoia i ka la 27 o Aperila, 1846, i kapaia he Kanawai hoonohonoho i na hana i haawiia i na Kuhina o ko Hawaii Pae Aina; na olelo wale no nae i pili ma ka olelo ana, a i ole ia, ma ke ano paha, i ke Kokua-lunakanawai o keia Aupuni. Ua noa no ia mau olelo, a hiki i ka manawa e koho houia'i ka luna e like me ia. E hiki nae i na Kuhina ke koho i ke kanaka Hawaii, a hooholo i ka olelo me ka ae mai nae o ka Moi, e haawi i kela kanaka i na hana, a me na mana, a me na pono, a me na pomaikai i haawiia ma kela Kanawai i ke Kokualunakanawai, ma kona ano ao i ka Moi, a ma kona ano hoopii, a ma kona ano pale aku ma na Ahahookolokolo maloko o keia Aupuni.

PAUKU 2. Pono i na Lunakanawai koikoi e koho, a ina he kumu no ka hana pela i ko lakou manao, e hoopau i ka noho ana o ka hope Kokualunakanawai, no na Apana hookolokolo o na Moku-puni, na Apana hoi i oleloia maloke o ke Kanawai hoonohonoho

Oihana Lunakanawai, a e noho ia mau Hope Kokualunakanawai, a e hana ma na hihia waiwai, a me na hihia kolohe, ke hoopii ke Aupuni a ke hoopiiia ma na Apana kahi a lakou e noho ai, a hoonohoa ua mau Hope la, alaila, e hooihiki lakou e malama io i ke Kumukanawai, a e hana pololei hoi i na hana a pau a ke Kuhinakalalaina e haawi ai ia lakou no na waihona o na Kuhina, a e malama hoi i na rula o ua Ahahookolokolo la no ka hoopii ana ma ko lakou wahi. E haawi pakahi lakou i palapala hoopaa i ka Lunakanawai nui o ua Ahahookolokolo koikoi la, no ka uku i hookahi tausani dala ke haawi ole lakou iloko o ka waihona dala o ke Aupuni i na dala a pau loa a me na uku i loa ia lakou ma na Ahahookolokolo.

PAUKU 3. Na ke Kuhinakalalaina e olelo aku i ka Moi iloko o ka Ahakukakuka Malu, a e hookohu ka Moi i mea kakau kope no ko Hawaii Pae Aina, a e noho oia, a e malama i kona hale hana ma kahi o na'lii, a nana no e hana i na hana a pau i pili i ua kakau kope la, e like me ka olelo ma ka Haawina akahi, Mokuna elua, Apana elima o ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina alii. E hooihiki ua kakau kope la e hana pololei i kana hana, a e haawi oia i ke Kuhinakalalaina i palapala hoopaa no ke tausani dala hookahi, ke uku ole oia i ka poino o ka mea ana e hoopoino aku ai i kona molowa, a i kona lalau, a i kona kolohe paha i kana hana ana, a no ka haawi ana paha i palapala wahahee no kona huli-ana, a no kona hoopilikia ana i kekahi kanaka paha, a hoopii kela kanaka nona. O ka uku no ke kakau kope ana, a no ke kakau ana i ka ae, ka mea i oleloia iloko o ka Haawina 4, o ka Mokuna 4, o ka Apana 3 oia Kanawai hoonohonoho oihana, no ka mea nana e kope kela uku, aole nae ka uku no ka hoailona pai, a e hoike mai oia i kela makahiki keia makahiki mamua o ka la 15 o Maraki, a i ke Kuhinakalalaina i ka nui o ka uku i loa ia ia, a me ka nui o kana hana, a e hooihiki oia i ka oiaio o ua palapala hoike la. Na ua mea kakau kope la e hana i na hana i oleloia iloko o ka Haawina 2, o ka Mokuna 2 o ka Apana 5 o ia Kanawai hoonohonoho oihana no ke kakau ana i na palapala kauoha; a pela no hoi oia e ukua'i no ke kakau ana, e like hoi me ka olelo iloko o ke Kanawai. O ua kakau kope nei, e loa ia ia ka pono a pau o ke kakau kope, a nana hoi e hana i na hana a pau i pili i ke kakau kope o ko Hawaii Pae Aina, e like me ka mea i oleloia iloko o ka Pauku 3, Mokuna 2, o ka Apana 5 o ia Kanawai hoonohonoho oihana. Aka, aole hiki ia ia ke koho, a hookohu, a ao aku i na kakau kope no na Mokupuni; aole hoi i na luna nana e lawe i na olelo hoike no na palapala i manaioa e kakau.

PAUKU 4. Na ke Kuhinakalaiaina e koho aku, a na na Kiaaina o Maui, Hawaii, a me Kauai, e hookohu no ko lakou mau Mokupuni iho i hookahi kanaka a keu paha, i kanaka Hawaii hoi, a kanaka pono, e lilo i kanaka kakau kope, i poe nana e kuihe i ka pepa kuai, a lawe i ka olelo hoike no na palapala i manaioia e kakau kope e like me ka olelo i oleloia ma ka Haawina 3, Mokuna 2 o ka Apana 5 o ia Kanawai hoohohonoho oihana, a e like no ka paa ana o ka lakou palapala hoakaka me na palapala o ka mea nui nana i kakau kope ma Honolulu. E like no ka uku ana no ia mau hana kakau kope a me ke kakau ana i na olelo hoike me ka uku i oleloia ma ke Kanawai; a no ka mea nana i kakau ia uku, no ka poe hoi i hookohuia mamuli o ka olelo o keia Pauku.

PAUKU 5. Na ke Kuhinakalaiaina e olelo aku i ka Moi imua o ka Poe Kukakuka Malu, a e hookohu ka Moi i Ilamuku, no ko Hawaii Pae Aina, a oia hoi ka Makai nui o ka Mokupuni o Oahu, a me ka Luna Makai no Honolulu, a nana no e hana i na hana i oleloia iloko o ka Mokuna 1, o ka Apana 5 o ke Kanawai hoohohonoho i na Oihana i haawiiia i na Kuhina alii. O ke ano o ua Ilamuku la, a me kana hana, a me kona pono a me kona uku, ma kona ano Ilamuku, a ma kona ano Makai nui Oahu a ma kona Luna Makai no Honolulu e like loa no ia me ka mea i oleloia iloko o kela Mokuna. Aka, ma na wahi a pau loa maloko o ia Mokuna, i komo na hua Kokualunakanawai, e pili ana i na palapala hoopaa o ka Ilamuku, a o ka Luna Makai paha, a e pili ana paha i na palapala hoike o ia mau Luna, a me na olelo kuhikuhi, a me na olelo ao, a me na manao no lakou, e holoia kela hua "Kokualunakanawai," a e komo ka hua Kuhinakalaiaina. A ma ia mau wahi a pau loa e lilo ka hana o ke Kokualunakanawai i ke Kuhinakalaiaina.

PAUKU 6. I ka noho ana o ke Kuhinakalaiaina ma na pono a me na mana, a me na hana a ke Kokualunakanawai ma ke ano poo o ka waihona no na Luna hooko malalo, a me ka poe malalo ole o na Lunakanawai, na mea i oleloia ma ka Mokuna 1, a me ka Mokuna 2 o ka Haawina 2 o ka Apana 5 o ke Kanawai hoohohonoho i na hana i haawiiia i na Kuhina, i kona noho ana ma keia hana, e noho oia malalo o ka Moi, a e hoike aku ia ia, e like loa no me ka noho ana o ke Kokualunakanawai mamua, o ka palapala hookohu ka uku, ke hewa oia.

PAUKU 7. Mahope iho o ka laha ana aku o keia, aole e manaioia o ke Kokualunakanawai kekahi o na Luna hoona i na Kumukuleana aina, e like me ka Pauku 1 o ka Haawina 4 o ka Mokuna 7 o

ka Apana 1 o ke Kanawai i hoonohonoho i na hana i haawiia i na Kuhina, aka, e like me ke ana o na mea i oleloia malaila, e koho no ke Kuhinakalaiaina i Luna hou e pani i ka hakahaka o ua Kō-kualunakanawai la.

Ua hooholoia ma ka Hale Ahaolelo ma Honolulu i keia la 4 o Mei, 1847.

KAMEHAMEHA.

KEONI ANA.

OLELO AE LIKE E HOULU AI I KA HOLO ANA MAI O NA MOKU OKOHOLA, A NO NA MEA E AE NO HOI.

AKANI. E hooholoia e na'lii a me ka Poeikohoia o ka Pae Aina o Hawaii i akoakoia e kau Kanawai; i holo nui mai na moku okohola o kela Aupuni keia Aupuni, a ku ma na awa i aeia e komo ua poe moku la e na Kanawai i kauia, a e kauia mahope paha, he mau awa ku moku no na moku okohola, mai ka wa e hoolahaia ai keia Kanawai ma ka Nupepa Polunesia, aole e uku kekahi moku okohola i uku no ke ku ana, aole hoi no ke tona e like me ke Kanawai o keia manawa e pili ana i na moku okohola, ke ole lakou e hooi aku i na haneri dala elua kumukuai mua i oleloia ma ke Kanawai e kuai wale ai lakou me ka uku ole i ke dute no ka waiwai kahiki, ke ole hoi lakou e kuai i ka barani, i ka waina a me na mea e ae a pau e ona ai; aole loa e kuai ia mau mea, a ina e kuai, he mea ole ka pono o keia Kanawai.

ALUA. E hooholoia hoi keia; mai ka la e hoolahaia'i keia Kanawai, e lilo ke awa o Kealake'kua ma ka Mokupuni o Hawaii i awa komo no na moku okohola, a holo hou aku mamuli o na Kanawai i kauia mamua no na awa e komo ai na moku okohola.

AKOLU. E hooholoia hoi keia; e pono i ke Kuhina Waiwai ke uku aku noloko aku o ka Waihona dala i na dala i kauohaia e ka luna dute, i uku no ke pailota ia ia ka hana pailota ma ke awa o Honolulu, e like me ke Kanawai, i iwakaluakumamalima dala pakahi: ka moku okohola i hookomo pono ia i ke awa o Honolulu a i hoo-puka hou ia aku hoi; a e waiho aku i ke dala pakahi no ke kapuak o ke Kanawai pailota mamua no na moku okohola.

AHA. E hooholoia hoi keia; he pono i ke Kuhina Waiwai, a o kona kuleana no ia, e uku aku i na Pailota na lakou ka hana Pailota ma Lahaina, ma Hanalei, a ma Hilo, noloko aku o ka Waihona

dala i na dala i aeia e ka Poe Kalaiwaiwai; e waiho hoi i ka uku a lakou i lawe ai mamua, no ka hookomo ana i na moku okohola.

ALIMA. E hooholoia hoi keia; o ka olelo i hooholoia i ka la akolu o Aperila, 1846, no ka barani, a me ka waina, a me na mea ona e ae; penei ke ano, O na palapala ae aku i na moku okohola e kuai waiwai, aole i aeia lakou e kuai, aole hoi e hoopae i uka i na mea e ona ai, aka, ina e kuai ma ia mau mea, a e hoopae i uka paha, alaila, e lilo ia moku i moku kalepa, a e uku mai no i iwa-kalua keneta no ke tona hookahi, ma kahi ku moku ma Lahaina, ma kahi ku moku hoi mawahō o ke awa o Honolulu e like me ia maloko o ua awa la o Honolulu, a e uku no hoi no na mea e ae a pau e kupono ai na moku kalepa.

AONO. E hooholoia hoi keia, mai ka la e kauia keia Kanawai, o kekahi hapa o ka Mokuna elua o ku Apana mua o ke Kanawai e hoonohonoho i na Kuhina elima i hooholoia i ka la 27 o Aperila, 1846, i kapaia no ke kuai mauka nei e pili ana i na dala e uku ai i ke Kuhina Kalaiaina no na palapala ae i ke kuai, e hoololiia, a e mahuahua hoi; penei,

1. O na palapala ae i ke kuai kukaa i ka waiwai ma kekahi wahi o keia Aupuni, e ukuia no na dala he 75, aole i na dala 25 i oleloia mamua.

2. O na palapala ae i ke kuai kukaa ana i na mea ona, e uku mai no i na dala he 40, aole he 25 e like mamua.

3. O na palapala ae i ke kuai liliu i ka waiwai, e uku mai no i na dala he 40, aole i ka 25 e like mamua.

4. O na palapala ae i ka malama ana i na Hale Hotele, e uku mai no i na dala he 50, aole he 40 e like mamua.

5. O na palapala ae i ka malama ana i na Hale Ahaaina a me na Hale Hookipa, e uku mai i na dala he 40, aole i ka 25 e like mamua.

6. O na palapala ae i ka malama ana i na papa Biliode, e uku no i na dala 50, aole i na dala 25 e like mamua.

7. O na palapala ae i ka malama ana i ka Hale Maika maloko o kekahi kulanakauhale, e uku mai no i na dala he 50, aole he 25 e like mamua.

8. O na palapala ae i ke kukala waiwai i ke kulanakauhale o Honolulu, e uku mai no i na dala 1,000, aole i na dala 500 e like mamua.

Aole e pili keia Kanawai i kekahi palapala ae i haawiiia mamua, e paa no na palapala mamua a pau ka manawa i oleloia iloko.

ANIKU. E hooholoia hoi keia, ua haawiia i ka Luna dute ke kuleana e ohi ma ka la mua o Iulai, o kela makahiki keia makahiki ma ka lima o ka poe nona ka moku apulu, na dala kupono ma ke Kanawai; koe nae keia, aole e ukuia mai, ina paha e wawahiia i na malama eha mai ka manawa e komo ai ia iloko o ke awa.

AWALU. E hooholoia hoi keia; mai ka wa e kauia ai keia Kanawai, aole e haawiia ka palapala holo e kekahi Luna dute i kekahi moku kahiki ma kekahi awa o keia Aupuni, kahi e noho ai ke Kanikele, Hope Kanikele, Luna kuai, a me Hope Luna kuai o ke Aupuni kahi i holo mai ai ua moku la, a hoike e aku mamua ke Kapena a o ke alii moku paha i ua Luna dute la i ka pepa me ka sila o ua Oihana Kanikele la, e hoakaka ana, ua pau na uku pono a pau o kana Oihana i ka hookaaia, aole hoi oia i ike i ka mea e holo koke ole ai ua moku la. A ma na awa e noho ole ai ke Kanikele, Hope Kanikele, Luna kuai a me Hope Luna kuai e imi no ka Luna dute o ia wahi a maopopo, ua pau loa na uku kupono o ua moku la i ka hookaaia; alaila, e haawi oia i ka palapala holo.

AIWA. E hooholoia hoi keia, o ka poe i oleloia maluna; mai ka la aku o ka hoolaha ana e kauia'i keia Kanawai e like me ka mea i oleloia maluna, a o kela Pauku keia Pauku o keia mau Pauku, e paa ia e like me kona ano, a he mea ia e hooponopono ai i na Kanawai o keia Aupuni i kauia mamua, a e pani no ia i ka hakahaka o na Kanawai i kue ke ano ma keia mau Kanawai hou, a e lilo ke Kanawai kahiko i mea ole ke kue i ke Kanawai hou.

Hanaia a hooholoia i ka Hale Ahaolelo ma Honolulu i keia la 15 o Iune, 1847.

KAMEHAMEHA.

KEONI ANA.

HE KANAWAI NO KE KULEANA AINA O NA KANAKA O NA AINA E.

No ka mea, ua oi aku ka waiwai paa iloko o na Kulanakauhale o keia Aupuni no ka lawe ana mai o na haole i ko lakou dala, a me ka lakou hana ana maanei, a no ka mea hoi, ua makemake ka Poe Ahaolelo o ka Moi, e haawi aku ia poe haole i na pono a me na pomaikai a pau e hiki ai me ka poino ole o na kanaka maoli, nolaila,

I ka halawai ana o na'lii, a me ka Poeikohoa e na Makaainana o keia Pae Aina, noonoo lakou i kela mau olelo maloko o ka Pauku 4 Haawina 1, Mokuna 5, Apana 1, Kanawai 2, o Kamehameha III, "Aole loa ia lakou no lakou pono ma ke ano alodio kekahi aina

iki," a i ko lakou noonoo ana hooholo lakou i ka manao, aole e hoopiliia kela olelo i na kuleana nui malalo iho o ke ano alodio iloko o ka aina, ina no ka lahui e keia kuleana i keia manawa, aka, e hiki no ia haole ke lawe i palapala sila nui no ua aina la ma ke ano alodio, e like loa no me ke kanaka maoli, e noho nae oia ma na mea pili i ua aina la malalo o ka malu o ke Aupuni Hawaii wale no, a e uku mai no hoi oia i ko ke Aupuni e like me ka olelo a ka Poe Kukakuka Malu.

Aka, aole loa e hiki ke hoolilo i keia olelo i mea e pono ai ko ka haole kuai ana'ku i ka aina ma ke ano alodio i kekahi mea e ae, i ke kanaka Hawaii wale no; aole hoi e hiki ke hoolilo i keia olelo i mea e paa ai ka aina e na hoolina lahui e ma ke ano kue i na Kanawai a na'lii a me ka Poeikohoa e na makaainana o Hawaii nei i kau ai mamua.

Ua hooholoia ma ka Hale Ahaolelo ma Honolulu, Iune 28, 1847.

KAMEHAMEHA.

KEONI ANA.

KANAWAI I HOOHOLOIA I MEA E PANI AI NA HAKAHAKA IWAENA O KA "POE HOONA KUMU KULEANA AINA "

PAUKU 1. Ina paha e haule kekahi o ka Poe hoona kumu kuleana aina, a hakahaka no ka haalele, a no ka lawe ana, a no ka make paha o kekahi o lakou, alaila, hiki i ka Moi ma ka Ahakukakuka Malu ke pani ia hakahaka; ma ke koho ana i ka mea hou.

PAUKU 2. O kela mea keia mea i kohoia e komo iloko o ua poe la, i kona wa e ae ai i ka hana, mamua nae o ka hoomaka ana i ka hana iloko o ia poe, e hooihiki oia a e kakau i kona inoa ma ka olelo hooihiki i oleloia no ua poe Luna la ma ke Kanawai nana lakou i hoonohonoho ai.

PAUKU 3. Ina paha e hoopii pono kekahi no kona manao, ua hana ino ia oia no ka apuka ohumu ino, hana hewa, a me ka paewaewa nui paha o kekahi o ia poe, e hiki i ka Moi ma ka Ahakukakuka Malu ke koho i mau Luna ekolu nana e hookolokolo a e imi i ka oiaio, a e hoakaka mai ma ka palapala no ka oiaio a me ka oiaio ole o ka hewa i hoopiiia, a ina e maopopo i na Lunahookolokolo a i ka nui paha o lakou, ua pili ka apuka a o ka ohumu ino paha a o ka paewaewa nui paha e like me ka hoopii ana mai, e hoopau koke ia ua mea i hewa la, aka, mamua o ko lakou hoomaka ana i ka hookolokolo e hooihiki na Luna ekolu imua o kekahi Lunakanawai kakau, a e ninaninau, a e hookolokolo pono i ua hoo-

pili la me ka oiaio, a e hoakaka mai no ia e like me ka oiaio e hoike-ia imua o lakou. No keia hookolokolo ana, e hiki ia lakou ke kii aku i na hoike, a e koi aku i ka hele mai, e hooihiki ia lakou, a e imi aku i na mea ikea e ae e puka mai ai ka oiaio e like me na Ahahookolokolo e ae a pau o keia Aupuni.

Hooholoia e ka Poe Alii Ahaolelo a me na mea i Kohoia, i keia la 17 o Augate, 1847, ma ka Hale Ahaolelo, Honolulu.

KAMEHAMEHA.

KEONI ANA.

KANAWAI NO KA POE LUNA HOONA KULEANA AINA.

No ka mea, e like me ka olelo o ke Kanawai, e pau ana ka hana a ka Poe Hoona Kuleana aina, i ka la 14 o Feberuari M. H. 1848, a no ka mea, he pono ke hooloihii ko lakou manao mailaila aku i hiki ia lakou ke hooholo maikai ka lakou hana; nolaila,

Ua hooholoia e na Lii o ka Ahaolelo a me ka Poeikohoia e na Makaaianana, i ko lakou Ahaolelo ana; penei, E hooloihii ka manawa o ka Poe Hoona Kuleana i hookahi makahiki hou aku mai ka la 14 o Feberuari M. H. 1848, i hiki ia lakou ke ninaninau i na hoike, a me ka imi, a me ka hooponopono, a me ka hooholo i na Kuleana aina i hoikeia mai ia lakou, a e hoikeia mai paha mai keia la aku a hiki i ka la 14 o Feberuari, M. H. 1848. E mau no keia hana, a ka Poe Hoona Kuleana a hiki i ka la 14 o Feberuari M. H. 1849. Aka hoi, aole e hiki ke hoololi i kekahi olelo o keia Kanawai, i kumu e hiki ai i ua Poe Hoona Kuleana la ke lawe mai, a ke hooponopono i kekahi Kuleana ke hoikeia mai imua o lakou mahope aku o ka la 14 o Feberuari, M. H. 1848.

Hanaia a hooholoia ma ka Hale Ahaolelo, i keia la 26 o Augate, 1847.

KAMEHAMEHA.

KEONI ANA.

NA RULA OIHANA I AEIA E KA POE HOONA KULEANA AINA, I KUMU NO KA HOOHOLO ANA I NA KULEANA KE HOOPUKAIA IMUA O LAKOU.

I ka lanakila ana o Kamehameha I., maluna o keia Pae Aina, hoomahui oia i kona poe mua, a okioki i ka aina, a mahele i na'lii kua, koe nae ia ia kekahi, no kona poe kanaka pono, a me ka poe pili ia ia i noho, a mahi paha. Mahele hou iho la kela alii i kona mau aina iho, a haawi aku la i na kaukau alii, a me ka poe koikoi,

a na lakou i mafele hou, a elua, a ekolu mafele hou ana paha, a lilo i kekahi, a nana aku i kekahi mea hou, a nolaila, eha, a elima, a eono paha mea, mai ke Alii mai a hiki i ka lopa malalo. Ua manaolia he Kuleana ko keia poe a pau iloko o ka aina, a iloko o ka waiwai paha o ka aina. Aole i hoakaka loa ia ko kela mea, a me ko keia mea, aka, ua akaka loa i na kanska a pau he Kuleana ko lakou a pau.

O kekahi ano o keia mau Kuleana, ua like me ko Europa i ka wa kahiko, aka, aole no ka noho koa ana wale no keia mau pono; no ka mea, aole i koi nui mai ka Hakuaina i ka hoaina e hele i ke kua, eia kana i kii nui ai, o ka waiwai o ka aina, a i ka hana maoli paha. Aole i kii pinepine ka poe hoaina malalo e hele i ke kua. Ua manaolia he mea pono i ka poe mea aina a pau loa, na Konohiki, a me na Hakuaina, a me na hoaina, a me na lopa, ke hookupu, a hookupu io no lakou i ke Alii no ka aina, a auhau mai oia ia lakou e like me kona manao, a hana no lakou i kana hana; a kauoha mai i na mea a pau loa e hana, mai ka poe kiekie, a i ka poe haahaa me ka manao ole i ko lakou Alii ana. Aole lakou i haawi aku i ka auhau o ka makahiki wale no; kupono no ia lakou ke haawi aku i kekahi waiwai e aku o ka aina, a haawi io no lakou. Ua aie hoi lakou a pau i ke Alii, i ke aloha, a me ka loko-maikai.

Ua haawi io ia keia mau mea a pau loa, aole na na kanaka maoli wale no i haawi, o na haole no kekahi, ka poe i loa ka aina na Kamehameha I, a na Kamehameha II; a nui loa oia poe e ola nei i keia manawa. Ina hoole ke kanaka i kekahi o keia mau mea, he hewa pono ia e hemo ai ka aina; pela ka manao.

Nolaila, ua akaka loa, aole loa he Kuleana ia manawa ma ke ano Alodio; aole ma ka manao, aole hoi ma ka hana ana. Ua nui loa na hoike no ia mea e ola ana i keia manawa. Aka, ina i nele i ka hoike maoli i keia wa, alaila, maopopo loa ka manao o na aoao a elua, ma ke kuikahi i hanaia, i ka makahiki 1836 i hanaia iwaena o keia Aupuni, a me Lo. Edward Russel ma ka aoao o Beritania, no ka mea, ua oleoia maloko olaila, "O ka lepo malalo iho i kukuluia i na hale, no ke Alii ia."

O na pono a pau i pili i ke Alii mafuna o na Konohiki nui, a me na mea malalo o lakou, oia na pono o na Konohiki nui mafuna o na hoaina o lakou, a me na lopa a pau i noho i ko lakou aina. Nolaila, me he poe hui la lakou, a pili ka aina ia lakou a pau. He ano alodio ko ke Alii Kuleana, a he noho hale ko ke Alii Konohiki. A i ka wa i haawi ai ko ke Alii Konohiki i ka aina i ke Konohiki hou, alaila, ua like ka pili ana o ke Konohiki hou i ke Konohiki mua, me ko ke Konohiki mua pili ana i ke Alii, nolaila kapa aku ke Konohiki hope i ke Konohiki mua "ke Alii."

Hiki no i ka mea maluna ke lawe i ka aina o ka mea malalo ona, aka, aole i mana'ia he mea ku i ka pono a me ka pololei ke hana pela, ke loa'a ole ke kumu; aole hoi i hana pinepine ia pela i ka wa e ola ana ka haku, a make ia, alaila, hoonoho pinepineia ke Konohiki hou, me ka mana'ole i ke Kuleana o na hooilina, a me na hoailona; no ka mea, ua mana'ia na makamaka hou.

Pela ke ano o ka noho ana, a me ia ke ano o na Kuleana aina i ka makahiki 1839 i ka wa i kauia'i ke Kanawai hoomalu i ke kino a me ka waiwai o kanaka. Penei na hua, "Ua hoomaluia ke kino o na kanaka a pau, a me ko lakou aina, a me ko lakou waiwai a pau." E nana i ke Kumukanawai a'aoa elua.

Ma ka Pauku 6, o ka Mokuna 3 o na Kanawai kahiko, ma ka a'ao 25, ua hoakakaia kekahi ano o ka hoomalu ana i ka aina. Ua oleloia malaila, "Aole hoi na hakuaina e pai wale i kona mau hoaina." Ua hoakakaia mai no hoi ka hewa kupono ke pai; a hooiaio no hoi ia Kanawai i na moa i oleloia maluna no ka waiwai o ke Alii iloko o na aina a pau. Koi mai ka Pauku 3 o ia Kanawai i na hoaina a pau, o kela haku keia haku e hana i 36 la ma ka makahiki no ke Alii; a nolaila ua akaka, aole haku i loa'a ke Kuleana aina ma ke ano alodio, aia no ia i ke Alii.

Nolaila, he mea kupono maoli, a he mea pololei no hoi i ka haawi ana o ke Alii i ke Kuleana alodio, ke haawi i ke Konohiki maluna, oia hoi ka mea i loa'a mua ka aina na ke Alii mai, no ka mea, i ka hana ana pela, aole i hana ino ia na Konohiki, a me na hoaina malalo ona; ua hoomaluia lakou e ke Kanawai, e like me ka wa mamua. He mea akaka loa hoi ka hiki ole i ke Alii ke haawi aku i ke Kuleana alodio ia hai, no ka mea, ina pela, ua nele ke Konohiki mua. Aka, ina loa'a i ke Konohiki mua kona aina ma ke ano alodio, ma ke kuai, a ma ka haawi wale o ke Alii, ua mau no ke Kuleana o na hoaina, a me na lopa; no ka mea, aole nele kekahi mea e ae no ka hoolilo ana o ka Moi i kona iho Nolaila, o ke Konohiki i kuai me ke Alii a loa'a kona aina ma ke ano alodio, ua hiki ole ia ia ke p'ai i ka poe malalo ona, e like me ka hiki ole i ke Alii i keia manawa ke pai i ke Konohiki.

Ua maopopo keia i ka nana ana i ke kumu o ka pono, a ua akaka no hoi ma ke Kanawai 1839, i hoomalu pu i na hoaina me na Hakuaina.

Ma kela Kanawai, ekolu mea i hoakakaia ko lakou Kuleana iloko o ka aina, o ke Alii, (o ke Aupuni hoi ia) a o na Konohiki, a me na hoaina. Ma ka Pauku 9 o ka Mokuna 5 o ia Kanawai, ua papa maoli na Konohiki i ai aina i ke Alii, aole e hoonoho i Konohiki hou malalo o lakou, a maluna aku o na hoaina. Nolaila, ina ee kekahi Hakuaina maluna o keia Kanawai, ua mahele oia i kona Kuleana iho, aole e hiki ia ia ke hoemi i ke Kuleana o ke Alii, a me ke Aupuni, aole hoi i ke Kuleana o na hoaina.

Ua akaka loa hoi, ekolu wale no mea Kuleana ma ka aina hoo-kahi; 1, o ke Aupuni; 2, o na Konohiki; 3, o na hoaaaina; a nolaila he mea nui ka hoakaka i ka nui o ko kekahi Kuleana, a me kekahi. Aole kakou e nele i na hoike no keia mea, a he mea ia e pomaikai ai. Eia nae ka mea i oi aku ka pohihihi mamua o na mea e ae o ka poe mea Kuleana aina. O ka poe i hoike mai, he poe hoike pono. Ua nui loa ka poe i hoike wale mai, a ua nui ko lakou ano, he poe elemakule kekahi poe, a ua ike maopopo lakou i na aoao kahiko o keia aina, he poe Konohiki kekahi, a he poe hoaaaina kekahi. Aole kuae kekahi hoike i kekahi, ua ku like no ma na mea nui a pau. O kekahi poe Konohiki haole malalo o Kamehameha II, a me Kamehameha III, ua akaka loa ka lakou olelo hoike no ke Kuleana oiaio o ke Alii. I ka hoolohe ana i ka na hoike ua haawiia i ka wa kahiko i ke Kuleana nui i ke Alii, a oi aku kona mamua o ka pono io, a hoemiia ko ka hoaaaina a poino oia. Ina oluolu wale ke Alii i ka haawi maoli aku i na hoaaaina i kekahi pono i pili ia ia mamua, he pono no ia ia ke hana pela. A ina haawi ke Alii i ka hapakolu i ke Konohiki, a he hapakolu i ka hoaaaina, a koe ia ia kekahi hapakolu: ina pela, aole ia e hoopoino aku i kekahi mea e ae, ia ia iho wale no, pela ka manao o ka poe hoike a pau. A i ko lakou hai ana ia manao, ua hai lakou i ka mea e pono ai lakou. Ina hookeia kela manao, e hiki no ina he aina i ka lima o ke Konohiki, a e noho ana na hoaaaina, a ina like wale no ka aina a pau, hiki no ke mahele maoli i ekolu apana like, a e haawi i ke Konohiki i palapala alodio no kona apana, a pela no ko ka hoaaaina, a koe hoi kekahi palapala i ke Alii i waiwai no ke Aupuni.

Mahope mai o ka makahiki 1839, ua loa paha i kekahi mau mea ke Kuleana aina ma ke ano alodio, no ke kuai paha, no ka haawi wale ia'ku paha? Ina aole hoike no ia Kuleana, aole hiki ke aeia'ku, no ka mea, mamua aia no i ke Alii wale no ke Kuleana alodio, a ia ia wale no ka aina a pau, nolaila, e manaoia nona no i keia wa, ina aole hoole ia e na hoike. A ina ua noho ke kanaka ma ka aina a loihia loa; aole e maopopo ka nele ana o ke Alii, he Kuleana nae ko ke Konohiki, a o ka hoaaaina paha kekahi.

Ua pili maopopo keia mau kumu manao, a me keia mau olelo i na poko, a me na ahupuaa, a me na ili a me na mea nana i ai. Aka, okoa loa na aina nahi, okoa loa na pahale. Aole i haawi ke Alii i kahua hale i na haku, i mea a haawi hou aku ai e like me ka haawi ana i ka aina. Nolaila, ua akaka, elua mea Kuleana iloko o na pahale, o ke Alii, a me ka mea nana e noho, aole ke kolu. Aka, ekolu no ma kauwahi; penei, Ina haawi maoli aku ke Alii i kahua hale no ke kanaka nona iho, a mahope, na ua mea la i hoolimalima, a hoolilo aku paha ia hai, no ka manao loa paha, aole paha. Eia kekahi, ina he pahale nui maloko o ka aina maoli ma-

mua, a i keia manawa, ua lilo ka pahale i ka mea Kuleana ole iloko o ka aina, ma ka pahale wale no kona Kuleana. Ua manaʻoia ua pili kela pahale i ka aina i keia manawa, penei nae ke ano o ka pili ana, e uku makahiki aku ka mea pa i ka Hakuaina.

Ua maopopo ka pono o keia no ke ano o ka noho ana i ka wa kahiko, a ua maopopo no hoi no na hua hope o ka Pauku 7, o ka Mokuna 3, o na Kanawai kahiko; penei, "Aka, o na pahale i like me na pa aina, pono no e kokua ka mea pa, i ka mea nona ka aina i ka auhau o ka makahiki."

Ua akaka loa keia mau kumu manaʻo, a me keia mau mea i oleloia, a hiki ole ke hoole, aka, ua nui wale na hihia, a hiki loa mai i keia manawa. Eia ke kumu nui no ia mau hihia, ua nui na mea Kuleana iloko o ka aina hookahi, a manaʻo kela mea keia mea o lakou ua nui kona Kuleana iho. Ia hihia ana, eia ka mea i hana pinepineia, o na haku, a me na mea koikoi, o lakou ka i hookaumaha i ka poe nawaliwali. Aohē paha mea o ka poe kiekie i keakea ole i ka poe malalo i kekahi manawa. Aole i malu na Konohiki lili, a me na hoaina i ke Kanawai 1839, aole hiki i ke Kanawai o 1840. Ua pili no ke Kanawai i na mea a pau, i ka poe kiekie, a me ka poe haahaa, aka, he mea kua loa i ka aoao kahiko ke hoopai i ka mea kiekie i mea hoomalu i ka poe haahaa, a pilikia ka poe haahaa i kekahi manawa, a nolaila, ua manaʻoia he mea pono e kau hou i Kanawai, i mea e hiki ai ke hoakaka i na Kuleana aina, a i Kanawai hoomalu hoi ia mau Kuleana ke ikeia. Nolaila, i hoonohoia'i na Lunahoona i na Kumukuleana aina.

O na Lunahooko, ina hooholo lakou i ka olelo, ua lilo kela olelo a lakou i hooholo ai i olelo ae na ke Alii, ka mea nana i haawi ia lakou i kela hana, i mea e hiki ai lakou ke hooponopono i na Kuleana mamua a pau ma ke ano pololei loa, a ina pono io, hiki no ia lakou ke hoolilo loa aku i ke Kuleana aina i pili ia ia ma kona ano Alii.

O ka mana a pau o ke Alii, e hooko i na Kuleana aina oiaio o na kanaka, i keia manawa ua lilo i na Lunahoona.

Pehea hoi ke ano a me ka nui o ia mana o ke Alii i haawi mai ai i na Luna? Ua haawi mai oia i kona waiwai maoli iloko o ka aina ma kona ano kanaka, aole i haawi mai i kona Kuleana Alii iloko o ka aina.

Eia kona Kuleana Alii iloko o ka aina.

1. O ke pai i ka aina i mea hoopai i ke kipi.
2. O ka auhau i kela waiwai keia waiwai kupono ke auhau; i ka, aina hoi kekahi, ke olelo mai ke Kanawai pela.
3. O ka hooikaika aku, a e koiako aku hoi i kanaka e malama i, ka aina, i mea e pono ai ka lehulehu.
4. O ka hoomakaukau i kuamoo, a me na mea e oluolu ai ka, lehulehu i ka hana ana i alanui, alahaka, na ala hele a me na, mea like.

5. O ke kii aku a lawe i na aina no ke Aupuni, i mea e pono ai ka lehulehu, a ke pilikia hoi ke Aupuni, e uka pono aku nae e like me ka mea i auhau pololei ia.

Aole pono ke Alii, aole hoi e hiki ia ia ke hoolilo aku i keia mau Kuleana ona.

Nolaila, ina hooiaio na Luna i ke Kuleana e like me ka hana ana mahope, a haawii ka palapala hoolilo e like me kela hooiaio ana, ua hookoia no kela mau Kuleana o ke Alii.

Aka, i ka nana maoli ana o na kanaka i ke ke Alii waiwai iloko o ka aina ma kona ano kanaka, ua okoa loa ia, a okoa loa kona Kuleana Alii, i ka nana ana o ko na aina nanao, no ka mea, i ka manao o ia poe, o ka Moi ka i hoike i ke Aupuni, aole ia ia iho. I ka wa kahiko, aole lilo ka waiwai hookupu i na Luna i mea e pono ai ke Aupuni, i ke Alii no, ka lilo ana nana iho, i waiwai maoli no kona kino. Nolaila, he waiwai maoli kona iloko o ka aina. Aka, i ka haawi ana o ke Alii i kanaka ke Kumukanawai i ka la 8 o Okatoba, i ka makahiki 1840, ma ke ano aloha, a lokomaikai, ua hookaawaleia ke Alii, a me ke Aupuni, a ia hookaawale ana, hoomiia ko ke Alii mana kahiko. Penei ka olelo, "Ia ia ka waiwai o ke Aupuni, ke dala o ke kino, ka auhau o ka aina, a me na la hana ekolu o ka makama, e like nae me ka olelo o ke Kanawai." Nona no kona mau aina pono, a me na aina hemo i ka makahiki. "Ma keia mau hua ua akaka, he okoa ko ke Alii waiwai pono, okoa ka waiwai Aupuni i lilo ia ia no kona noho ana maluna o ke Aupuni. O na mea a pau e pono ai ka lehulehu na ka aina, a me ka waiwai o ka aina, aia i ke Alii ia ma kona ano poe o ke Aupuni, ma ke ano hoi o ke Aupuni ia; a hookaawale loa ia "kona mau aina pono."

Ma ia ano hookahi no, i ka la 7 o Iune, 1839, hooholo na'lii me ka ae mai o ka Moi i mau olelo paa, i olelo hoakaka hoi, "No ka nonoi aina, a me ka haalele aina, a me ke pai aina, a me ka hana maluna o ka aina." No ka hooikaika i ka hanaia, ma ia Pauku, ua hoakakaia ka poe Hakuaina, he poe ai aina lakou, a ua paa ia lakou kahi i mahiia, he Kuleana paa loa nae ko na hoaina. Ua akaka he Kuleana hui ko ke Aupuni, a me na Hakuaina i mahi ole ia, no ka mea, ua olelo ke Kanawai penei, "O na kanaka aina ole, aole i mahi kihapai, aole loa no he mahi ai, a i manao lakou e hana i loa ko lakou makemake, e noi aku i na Konohiki, a i ke Kiaaina, a i ke Alii nui paha, ma na wahi kaawale o ka aina, aole i hanaia a maikai e ke kanaka, e haawii'ku no ia wahi no lakou." Na na Konohiki a me ke Alii pu keia haawi ana. Ua maopopo no hoi ia Kuleana pu ma kela Kanawai kahi i oleloia i na "Lii" a me "na Konohiki."

Ua maopopo no ka pili ana o na aina i ke Alii; ua oleloia nae,

no na Hakuaina, no ka mea, eia ka olelo mua maloko o ka Pauku "ao i na Kiaaina, a me na Konohiki."

Eia ka hana a ka ke Alii nui poe i haawi aku ai i ka aina, aole lakou e hoonohe Konohiki hou aku malalo o lakou maluna aku o na makaainana, e "pau ia hana ana pela" a ma ka Pauku 18, ua hooweliweliia na Konohiki o haule lakou i na olelo o ka Pauku umikumamakolu." Nolaila ua akaka, elua mea e paa ai ka aina i na Konohiki, o ka ikaika i ka hana, a me ka naauao.

Nolaila, ua akaka, a hiki mai i ka la 7 o Iune, 1839, mamua aku o ke kau ana i ke Kumukanawai, ua manao na'lii ia lakou iho, ua noho hale lakou ma ko ke Alii makemake wale no, ma kona ano poo o ke Aupuni. A ina i hana lakou i mea e poino ai ka lehulehu, oia wale no ke kumu pono e paaia i lakou; o ka palaualelo, a o ka naaupo, a me na mea like, na mea e pono ole ai ke Aupuni. Ina pono i ke Alii ke pai wale i na Konohiki no kona makemake wale, a no kona huhu wale, a no kona manao wale, ina pela, alaila, no ke Alii wale no ka aina ma kona ano kanaka maoli no. Aka, aole i kupono ia i ke ano o na Kanawai a pau, aole hoi me ia ke ano o na olelo a ka poe hoike a na Lunahoona i lohe ai. Aka, o ke pai i ka aina no ka hana ole, a no ka hana ino, a no ka hewa maoli, he mea ia e pomaikai ai ka lehulehu, no lakou hoi ke Alii ana.

Ma ka hana ana, ua ike maopopo na'lii, he mea nui ka pili paa loa ana o ka waiwai i ke kanaka, ina he aina oiaio, a ina he waiwai e ae oia no, a o ka hemo ole oia wale no ka mea e ikaika ai lakou. Ua ike no lakou aole mea e ae e pomaikai ai ke Aupuni, eia wale no, o ka hoopuka i ka waiwai mailoko mai o ko lakou wahi iho, a mailoko mai o ka aina ka nui. Aole hoi e mahi pono ke kanaka ina o kana ai wale no kana e loa ai noloko o ka aina pili ole ia ia, aole hoi i kana keiki. I ka pili ana o na'lii me ko na aina e, ua ike lakou, i ka hana ana o ka poe ma ke ano e kaawale ai ka waiwai o kekahi, a me kekahi, a ua hoopaa nui lakou no ia pono, a e hoopiliia auanei ia pono i na aina e paa nei i na hoainana ma ke ano a ka haole i ike ole ai. I keia manawa ua noho Aupuni okoa, a nolaila i ka manao ana o na Aupuni kahiko naauao, ua makemake lakou ma na mea nui e hoomahui i ka noho ana o ka poe naauao.

I ka manao ana o makou na Lunahoona, oia ke kumu o ka hoo-kaawale ana i ko ke Alii aina pono, a me ko ke Aupuni ma ke Kumukanawai o ka makahiki 1840; a i keia manawa, ke manao nei makou oia ke ano o ka Haawina 4, Mokuna 7, o ka Apana mua o ke Kanawai hoohohonoho i na hana i haawia i na Kuhina o ko Hawaii Pae Aina; ua hookumuia maluna o ka olelo hoike a ke Kokualunakanawai i ka la 21 o Mei, 1845. Malaila ua oleloia, "he mea pono ke hoomakaukau i ke Aupuni o ka Moi, e hana pu me

ko na aina i ae mai i ke Kuokoa ana. A hooholoia ka olelo na ke Alii e koho i mau Luna elima nana e hoona i na kumu Kuleana aina, a pela e kau ai maluna o lakou i kona mana a pau i kona ano kanaka, a i kona ano Alii, ka mana hoi e hiki ai ia ia ke haawi maluna o ka waiwai o kanaka iloko o ka aina.

O ka olelo koi i ke Alii e koho i na Luna e like me ia, aia no ma ka Haawina 4 o ka Mokuna 7 o ka Apana 1 o ke Kanawai a ka Poeahaolelo i hooholo ai i ka la 10 o Dekemaba 1845, a kau hoi i ka la 7 o Feberuari iho.

O kela Kanawai a pau kahi i kakauia'i kela olelo, ua kapaia, "He Kanawai hoonohonoho i na hana i haawiia i na Kuhina Alii." A nolaila ua akaka keia, o ka olelo a na Luna e hooholo ai, aole ia e like me ka na Lunakanawai wale no, he ano hooko maoli kekahi. O kela mau Apana Kanawai elima, ua hooholo loa ia a kau ke Alii i kona inoa Apono i ka la 27 o Aperila 1846, a hoolahaia i ka la 20 o Iune iho.

O ua poe Luna nei i hoonohoia, ua kohoia a hooponoponoia e like loa no me ka olelo o ke Kanawai; no ka mea, kau ke Kanawai i ka poaono i ka la 7 o Feberuari, i ka la i noa'i i ka la 9 hoi, maloko o ka Ahakukakuka Malu, koho ke Kuhina nui me ka ae mai o ka Moi, a hookohu hoi ia makou na mea i kakauia na inoa malalo; a ia manawa no, imua o ka Moi, a me ka Poe Kukakuka Malu makou i hooiki ai a kau i ko makou inoa i keia olelo a na Luna e hooiki ai.

"Ke hooiki nei kela mea keia mea o makou e imi pono me ke paewaewa ole i na Kumukuleana aina a na kanaka i hoopii mai nei no ke Aupuni o ko Hawaii Pae Aina, a e hooholo makou i ka olelo pono no ua Kuleana la, ke Kumukuleana, ka loihi o ke Kuleana, a me ka nui o ka aina, e like hoi me ka olelo iloko o ka Haawina eha o ka Mokuna ehiku o ka Apana mua o ke Kanawai i kapaia, "He Kanawai hoonohonoho i na hana i haawiia i na Kuhina o ko Hawaii Pae Aina, i hooholoia ma Honolulu i ka la 10 o Dekemaba, 1845."

"Kauia ka inoa a hooikiia i keia la 9 o Feberuari 1846, imua o'u"

WILLIAM RICHARDS.

JOHN RICORD.

J. Y. KANEHOA.

JOHN II.

Z. KAAUWAI.

JOHN YOUNG,
Kuhina Kalaiaina.

I ka la 11 o Feberuari, oia hoi ka lua o ka la mahope iho o ko lakou hookohu ana, hooponopono na Luna i ko lakou noho ana penei:

OLELO HOIKE.

I ka halawai ana o na Luna i hoonohoia e hoona i na Kumukuleana aina i ko lakou noonoo ana i ka hoonohonoho pono i oleloia ma ka Haawina eha o ka Mokuna ehiku o ka Apana mua o ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina o ko Hawaii Pae Aina.

I ka halawai ona o ia mau Luna hooholoia keia olelo.

1. E hoonohoia o William Richards i Peresidena.

2. E hoonohoia o J. H. Smith i kakauolelo me ka uku i hoakakaia mahope, a e hookaia kona uku noloko iho o ke koina, a me na mea loa i ke Aupuni mamuli o ka hana a na Luna.

3. E hooiki ke kakauolelo e hana pololei i na hana i haawiia ia ia. Eia hoi kekahi olelo i hooholoia, na ua kakauolelo la e lawe i na olelo koi, a me na olelo hoike, i mea e noonoo ai makou mahope iho. E kakau no hoi oia ma ke kua o ia mau pepa i ka la a me ka hora i haawiia ia ia. E malama no hoi oia i hora hana ma ka Halekauila, Honolulu, i wahi e hana'i i kana mau hana, i wahi hoi e pono ai na mea koi.

Nana no hoi e kakau i na olelo a keia poe Luna, a me ka moolelo no ka lakou hana.

4. O na palapala koi i hoikeia mai i mea hooponopono, o ka palapala loa mua, oia ka palapala hana mua, a na ka nui o na Luna e hooholo i ka olelo no kela mea keia mea.

5. E halawai no lakou i ka poakolu o kela hebedoma keia hebedoma mai i ka iwa o ka hora o kakahiaka, a hiki i ke kolu o ka hora o ke ahiahi ma ka Halekauila ma Honolulu, o ka halawai mua ana i ka la 4 o Maraki, e hiki mai ana.

6. E hoolahaia keia olelo iloko o ka Elele, a e hoolaha pu ia no me ka olelo a ke Kanawai i olelo no ka mea koi, a i mea e ike ai lakou i keia mau lihi Kanawai a na Luna i kau ai.

Ua hanaia ma Honolulu i keia la 11 o Feberuari, 1846.

WILLIAM RICHARDS.

JOHN RICORD.

J. Y. KANEHOA.

JOHN II.

Z. KAAUWAI.

A paia kela olelo ma ka Nupepa Polunesia i ka la 14 o Feberuari, 1846, a me keia olelo malalo ka mea a ke Kanawai i olelo ai, a paia no hoi ma ka Elele i ka la 3 o Maraki.

NO NA MEA KULEANA AINA A PAU MA KO HAWAII
PAE AINA.

Ua hoonoho mai ka Mōi ke Alii ia makou i poe Luna nana e hookokololo, a hooko, a hoole, i na Kuleana aina i hookumuia mamua o ka la 10 o Dekemaba, M. H. 1845. E haawi ma ke ano alodio na palapala sila nui, a i ole ia na palapala hoolimalima no na makahiki, e haawiia keia mau mea mamuli o ko makou hoakaka ana, e like me na mea i hoakakaia mai ia makou.

He halawai hebedoma ko ka Poe Luna ma ka Halekauila ma Honolulu, e hoolohe i ka na mea hoopii, a me ko lakou kokua paha i mea e akaka'i ko lakou Kuleana, a ua makaukau makou i kela la, keia la e lawe ma ka palapala i ka lakou olelo koi, a me na mea e ike ai ke Kuleana, na mea hoi a na hoopii e manao ai e hoike ma ka hale o Joseph Henry Smith, ma ka Halekauila ma Honolulu iwaena o na hora 9 o kakahiaka, a me ke 3 o ke ahiahi.

Ua noiia'ku na kanaka a pau e hoike mai ia makou i na Luna i ka olelo hoakaka i ko lakou Kuleana aina, a hoike mai hoi i ke kumu o ko lakou koi ana i kela Kuleana aina na Hawaii nei, hana hoi mamua o na makahiki elua mai keia la aku, a i ole lakou e hana pela, mahope iho o ia manawa, alaila, ua hoi nele loa ia lakou aole e loa ia lakou na Kuleana ma na Ahahookokololo no ka pono.

Kakauia i keia la 11 o Februari, 1846.

WILLIAM RICHARDS.
JOHN RICORD.
J. Y. KANEHOA.
JOHN II.
Z. KAAUWAI.

Eia na hana i kupono i na Luna hoona.

1. O ka imi, a hooko a hoole i na Kuleana aina o na kanaka, na kanaka maoli hoi, a me na haole i hookumuia ke Kuleana mamua o ka hooholo ana i ke Kanawai a pau i komo ka Haawina 4, maloko o ka la 27 ia o Aperila, 1846.

2. Ua hoakaka loa ia ka hana a na Luna no ka hooponopono ana, a no ka hooko i na hana. a ua haawiia ka mana e hiki ai, o ka halawai, a hoopanee, a hoonoho i kakauolelo, o ke kii aku i na aoao, o ka hooko i na olelo kena, o ka haawi i ka olelo hooihiki, a me ka hoonoho i Luna nana e lawe i na olelo hoike. He mana keia i hoohiia, me ka mana o na Luna hoona Kumukuleana aina, na lakou e hooko, a hoole hoi i na Kuleana.

3. O na kumu manao i rula no na Luna i ko lakou hooholo ana i ka olelo, o ke Kanawai waiwai o ke Aupuni, a mamuli oia lakou e hooholo ai, i ka olelo no "ka noho mau ana, i ka pa ana, i ka hana ana i ka mea paa maluna, i ka aoao kahiko no na Kuleana-aina, i ka pono o ka wai, i ka pono o ka lawaia, i ka pono o na

wahine, i ka pono o na mea e noho ana ma kahi e, i ka pono o na hoaina, a me na lopa, i ka pono o ka hiapo, a me ka pono o ke keiki hookama. Ma ka olelo pili i o ia nei o ke Kanawai hoono-honoho i na hana i haawiia i na Kuhina, ma ka Pauku 3, ua hoakaka ke Kanawai: penei, "Mamua o ke kau ana i ke Kanawai hou no ka waiwai, e lilo no na kumu manao iloko o keia Kanawai, a me na Kanawai maoli o keia wa, i Kanawai pili i ka waiwai, a e pono io maloko o keia Aupuni, oia hoi ka na Ahahookolokolo e hooko ai i ko lakou hooponopono ana ma na mea a pau loa, ke pili ia mau olelo."

Malaila, ua akea loa kahi e hiki ai i na Luna ke hooholo i ka olelo. E imi mau nae lakou i ka oiaio ma na waha o na hoike pololei i ike lakou i ka moolelo no kela Kuleana, keia Kuleana, a e hoonohonoho ia mau olelo ma ke ano ku like i ke Kanawai waiwai, ina he Kanawai i pili ia Kuleana, a ina aole Kanawai i pili, e hiki no ia lakou ke hoopili ma ka aoao kahiko i ko lakou hooholo ana i ka olelo, aole ma ke ano o na Kanawai i keia wa, aole ma ke ano kue i ka oiaio, e hana pololei maoli no, a e lokomaikai no hoi.

4. No ka waiho ana mai o ka Moi, ka mea Kuleana ma na aina a pau, i kela mana nui e hooko a hoole i na Kuleana, na na Luna wale no e hana, ua akaka no kona manao e lokomaikai loa aku i na mea Kuleana, a hapa paha kona manao ia ia iho, nui kona manao i na kanaka mea Kuleana.

5. Aka, aole i manao na Luna hoona e hiki ia lakou mamuli o kela lokomaikai nui o ke Alii, ke pale ae i kekahi mau olelo iloko oia Kanawai hookahi no, aia ma ka Haawina 4, Mokuna 7, Apana 1. No ka mea, o kela Ahaolelo nana lakou i hoonoho, ua hoopaa i ko lakou lima; penei,

1. "Aole e loa i ka lahui e no lakou pono ma ke ano alodio kekahi aina iki."

2. "Aole e lilo io i ua poe lahui e la ka waiwai paa i hoolimalimaia, a loa mua ia lakou ka palapala noho e hoakaka ana i ko lakou aina e like me ka olelo ma keia Haawina 'mua o ka Mokuna 5.'"

6. Eia wale no ka hana a na Luna hoona i haawiia ma ua Kanawai la, o ka hoakaka i ke ano o ke Kuleana, a hooiaio, a hoole paha ia Kuleana, a hooiaio, a hoole hapa paha. Aole hiki ia lakou ke haawi i palapala hoolimalima, aole hoi i palapala sila nui, aole hoi e hiki ia lakou ke lawe i ka uku i oleloia ma ka Pauku 10. Aka, no ke kulike ana o ka uku pono i ka aina, me ka nui o ke Kuleana, nolaila, pono i na Luna hoona e imi a e hoakaka i kona nui, i mea e ike ai ke Kuhina Kalaiaina.

7. Ua pili pu me ke Kuleana aina ke ano o ka holo ana o na Mokuna a me ka nui o ka ili aina maloko, a ina aole imiia a ho-

kakaia, aole e hiki ke hooholo pono i ka olelo, a hana i ke Kumu-kuleana iwaena o na mea i pili ko laua aina.

Nolaila, aole e hiki i na Luna ke hana, me ke ana ole ia o ka aina, a na ka mea nona ka aina e uku mamua o ka hooholo ana i ka olelo. Ua mana'ia keia mea ma ka Pauku 17, i ka olelo ana i "na dala i lilo i ka imi ana."

Eia na pono e loa ia mau imi ana, a me ka hooholo ana i ka olelo.

1. E hookaawale lakou i na Kuleana o ke Alii, a me ke Aupuni, na mea i hui mamua, a koe mai i ka mea nona kahi, a kuokoa oia ma kona mana'o, a hiki ia ia ke hana e like me kona makemake i kona aina, ina he arto alodiu oia, ina no ke ola ana oia, a ina no na makahiki oia no hoi, e like hoi me ka olelo i hooholoia. Ina mau aku ke Kuleana o ke Aupuni, a o ke Alii paha iloko o ka aina, alaila, ua mau pu no ka pono o ka ae ana o ke Alii, a me ke Kuhina nui, mamua o ke kuai ana a me ka hoolilo ana i ka aina, mai kekahi kanaka i kekahi, e like hoi me ke Kanawai kahiko; a pela no hoi ke haawiia na palapala Moraki, e hookaawaleia keia mau Kuleana, a hoopauia na hemahema, a me na mea e paa ai ka mea nona kahi, i hiki ia ia ke hana e like me kona makemake, he mea ia e pomaikai loa ai oia, a pomaikai pu ke Aupuni ilaila, no ka mea, ua loa i ka mea Kuleana kona iho, a ua hemo ka paa ana o kona mau lima, a hiki ia ia ke hana aku i Kanawai me ke keakea ole ia mai, a haawi i ka palapala Moraki i mea e pono ai ke kuai ana, a hiki no ke hana i hale paa, me ka hoomaopopo mua e ili aku ia i kona hoolilina. He mea ia e loa koke ai ka waiwai lawe aku i ka aina e, he mea e mau ai ke kuai pono ana ma ke ano paa, a ina aole pela, aole loa i ke Aupuni ka waiwai makahiki e hiki ai ke hoponopono i ko loko o ka aina.

2. O na palapala sila nui, a me na palapala hoolimalima, e haawiia ma ke ano maopopo no na mokuna o ka aina. Nolaila, aole loa pinepine ka hakaka no na mokuna mahope. No ke kii ana i na mea a pau i pili mamua o ka hooholo ana i ka olelo, nolaila, aole hiki kekahi ke olelo mahope, he Kuleana kona. E hiki no ke hoopii i na Lunakanawai kiekie, o ka mea nae i hoopii mua i na Luna hoonā, oia wale nō.

Ua paa papalua na palapala sila nui ma ka Waihona Kalaiaina. Nolaila, e ike auanei ke Aupuni i ke kumu o na Kuleana, a pela no na mea a pau e ninau mau. Aole loa e hiki kekahi ke hoopunipuni mai i kanaka, no ka mea, ua maopopo kahi e hele ai a loa ka mea e hoole ai i kona wahahee ana. O ka mea kuai mahope iho, a loa ka palapala Moraki, aole lakou e hana maloko o ka naaupo ke oiaio ole na Kuleana o na mea mana'o kuai.

Ua mana'o makou na mea i kauia na inoa malalo, he mea pono ke hoakaka mua i keia mau Kumumano'o i mea e maopopo ai i na

kanaka na olelo a makou e hooholo ai; a i mea e pololei ai hoi ko makou hooholo ana i ka olelo, he mea pono ke kakau mua i na kumu malalo, ua loa ia mau kumu i ka noonoo nui ana i na Kanawai i pili i ka waiwai, a me ka hoolohe ana i na olelo a na hoike. O kekahi hoike he Alii kahiko, a nui kona aina, a na makou ka olelo no ia mau aina, a mamuli o ia mau kumu makou e hooholo ai i ka olelo no ia mau aina. O na'lili i ai aina pela, he mea e pino ai o lakou iho kela hoike ana, no ka mea, ua kua ko lakou hoike ana i ko lakou Kuleana iho a e uku auanei lakou i ke Aupuni ke haawiia ia lakou ka palapala ma ke ano alodio. Ua pili like keia kumu i na kanaka maoli mea Kuleana, a me na haole e noho ana maanei, e like hoi me ka olelo ma ka Haawina 2 o ke Kuikahi i hooholoia me Beritania, a me Farani i ka la 26 o Maraki, 1846.

1. I mea e pono ai ka hana a makou ka poe hoona, eia ka makou e imi mau, ina no ke Alii pono mai ke Kuleana, a no kona Kuhina me ka ae o ka mua, a hookumuia mamua o ka la 7 o Iune, 1839, aole nae palapala, alaila, eia wale no ka makou e imi ai, o ke ano o ka haawi ana, a ina i mau ka noho ana mai ia manawa mai, ua kukuluia paha na hale maluna iho, a ua kanuia, a ua hooponoponoia paha, me ke keakea ole ia, a ina aole hoopapaapa iwana o na kanaka, alaila, e manao makou he Kuleana ko ka mea koi, he Kuleana nae malalo o ke ano alodio.

2. I na manawa a pau, ina he kuae kekahi koi i kekahi koi, alaila eia ka makou e imi ai, o ka mea i oi aku ka pono o kona Kuleana a kupono ia ia ka palapala hoolilo ma ke ano i oleloia.

3. I na manawa a pau, ina no ke Alii mai ka loa ana o ka aina, a na ke Kuhina paha me ka ae o ke Alii, a na ke Kiaaina, a na kekahi Alii, a na kekahi mea e ae, mahope mai o ka la 7 o Iune 1839, ina pela eia wale no ka makou e imi ai o ke Alii, a o kekahi Alii iho, a o ka haku nana i haawi i ua aina la; a e hooko makou, a e hoole e like no me ke Kuleana, a Kuleana ole paha o ka mea nana i haawi, a hoolilo, a hoolimalima aole makou e manao iki i ka uku, aole ka noho ana, aole hoi i ke kukulu ana o ka hale.

4. I na manawa a pau, ina i loa pono ka aina ma ka palapala haawi, palapala kuai, a palapala hoolimalima paha na ka mea nona mai kahi, alaila, e hooko makou e like me ke ano oiaio o na hua-olelo maloko o ka palapala.

5. Ina hookumu pono ia na Kuleana ma ka palapala a ma ka olelo wale paha, na ka mea nona kahi i haawi mai, no ka uku pono aku, a na ka mea e paha, aka, aole i noho ka mea koi mai ka la 7 o Iune, 1839, a hiki mai i keia manawa, e manao no makou aole Kuleana i koe, eia ka mea e maopopo loa ai, o ka Pauku 6, Moku-na 3, o ke Kanawai kahiko.

6. Ina makemake kekahi mea Kuleana i hookoia e loa ka palapala alodio e like me ka olelo ma ka Mokuna 7, o ka Apana ekolu o ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina Alii,

ke manao nei ka Poe hoona Kumukuleana i ko lakou noonoo ana i na olelo i hoikeia mai ia lakou, he mea pono i ka mea koi, ke uku aku i ke Kuhina Kalaiaina i kekahi hapakolu o ke dala kupono i ke kuai i ua aina la, me ka manao ole nae i ka waiwai i hanaia maluna o ua aina la. A ina uku aku ua mea koi la i kela hapakolu, alaila, pau ke Kuleana o ke Alii, ma ua aina la, a lilo ka alodio i ke kanaka, ua mau nae ka pono o ke Aupuni iloko o ia aina, a na ke Alii e hana mamuli o na Kanawai; na na Luna nae a ke Kanawai e olelo ai, aka, i ka olelo ana a na Luna hoona i keia mea, aole o makou manao ua paa ke Alii, a me ka Poekukakuka Malu, a hiki ole ia lakou ke hoemi i ka uku ana malalo o ka hapakolu mamuli o ka Pauku 10 o ka Haawina i hoonoho i na Luna hoona Kumukuleana. Eia hoi kekahi mea i koe, o ko ka hoaina Kuleana, ina he hoaina e noho ana. Aole hiki i ke Alii ke hoolilo i kona Kuleana, ke ae ole mai ia.

Ua manao makou he mea pono ia makou ke hoakaka i ka nui o ko ke Aupuni Kuleana i keia manawa iloko o na aina a pau: no ka mea, a hiki mai i keia la, aole i uku pono ia ke Aupuni no na aina, a o na'lili hoi ka poe i haawi i ka aina i kanaka aole lakou i uku.

Aole loa e oi aku ko ke kanaka Kuleana mamua o ko ka mea nana i haawi ia ia, aole hoi e hiki i kekahi Alii ke hooi aku i kona haawi ana mamua o kona i loa mai ai.

O ko lakou ai ana i ka aina, ina aole hoaina malalo o lakou ua loa ia lakou ke Kuleana e like me na hapakolu o ke Alii uku makahiki lakou ia ia. i ka waiwai o ka aina. a me ka hana. O na haole i loa ko lakou kuleana na ia poe Alii mai, i kekahi manawa aole lakou i uku i ka makahiki, i kupono i kona mua ke haawi i ke Aupuni, a nolaila, ua nalowale i ko lakou manao ko ke Aupuni kuleana iloko o ko lakou aina mamua.

E hiki no i ke Kuhina Kalaiaina ke kuai aku ia kuleana ke loa mai ia ia ka uku no ka hapakolu o ka aina, e like me ka olelo maluna. Alaila, aole olelo hou ke Aupuni maluna o ua aina la, eia wale no, o na mea i olelo mua ia.

7. O na Kumukuleana aina a pau, maloko o keia Aupuni mai o a o, o na mea i koi pono, a me na mea i koi hewa ia, ina aole i hoikeia mai ia makou no ka hookolokolo a me ka hooko, a me ka hoole i ka la 14 o Feberuari, M. H. 1848, a mamua aku paha, ua hai mua ia'ku ma ka Pauku 8 o ka Haawina hoonohonoho ia makou, no ke Aupuni ia aina. O ka poe hoopanee, a hoike ole mai i ko lakou kuleana, hoowahawaha no lakou i ke Kanawai, nolaila, aole hiki ia lakou ke hooalahala i ko lakou hookuli iho.

Maluna o keia mau kumu manao ke hoomaka nei makou e hooholo i ka olelo no na kuleana i hoikeia mai imua o makou.

WILLIAM RICHARDS.

JOHN II.

JOHN RICORD.

J. Y. KANEHOA.

Z. KAAUWAI.

Hale Ahaolelo, Honolulu, Okatoba 26, 1846.

I ka Akoakoa ana o na'lii, a me ka Poeikohoia e na Makaainana, heluheluaia imua o lakou na kumu manao o ka Poehoonakuleana aina i kakauia i ka la iwakalua o Augate, 1846, a noonoo pono lakou a hooholo i keia manao.

Ua aponoia kela kumu manao, a ua kauia i Kanawai, a mai keia la aku, ina koi mai kekahi i aina ma keia Aupuni, e hoohalikeia kona kuleana me ia mau kumu manao, a ma ia mau manao e hoo-koia'i, a e hooleia'i.

Hale Ahaolelo, Honolulu, Okatoba 26, 1846.

KAMEHAMEHA.

KEONI ANA.

OLELO I HOOHOLOIA, E HOOLOLI A E HOOPONOPO-
NO I KE KANAWAI NO KA MARE ANA.

No ka mea, ua nui na haole i mare me na wahine maoli o keia Pae Aina, a noho liuliu me lakou, haalelele a holo aku i na aina e, a waiho mai i ka lakou ohana me ka pilikia nui; A, NO KA MEA, ke koi mai nei na Kanawai i hooholoia i mea e pau ai keia hihia, ina makeinake ka haole e mare me ka wahine o keia Pae Aina e hoo-hiki mua oia mamuli o ka Moi, alaila, mare; A, NO KA MEA, ua makemake kekahi poe haole e mare i na wahine o keia Pae Aina, aole nae e makemake e hoo-hiki, nolaila, ua hooholoia e na Lii o ka Ahaolelo a me ka Poeikohoia e na Makaainana o ko Hawaii nei Pae Aina, i ko lakou Ahaolelo ana; penei,

E hoopauia, a ua pau hoi ke kauwahi o na Kanawai e noho nei i hooholoia mamua ma keia Aupuni e koi ana i na haole, mamua o ko lakou mare ana i na wahine o keia Pae Aina, e hoo-hiki lakou mamuli o ka Moi, a e kau ia, a ke kau nei no hoi keia Kanawai hou i panihakahaka no kela; penei,

PAUKU I O kela haole keia haole i noho ma keia Aupuni i na makahiki elua, a makemake e mare i ka wahine maoli, e loa ia ia ka palapala mare na ke Kiaaina o ka Mokupuni kahi i noho ai ua haole la, ke haawi mua mai oia i ke Kuhina Kalaiaina i ka palapala hoopaa ma ke ano maikai i ko ke Kuhina manao, aole nae e oi aku na dala o ka hoomalu ana mamua o ke tausani hookahi, e hoopaa ana no hoi ia ia e hana maikai oia i na hana kupo i ke kane, a i ka makuakane no hoi, e like me ka hiki pono ia ia; aole hoi oia e haalele i kana wahine, a i kana poe keiki, aole hoi e holo i ka aina e me ka manao e hoi mai, ke hoomakaukau ole oia i kumu e ola ai lakou a hoi mai ia, aole hoi ana wahine e ma kekahi aina. Aka hoi, ina makemake kela haole keia haole e hoo-hiki

imua o ke Kiaaina Oahu, a olelo mai aole ana wahine ma kekahi aina, e malama no hoi oia i ke Kumukanawai a me na Kanawai o ko Hawaii nei Pae Aina, a e lilo maoli no oia i kanaka no ka Moi i ke Lii, alaila, loa ia ia ka palapala mare na ke Kiaaina o ka Mokupuni kahi e noho ai ua haole la.

PAUKU 2. Aole e lilo ka mare ana o kekahi haole me na wahine o keia Pae Aina i oiaio, a i kupono i ke Kanawai, ke haawi ole oia i ka palapala hoopaa, a i ole ia, ua hooiki hoi e like ma na oleio iloko o ka Pauku maluna, o keia Kanawai.

PAUKU 3. Mahope o ka hoolaha ana i keia Kanawai, e kau ko-ke ia no i Kanawai no ke Aupuni.

Hanaia a hooholoia ma ka Hale Ahaolelo, ma Honolulu, i keia la 7 o Sepatemaba, M. H. 1847.

KAMEHAMEHA.

KEONI ANA.

KANAWAI NO KA PUUKU PAIPALAPALA.

Ua hooholoia e na Lii o ka Ahaolelo o ko Hawaii Pae Aina a me ka Poeikohoia, i ko lakou Ahaolelo ana; penei,

O ke "Kanawai Hoonohonoho i na Kuhina," Apana 1, Mokuna 1, Haawina 1, Pauku 4, e olelo ana na ka Puuku Paipalapala e hoopuka i Nupepa, oia hoi ka leo o ke Aupuni o Hawaii nei, e hoololiia, a ua hoololiia no hoi i ano e hiki pono ai i ka Moi, a me ke Kuhina nui, ke haawi i ka Oihana Puuku Paipalapala a me ka hoopuka ana aku i ka Polonesia i ka Luna hookahi, a i ole ia, e hookaawale i keia mau Oihana, a e haawi aku i na Luna elua, e like me ka manao ana.

E kauia keia Kanawai i ka la o ka hooholo ana.

Hooholoia ma ka Hale Ahaolelo i keia la 27 o Sepatemaba, 1847.

KAMEHAMEHA.

KEONI ANA.

HE KANAWAI HOOLE I KA HAALELE ANA O NA KANAKA HAWAII I KA LAKOU OHANA.

No ka mea, ua holo kekahi poe kanaka maoli a me na haole hooiki, mai keia Aupuni aku, a haalele i ka lakou ohana me ka pilikia, no ka nele i ke kumu ola a ola'i lakou; Nohaila,

Auhau ana, nolaila, aole e hiki ia ia ke hana i na Papa Auhau i oleloia ma ka Apana 3, o ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina Alii o keia Pae Aina, Mokuna 2, Pauku 4, a me ka Haawina 4, Pauku 4, o ia Kanawai; a no ka mea ua kuhi hewa paha na Lunaauhau i ka Auhau ana i ka waiwai e hiki ai ke Auhauia ke hoike mai ke Kuhina Waiwai pela, a me ka Auhau mau a ke Kanawai i kau ai; Nolaila,

Ua hooholoia e na Lii o ka Ahaolelo a me ka Poaikohoa, i ko lakou Ahaolelo ana, penei;

PAUKU 1. E ohi na Lunaauhau o na Mahele a pau o na Moku-puni o keia Pae Aina, i na Auhau; penei,

Ka Auhau aina, e like me ua Kanawai la, Mokuna 2, Haawina 2, "No ka Auhau Aina."

I ka Auhau kino, e like me ka olelo o ua Kanawai la, Mokuna 2, Haawina 1, "No ka Auhau kino."

A i ka Auhau Waiwai e like me ua Kanawai la, Mokuna 2, Haawina 4, ma keia mau waiwai nae e ohi wale ai;

Na lio a me na hoki a me na miula, e like me ka Pauku 7, o ia Haawina.

Na ilio a me na popoki, e like me ka Pauku 9, o ia Haawina.

E pono i na Lunaauhau, o lakou no a o ko lakou hope paha ke kii maoli aku a ohi mai i keia mau Auhau a pau a hiki i ka la mua o Ianuari, i kela makahiki a i keia makahiki, alaila, o ka mea i hoo-le a o ka mea uku ole mai, e pono i ka Lunaauhau a o kona hope paha, ke kii koke aku a lawe mai i waiwai o ka mea i Auhauia e lawa ai ka Auhau ana, a me na lilo a pau no ka ohi ana, a e haawi i ua waiwai la iloko o ka lima o ke Kiaaina, no ka Waihona Waiwai o ke Aupuni.

PAUKU 2. Aole e pono ke koi aku i ke Kuhina Waiwai e hoike mai i papa Auhau e like me ka olelo o ua Kanawai la i oleloia maluna, a hiki i ka wa e hoike pono mai ai na Kiaaina e like me ka olelo o ua Kanawai la, aka, e imi pu ke Kuhina Waiwai me na Kiaaina i mea e koiako ai i na hoike ana no na waiwai lewa a me na waiwai paa, e like me ko laua manao e hiki mai ai ua mau hoike ana.

PAUKU 3. O na aina i Auhauia e ua Kanawai la, Haawina 2, Pauku 1, ina aole i hookaaia mai ka Auhau a hiki i ka la mua o Ianuari i kela makahiki a i keia makahiki, alaila, e hoakaka ka Lunaauhau i ke Konohiki i aeia e na kanaka e noho ana ma ua aina la, a i nele ka aina i ke kanaka ole, i ke Konohiki i loheia, a lohe ke Konohiki i ka nele o kona aina, aole nae oia e hookaa mai i ka Auhau a hala na la he 30 mahope o ia lohe ana, alaila, e hoike ka

Lunaaupahu i ke Kiaaina a i ke Kuhina Waiwai, e hiki ai ia laua ke hoakaka aku i ka Moi, i ka hemo o ua aina la i ke Aupuni.

Hooholoia ma ka Hale Ahaolelo, Honolulu, i ka la 29, o Sepatemaba, 1847.

KEONI ANA.

KAMEHAMEHA.

HE KANAWAI HOOLE I KA HAALELE ANA O NA KANAKA HAWAII I KA LAKOU OHANA.

No ka mea, ua holo kekahi poe kanaka maoli a me na haole hoo-hiki mai keia Aupuni aku, a haalele i ka lakou ohana me ka pilikia, no ka nele i ke kumu ole e ola'i lakou; Nolaila,

Ua hooholoia e na Lii o ka Ahaolelo o ke Aupuni Hawaii, a me ka Poeikohoia, i ko lakou Ahaolelo ana; penei,

PAUKU 1. Ina o ka mea malalo o keia Aupuni, he mea ohana no hoi, ua kokoke e holo, a haalele i kana ohana me ka nele, alaila, ina i hoopii pono ia mai e hiki i na Kiaaina, a me na Lunakanawai a pau o keia Aupuni ke hopu a ke kaohi i ua mea la malalo o ke Aupuni, a haawi mai oia i ka Luna nana i olelo e paa, i ka palapala hoopaa e like me ka mana he pono e hoopaa ana ia ia, aole ia e haalele loa i kana ohana, a e hoomakaukau oia i kumu e ola ai lakou a hoi mai ia.

PAUKU 2. O ke Kapena moku, a o kekahi Luna e ae o ka moku kahiki, ina oia i makemake e hoolimalima i ke kanaka, a i ka haole hoo-hiki paha, e hana no oia e like me ke Kanawai e noho nei no ka hoolimalima ana i na kanaka maoli maluna o na moku kahiki, a i ole ia e hana e like me ia, e pili ia ia na hihia a me na uku e like me ua Kanawai la.

PAUKU 3. E kauia keia Kanawai i Kanawai no keia Aupuni ma ka pau ana i na la he 30, mahope aku o ka la o ka hooholo ana.

Hooholoia ma ka Hale Ahaolelo i keia la 27 o Sepatemaba, 1847.

KEONI ANA.

KAMEHAMEHA.

KANAWAI HOOPONOPONO I KE KUAI ANA I KA ALE, POTA, BIA, KAIDA, A ME NA MEA LIKE.

No ka mea, ma na Kuikahi e noho nei, i hanaia iwaena o keia Aupuni a me na Aupuni e aē, ua aeia na bia, a me ke kaida, e

komo maloko o keia Aupuni ke ukuia ke dute elima hapa haneri i kaulikeia maluna o ka waiwai kahiki; a no ka mea ua nui ke kanalua i ke Kanawai e noho nei, i ka hiki paha i kela mea keia mea hale kuai ke kuai ia mau mea inu la mamuli o kana palapala ae no ka hale kuai, a nolaila, e mahuahua ka ona ana a me na hihia e ae; a no ka mea, ua nui ka ona ana no ke kuai ana i ka mea inu, ua komo paha ka awa a o ka mea ona e ae paha maloko, a kapaia ma ka inoa o "bia."

Nolaila, ua hooholoia e na'lii o ka Ahaolelo a me ka Poeikohoia i ko lakou Ahaolelo ana; penei,

PAUKU 1. E like na Kanawai a me na rula a me na hoopai, no ke kuai ana i ke kaida, ale, bia, pota, a me na mea inu ua hoohuia, me ko na wai ikaika i puhia, ke kuai kukaa a ke kuai liliu no hoi, aole hoi e hiki ia hai ke kuai ia mau mea, o ka poe wale no i loaia ia lakou ka palapala ae i ke kuai rama.

PAUKU 2. O ke kuai ana i ka bia a me na wai hoohuia a pau i hanaia mauka nei, e pili na Kanawai a me na rula a me na hoopai i oleloia ma na Kanawai no na Hotele, a me na Hale Ahaaina, aole hoi e hiki ia hai ke kuai ia mau mea, o ka poe wale no i loaia ia lakou ka palapala ae i ka hana i Hotele, a i Hale Ahaaina, a me ka hale kuai liliu i ka rama.

PAUKU 3. Ina paha e kue kekahi i keia Kanawai, a kuai i ke kaida, ale, pota paha, a i kekahi mea e ae paha, ua hoohuia, ina paha ua hanaia ma keia Pae Aina a ma ka aina e paha, ina i hoo-kolokoloia keia hihia imua o kekahi Lunakanawai haahaa o keia Aupuni a ku ka hewa: e hooukuia oia i elima haneri dala. E hiki ke hoomalu i ka waiwai o ka mea i hewa i keia Kanawai a e kuka-la aku a lilo i mea e loaia ai i na dala o ke hoopai ana, e hiki no hoi i ka Ahahookolokolo ke hoopaa i ua lawehala la iloko o ka hale paahao, aole nae e oi aku i na malama eono.

PAUKU 4. O kela mea keia mea, o ka mea palapala ae i ke kuai rama, a me ka mea i loaia ole i ka palapala kuai rama, ina e kuai oia i kaida, ale, bia, pota, a me kekahi mea inu e ae e ona ai, i ka mea ua hanaia malalo o keia Aupuni, ina ua hookolokoloia a hewa imua o kekahi Lunakanawai haahaa, alaila, e pili ia ia na uku a me na hoopai i oleloia ma ka Pauku 3 o keia Kanawai.

PAUKU 5. E kauia keia Kanawai a e lilo i Kanawai o keia Aupuni ma ka pau ana o na la he kanakolu mahope o ka hooholo ana.

Hooholoia ma ka Hale Ahaolelo i keia la 27 o Sepatemaba, 1847.

KAMEHAMEHA.

KEONI ANA.



NA KUIKAHI

I HANAIA IWAENA O KE AUPUNI O HAWAII NEI A ME KO FARANI, A ME KO BERITANIA NUI.

No ka mea, ua makemakeia kekahi Kuikahi nui e pani ai i ka hakahaka o na palapala ae like e noho nei iwaena o Beritania Nui, a me ko Hawaii Pae Aina, nolaila, i mea e ko ai ia manao, ua ae like ia keia mau Pauku malalo a ua kau like ia na inoa, iwaena o na Aupuni o Beritania Nui, a me Hawaii; a ua hooholoia ka manao paa e hoopauia na Kuikahi e ae, a me na olelo ae like a pau iwaena o na aoao elua, a mai keia manawa aku, e lilo ia mau olelo i mea ole, i mea ole loa hoi.

PAUKU 1. E mau loa aku no ka malu, a me ke aloha iwaena o ka Moi, ke Alii Wahine o ke Aupuni huiia o Beritania Nui laua o Irelani, a me ke Alii o ko Hawaii Pae Aina, a iwaena hoi o na hooilina a me na hope o laua.

PAUKU 2. Ma na Kuleana maoli, a me na kino a me ka waiwai e hoomalu ia ka poe o ka Moi Wahine o Beritania e noho la malalo o ke Alii o Hawaii e like me ka hoomalu ana i na kanaka maoli, a ke ae aku nei ke Alii o ko Hawaii Pae Aina e haawi i na kanaka Beritania i na pono a pau, a me na pomaikai i haawiia i keia manawa a i kekahi manawa mahope aku paha i ko ka aina i aloha nui ia.

PAUKU 3. Ina e hoopiia ko Beritania maanei no kekahi karaima, aole ia e hookolokoloia ia hai, i ka jure wale no a ke Kanikele Beritania e hoike ai, i kanaka maoli paha, a i ole ia i haole no e noho ana, a ae ia e na'lii o ko Hawaii Pae Aina.

PAUKU 4. E pili ka hoomalu ana o ke Alii o ko Hawaii Pae Aina i na Moku Beritania, a me na'lii moku a me na luina. Ina ili kekahi moku ma ke kau wahi, e kokua no na'lii a me na kanaka o ko Hawaii Pae Aina, i hao ole ia ka waiwai. Ina he hoopaapaa, alaila, na ka poe i kohoia e na aoao elua e hooholo i ka olelo no ka uku o ka poe nana i hoopakele.

PAUKU 5. E keakea na Luna o kela wahi keia wahi me ke ku e ikaika aku i ka mahuka ana o na luina mai na moku o Beritania

mai, a e like me ka mea hiki ia lakou e hopu no i na mahuka; a na na Kapena, a me na ona o ua mau moku la e uku i ka lilo pono no ka hopu ana.

PAUKU 6. O ka waiwai kuai o Beritania a me na mea i ikeia ua laweia, mai kekahi aina o Beritania mai, aole hiki ke hookapu ia waiwai, aole hoi e oi ke dute mamua o elima hapananeri o ke kumu lilo. Ua hookoeia nae ka waina a me ka barani. a me na wai ikaika e ae; a e hiki no i ke Aupuni Hawaii ke kau i dute kupono e like me ko lakou mana, aole nae e pii ke dute e hiki ole loa'i i ka lawe ana mai o ia mau mea iuka.

PAUKU 7. O ke dute i kauia maluna o na tona moku, a maluna o ka waiwai a me ka ukana i laweia mai iloko o na moku Beritania aole ia e oi aku mamua o ka mea i kauia maluna o na moku a me ka waiwai o ka aina i aloha nui ia.

PAUKU 8. I ke kuai ana a i ka hana ana i na mea e ae me ko Beritania e hana like ia na kanaka o ke Alii o ko Hawaii Pae Aina me ko ka aina i aloha nui ia.

Ua hanaia ma Honolulu, i keia la 26 o Maraki, 1846.

WM. MILLER,
*H. B. M. Kanikele Nui no
na Mokupuni ma ka Mo-
ana Pakifika.*

R. C. WYLLIE,
*Ko ka Moi Hawaii Kuhi-
na no ko na Aina e.*

[L. S.]

[L. S.]

IOANE II,
Kekahi Luna Wuwai.

* Ua like loa keia me ke Kuikahi Farani. Eia nae kahi like ole, o ka inoa o na aina a me na hua pili i na 'Lii. Eia kekahi; maloko o ka Pauku 3 o ko Farani, ua komo na hua, "No kekahi delit paha."

KE KUIKAHI

I HANAIA IWAENA O KE AUPUNI O HAWAII NEI, A ME KO DENEMAKA, I HOOPONOPONOIA E R. C. WYLLE, Esq, H. H. M. KUHINA NO KO NA AINA E, I KOHOIA NO IA HANA, A ME KA PUUKU O KAPENA STEENA BILLIE O H. D. M. MANUWA GALATHEA, E LIKE ME KE KAHOHA NUI E PONO AI KE KALEPA ANA A ME NA MOKU O DENEMAKA.

No ka makemake nui ia o ke Kuikahi, a me ka olelo ae like iwaena o Denemaka, a me ko Hawaii Pae Aina, nolaila, a no ia manao, ua hooholo maikai ia keia mau Pauku iwaena o na Aupuni o Denemaka, a me ko Hawaii Pae Aina, a ua kakauia na inoa.

PAUKU 1. E mau loa aku no ka malu, a me ke aloha iwaena o ka Moi, ke Alii o Denemaka, a me ka Moi, ke Alii o ko Hawaii Pae Aina, a iwaena hoi o na hoolina, a me na hope o laua.

PAUKU 2. Ma na Kuleana maoli, a me na kino, a me ka waiwai, e hoomaluia ka poe o ka Moi, ke Alii o Denemaka e noho la malalo o ke Alii o ko Hawaii Pae Aina, e like me ka hoomalu ana i na kanaka maoli; a ke ae aku hoi ke Alii o ko Hawaii Pae Aina, e haawi aku i na kanaka o Denemaka i na pono a pau, a me na pomaikai i haawiia i keia manawa, a i kekahi manawa mahope aku paha, i ko ka aina i aloha nui ia.

PAUKU 3. E pili ka hoomalu ana o ke Alii o ko Hawaii Pae Aina i na moku o Denemaka, a me na lii moku a me na luina, ma na awa, a me na wahi ku moku o kona Aupuni. I ka manawa kua, e hoomalu ikaika ia lakou ke mea mai na enemi o ke alii o Denemaka. Ina ili kekahi moku ma ke kau wahi, alaila, e hoiikaika loa ko laila poe Alii, a me na Luna o ke Alii e kokua ia lakou, i hao ole ia ka waiwai. O ka uku no ka hoopakele ana, e hooholoia mamuli o ke Kanawai nui no ka hoopakele waiwai. Ina he hoopaa, alaila, na na mea i kohoia e na aoao elua o hooholo i ka olelo no ia uku.

PAUKU 4. E keakea na Luna o kela wahi keia wahi me ke ku e ikaika aku i ka mahuka ana o na luina, mai na moku o Denemaka mai, a e like me ka mea hiki ia lakou, e hopu, a e hoopaa i na

mahuka, a na na Kapena, a me na ona o na moku e uku i ka lilo ana, e like me ke Kanawai.

PAUKU 5. E aeia ko Denemaka poe kanaka e hele mai, a e noho ma na wahi a pau iloko o ke Aupuni o ke Alii o ko Hawaii Pae Aina, ke loa nae ka palapala na ke Kanikela o Denemaka mai, e hoakaka ai a he poe kanaka pono lakou, aole nae e pono ia ia ke haawi aku i ka palapala e like me ia ia hai, i na kanaka pono no o ka Moi, ke Alii o Denemaka.

Ina makemake na luina o Denemaka e noho ma keia Pae Aina, e loa mua i ke Kanikela Denemaka ka ae o keia Aupuni.

PAUKU 6. Ua ae like ia, e aeia mai ke Kanikela Denemaka e hooikaika nui i ka hoopau i na hihia me na kanaka o Denemaka, me ka hoopii ole mai i na Ahahookolokolo, a ina i laweia kekahi hihia imua o ka Ahahookolokolo no na haole, na ka Luna Kanawai o ia Aha e hoike aku i ke Kanikela Denemaka, a ina i hoopaaia na luina, a me na kanaka o Denemaka no ke kolohe, a no kekahi he-wa, na ka Luna Makai, a i ole ia, o kekahi kanaka e ae o na Makai e hoike koke aku ia ia i ua paa ana la.

PAUKU 7. O na mea ulu ma Denemaka, a me ka waiwai e ae maluna o na moku Denemaka, a laweia mai maluna o kolaila moku, ina i aeia na moku o ka aina e ke lawe mai, alaila, aole hiki ke hookapu, aole hoi lakou e uku i ke dute a oi aku mamua o ko ka aina i aloha nui ia. Ina hoanoeia ke dute i kauia maluna o ka waiwai, aole e hookoia, a hala na malama umikumamalua mahope iho o ka hai mua ana ma ke akea.

PAUKU 8. O ko Denemaka mau mea kuai, a me ka waiwai, a me ka ukana i laweia mai maloko o na moku o Denemaka, ina oi aku ke dute mamua o elima hapahaneri, e aeia ka waiho wale ana i kela waiwai mauka nei malalo o ka palapala hoopaa, a e uku i ke dute maalo wale no.

Mamua o ke kukulu ana o ko Hawaii Aupuni i na hale papaa no ia waiwai palapala hoopaa, e aeia ka waiho ana o ko Denemaka mea kuai, a me kolaila waiwai, a me ka ukana i laweia mai ma na moku Denemaka, iloko o na hale papaa o kanaka, malalo o na sila, a me ka malama ana o na Luna dute Hawaii, maluna nae o ka mea nana ka waiwai, a o kona hope paha ke kaumaha o ka malama ana.

PAUKU 9. E haawii no na moku Denemaka, na lakou e kuai i ka waiwai o na moku, a i kekahi hapa paha, ma na awa komo a pau o ke Aupuni Hawaii, na awa komo o keia wa, a pela no ma ke awa hou, ke weheia kekahi awa no ke kuai i ka waiwai o ka aina e, a

pono no hoi i na moku Denemaka ke lawe aku i ka waiwai o ko Hawaii Pae Aina, i uku no ka waiwai o ko lakou moku. Aole nae lakau e aeia ke lawe i ka waiwai, a me na mea kuai, a me na mea hoouka, mai kekahi Mokupuni, a mai kekahi awa i kekahi awa, no ka mea, ua haawiia kela kuai ana mai kekahi awa i kekahi awa i na moku wale no i holo malalo o ka Hae Hawaii.

PAUKU 10. I ke kuai ana, a i ka hana ana i na mea e ae me ko Denemaka, a me ko kona mau aina, e hana like ia na kanaka o ka Moi, ke Alii o ko Hawaii Pae Aina me ko ka aina i aloha nui ia.

Ua hanaia ma Honolulu i keia la 19 o Okatoba, 1846.

R. C. WYLLIE,
*Ko ka Moi Hawaii Kuhina
 no ko na Aina e, a me ka
 hoa Kukakuka Malu o ke
 Aupuni.*

[L. S.]

STEEN BILLE,
*Ko M. D Puuku, Kapena iloko o
 na manuwa o ke Lii, Alii o Da-
 nebroke, a me ko Farani poe
 "Pour Merite Militaire," ia ia
 ko ka Moi o Denemaka manuwa
 o Galathea.*

[L. S.]

PAUKU HOU. Aole e paa loa keia Kuikahi, a hooiaioia ia e ka Moi, ke Alii o Denemaka, aka, i mea e pono ai na moku, a me na kanaka o Denemaka e hiki mai ana, ua ae like ia no keia manawa, e hookoia no, mai ka la aku o ka hooiaio ana o ka Moi, ke Alii o ko Hawaii Pae Aina.

PAPA KUHIKUHI

No ke Kanawai. Buke 2.

	<i>Aoao.</i>	<i>Pauku.</i>
KANAWAI HOONOHONOHO OIH. LUNAKA.,	3	1
MOKUNA 1.		
Ke ano o ka hoonoho ana i na Ahahookolokolo, a me na ruta pili, - - - - -	3	1
Ke kaawale ana o na Lunakanawai a me na luna e ae,	3	2
Aole hoole ka mea e ae i ka lakou, - - - - -	3	2
Ke Kumukanawai ke kumumanao, - - - - -	4	3
Na na Lunakanawai o ka Ahahookolokolo kakau e noo- noo i ke kupone o ke Kanawai me ke Kumukanawai,	4	3
Na ka Ahahookolokolo kakau ke hai aku i ka ole a me ka noa loa o ke Kanawai, - - - - -	4	3
Na lakou e hooholo i na olelo e pili ana i ka pono, a me na olelo ae like, - - - - -	4	3
Ka lakou olelo hooholoia, a hoopii ole hoi e paa mau no, O na olelo a me na manao a elua hapakolu o na Luna- kanawai kiekie, e lilo no i Kanawai maoli no ke Au- puni, - - - - -	5	4
Ma na Ahahookolokolo kaksu e hoike no i na olelo a me na manao i hooholo ia ma na aina e, - - - - -	5	4
Na mea hiki i kela i keia Ahahookolokolo ke hana ma ko lakou wahi iho, - - - - -	5	5
I na mea ma ko lakou wahi, - - - - -	5	5
I na mea hewa a me na mea kolohe, - - - - -	5	5
I na mea hihia waiwai, - - - - -	5	5
Aole e lilo kekahi i hoike nona iho, - - - - -	6	6
Na ka poe jure e olelo aku ma ka oiiao a me ka ole o na hana i hoike ia, - - - - -	6	7
Na ka Lunakanawai e ao aku i ka poe jure i ke ano o ke Kanawai, - - - - -	6	7
Ka lakou mea e hiki ke hoopai koke, - - - - -	6	8
O ka olelo kuamuamu, - - - - -	1	
O ka hana uhauha, walaau, - - - - -	2	
O ka hookuli i ka olelo, - - - - -	3	
O ke kue maoli, - - - - -	4	
O ka hoote maoli i ka hooheke, - - - - -	5	
O ka hoopuka i ka olelo paewaewa, a wa- hahee paha, - - - - -	6	

	<i>Aoao</i>	<i>Pauku.</i>
E hoopai, a e hoouku, aole e oi i na dala elima haneri,	6	8
Hoopaa hoi i ka halepaahao, aole e oi i na la he kanakolu,	7	8
Hoolilo i kekahi kanaka o ka Moi i Loio,	7	9
Ka hana a ka poe Loio,	7	9
Na Hope, Kokua, Koo,	7	9
Ke ano a me ka hana a na Hope, Kokua, a Koo,	7	10
Olelo hoohiki a na Loio mamua o ka lilo ana i Hope, i Kokua, a i Koo paha,	8	11
Palapala hookohu na ka Hope, Kokua, a i Koo,	8	12
Ka hana a ka Hope,	8	13
No ke ao ana o ka mea e lilo ana i Hope, a i Kokua, a i Koo paha,	8	14
Elua ano o na Ahahookolokolo,	8	15
Ko ke Aupuni Ahahookolokolo kakau,	8	15
He sila ko lakou,	8	15
He mau Ahahookolokolo kakau ole,	8	15
Na na Kiaaina e hoonoho i poe Lunakanawai,	8	15
Na na Kiaaina a me na Makai e hooko,	9	15
Ano o na Ahahookolokolo kakau,	9	15

MOKUNA 2.

NO NA AHAHOOKOLOKOLO KAKAU OLE, - 9

HAAWINA 1.

Ahahookolokolo haahaa,	9	
Ka mah le ana i ka Mokupuni o Hawaii,	9	1
Mahele ana o Maui,	9	1
Mahele ana o Oahu,	9	1
Mahele ana o Kauai,	9	1
Na na Kiaaina e hoonoho i hookahi Lunakanawai i elua paha ma kela apana keia apana,	10	2
Na ke Kiaaina e hoopau hoi,	10	2
Kapaia ia he poe Lunakanawai Apana,	10	2
Na mea a na Lunakanawai Apana e hiki ai ke hana,	10	3
Aole lakou malalo o na rula paa,	10	4
Ma ke kauoha wale no, aole ma ka palapala e kii ai i ka poe kolohe,	10	5
Hiki no i kekahi aoao ke hoopii,	11	6
Ke ano o ka hoopii ana,	11	7

HAAWINA 2.

No na Ahahookolokolo Haahaa ma Lahaina, Maui, a ma Honolulu, Oahu,	11	
O kekahi o na Lunakanawai Apana, oia ka Lunahooma- lu no Lahaina,	11	1
O kekahi hoi no Honolulu,	11	1
Na ia mau Lunahoomalu e kakau i ka lakou hana ana,	11	1
Na mea a laua e hookolokolo ai,	11	1
Na laua e hoopuka i palapala kii i kekahi aoao,	12	2
Na mea a laua e hooholo ai i ka olelo,	12	2
Ke ano o ka palapala kii,	13	3

	<i>Aoao.</i>	<i>Pauku.</i>
Na laua e kakau i na hihia i ka buke, - - - -	13	4
Mahope o ka hooholo ana i ka olelo no ka hihia waiwai e kakali i na hora he kanawalukumamaha, - - - -	13	5
Ke ano o ka palapala ohi, - - - -	13	5
No ka hoopii ana no ka hookolokolo pololei ole, - - - -	13	6
Hiki no ia laua ke hoopuka i palapala hoomalu i ka waiwai,	14	6
Ke ano o ia palapala hoomalu waiwai, - - - -	14	6
No ka hooihiki wahahee malaila, - - - -	14	7
Ina oi aku ka aie mamua o ka haneri dala hookahi, alai- la hoihoi ia i ka Ahakuapuni, i ka Ahakoikoi paha,	14	8
Aole pono e hoopuka i ka palapala hoomalu a haawi mua mai ka hoopii i palapala hoopaa me ka uku poho ole,	14	8
Ke ano o ua palapala la, - - - -	15	8
E hoihoiia ka palapala kii a me ka palapala hoomalu ma- loko o na la he umi, - - - -	15	9
A lilo ia i mea ole, ke hooakaka ole ka mea hoopii, - - - -	15	9
Ina hele mai a hooiaio i kona mea i hoopiiia, alaila, hiki no ke ohi, - - - -	15	9
Ka hooko ana i na palapala hoomalu, - - - -	15	10
Aole e laweia ka waiwai ma kahi e, - - - -	15	10
Na ka Makai nana e hoomalu e kakau, - - - -	16	10
Ina he aina, a me ka waiwai paa, e kau oia i palapala hoike, - - - -	16	10
Ke ano o ua palapala la, - - - -	16	10
No ka hoopau ana i ka palapala i kau ia maluna o ua aina la, - - - -	16	10
Ina he waiwai hiki ke lawe ia, e kau ka Makai i palapala hoakaka, - - - -	16	10
Ano o ia palapala, - - - -	16	10
Ke ano o ka ohi ana, e lawe maoli ka Makai a malama no,	16	11
E kakau no i kona mea e lawe, - - - -	16	11
E hoolaha no i ka lawe ana i na la he kanakolu, - - - -	16	11
Ma ka Nupepa e hoolaha ai, a i ole, ma na wahi ike nui ia ekolu, - - - -	16	11
Ke ano o ia palapala hoolaha, - - - -	17	11
I ka la kuai, hoike ka Makai i ka waiwai, - - - -	17	12
Ka palapala hoakaka i ke kuai ana, - - - -	17	12
Hiki i ka Makai ke koho i jure ke hoole kekahi mea e aku,	17	13
Ina i kuai aku ka Makai i ka waiwai o hai no ka Makai ka hewa, - - - -	17	14
Na ka Makai e hoole, aole hoomalu ke haawi ole mai ka hoopii i palapala hoopaa, - - - -	17	15
Ke ano o ka palapala hoopaa, - - - -	18	15
Ina loa ka Makai ka palapala hoopaa, hiki no ke koi aku i ka uku ana, - - - -	18	16
Aole jure ma ia hana ana, - - - -	18	16
Ina e hana hewa kekahi i ka waiwai o hai, - - - -	18	17
Hiki i ka Lunakanawai ke hoopuka i ka palapala huli, - - - -	18	17
Ke ano o ua palapala huli la, - - - -	19	17
Na hua hope o ka Pauku ewalu o ka palapala hoopaa, - - - -	19	18
Aole e hiki i ua mau Lunakanawai nei ke hookolokolo no ka hoino inoa, - - - -	19	19

	<i>Aoso.</i>	<i>Pauku.</i>
Ko laua mea hiki a me ko laua mea hiki ole, - - -	20	19
Hiki no ke hoopuka i palapala hopu no ka hewa, a e ni- nau a waiho i ka halepaahao, - - -	20	20
Ke ano o ka palapala hopu, - - -	20	21
Na mea e hiki ai i ka Makai nana e hooko i ka palapala hopu, - - -	21	22
Ka palapala hopu ka palapala huli, - - -	21	22
Ka hana ana, ina hopuia ke kanaka no ka hana i hoaka- kaia ma ke Kanawai he karaima, - - -	21	23
E kakau no ka Lunakanawai i moolelo, - - -	21	23
Ke ano o ka palapala lawe, - - -	21	23
Ka mea e kuuia'i ka mea i hoopiiia, - - -	22	24
E hiki i na mea hoopapaa ma ke Kanawai, ke koho i mau mea paewaewa ole nana e olelo, - - -	22	25
Hiki no i ka mea aie ma kona kino iho, a ma kona hope paha, e ae aku no ia aie, - - -	22	26
Na ka Lunakanawai ke hoopaa ia olelo, - - -	22	26
O ka waiwai e hiki i ku ohia a me ka ole, - - -	23	27
Na mea e hiki ai i ua mau Lunakanawai la, - - -	23	28
Ina pilikia kekahi i ka Lunakanawai hoomalu, - - -	23	29
Na hihia a na Lunakanawai hoomalu e hookolokolo, hiki no ke hoopii hou, - - -	23	30
Ke ano o ka hoopii ana, - - -	23	30
Ina noiia mai ka Lunakanawai a ukuia ke koina ka ha- neri dala, a i palapala hoopaa paha, alaila hoike koke, -	24	31
Ina hoopii kekahi a ko, - - -	24	33
Ina hoopii hou kekahi mai ka Luna apana a i ka Luna- kanawai maluna, - - -	25	34
Ina aole e hoopii mamua ae o na la he umi mahope o ka holomanao ana, o ka pau no ia, - - -	25	35
Ina hooholo na kanaka i kohoia i ka olelo no kekahi hihia, -	25	36
Aole e lilo maoli ke kanaka Hope, i Kokua, i Koo paha, e like me ka hana ana imua o ka Ahakakau, - - -	25	37
E hele nona iho kela a me keia, - - -	25	37
O ka uku no ia hookolokolo ana, - - -	26	38

MOKUNA 3.

NA AHAHOOKOLOKOLO KAKAU, - - - 26

HAAWINA 1.

No na Ahahookolokolo kaapuni, - - -	26	
Ke ano o ia Ahahookolokolo, - - -	26	1
He mau wahi e hookolokolo ai, - - -	26	1
Na manawa e hookolokolo ai, - - -	26	2
Na kekahi o na Lunakanawai koikoi e noho Peresidena, -	26	2
He sila ko ia mau Aha, - - -	26	3
Na na Kiaana e hoonoho i elua mau Lunakanawai hele ole e hana pu, - - -	27	4
Na ke Alii iloko o ka Ahakukakuka Malu e hooholo i ka olelo no ka uku o ua mau Lunakanawai hele la, - - -	27	4
No ka hoakaka ana i ka manawa e hookolokolo kaapuni ai, -	27	5
Na mea e hiki ai i ka Ahakaapuni ke hana, - - -	27	6

	<i>Aoa.</i>	<i>Pauku.</i>
Hiki no ke hookolokolo hou i na hihia i hoopii hou ia,	28	7
Na mea e hiki ole ai ke hana, - - - - -	28	8
Na mea e hiki ai i na Lunakanawai hele ole, - - -	28	9
Aole e oi ka manawa hookolokolo mamua o na la he umi- kumamaha i ka manawa hookahi, - - - - -	29	10

HAAWINA 2

NO KA AHAHOOKOLOKOLO KOIKOI A KAU- LIKE, - - - - -		
Ka hoonoho ana o ia Aha, - - - - -	29	1
Ma Honolulu kahi e akoako ai, - - - - -	29	1
Ekolu no o ia Aha, na ka Poeikohoa e koho, - - -	29	2
Na ke Alii a me ke Kuhina Nui e haawi i ka palapala sila,	29	2
Ano o ka Hoohiki ana o lakou ekolu, - - - - -	29	3
Na ka Moi a me ka poe Kukakuka Malu ka uku, - -	30	4
Na ia mau Lunakanawai e hooholo i na rula a me na mea e pololei ai ka hana, - - - - -	30	5
Na mea a lakou e hiki ai ke hana, - - - - -	30	6
Hookahi malama ka manawa e hookolokolo ai i ka mana- wa hookahi, - - - - -	31	7
Ina he mooaie loihi a hihia, e hiki no ke koho i na mea e ae nana e olelo, - - - - -	31	8
Hiki no ke hoopai i ka mea pale hihia no kona hele ole mai, - - - - -	31	9
O ka mana i haawia i ua mau Lunakanawai la, - - -	31	10
E hoonoho no lakou i Kakauolelo, e noho no oia ma Ho- lulu, - - - - -	32	11
Ka hana a ke Kakauolelo, - - - - -	32	11
Ka hana o ke Kakauolelo, Pauku 12, 13, 14, 15, 16, 17, 18, 19, - - - - -	33—35	

HAAWINA 3.

NO KA AHAHOOKOLOKOLO KIEKIE, - - - 35		
O ke Alii ka Peresidena o na Lunakanawai Kiekie, - -	35	1
I ole ia o ke Kuhina Nui, - - - - -	35	1
Kahi a lakou e akoako ai, ka manawa hoi, - - - -	36	2
Ka lakou olelo, he olelo mana, he olelo hope loa, - -	36	3
Hihia ke hookolokolo mua, ina he Kiaaina ma kekahi aoao,	36	4
Aole e hiki ke hoopii i na Lunakanawai kiekie, a pau na aha hookolokolo kupo malalo i ka hana, - - - -	36	5
O na hoopii mai na Luna hoona aina e hoopii no i na Lu- nakanawai kiekie, - - - - -	36	5
Ina hihia iwaena o na kanaka maoli, hiki no ke hoopii ilaila,	36	5
Pela no Pauku 6, a me 7, a 8, a 9, - - - - -	37	
Aole hookolokolo jure imua o na Lunakanawai kiekie, -	37	10
Hiki nae ina he Kiaaina ma kekahi aoao, - - - -	37	10
Ina he jure, imua o ka Ahakoikoi ka hana, - - - -	37	10
Ma ka olelo Hawaii ka olelo, - - - - -	38	11
Ma ka pepa pai, a i ole ia ma ka pepa kakau ka hana ana,	38	11
O ke Kuhina Aopalapala ke kakau olelo no ia Aha, - -	38	12

	<i>Loao.</i>	<i>Pauku.</i>
Ka hana a ke Kakauolelo, - - - - -	38	13
Pela no, - - - - -	38	14
Pela no, - - - - -	39	15
Na pono o na Ahakakau a pau ma ke keena e pili no i ka poe Lunakanawai kiekie, - - - - -	39	16
He sila ko na Lunakanawai kiekie, - - - - -	39	17

MOKUNA 4.

KE ANO O KA HANA ANA A NA AHAHOOKO-
LOKOLO KAKAU, - - - - - 39

HAAWINA 1.

NO KA HOOMAKA ANA, A ME KA HANA ANA, A ME KA HOOHOLO LOA ANA I KA OLE- LO I NA HOOPII WAIWAI, - - - - -	39	
Na mea hoopii e kakau i palapala noi na ka Peresidena,	40	1
Ano o ia palapala noi, - - - - -	40	1
Ina haawiia ka palapala noi, e hoopuka no ke kakau ole- lo i palapala kii, - - - - -	40	2
Ke ano o ka palapala kii, - - - - -	40	2
E sila ia na palapala kii a pau o keia aha, - - - - -	40	3
Ina hoikeia ka palapala kii i kekahi, nana no e haawi aku i palapala hoakaka maloko o na la he iwakalud, - - - - -	41	4
Ina huikau a loihi na moaie, hiki i na luna kanawai ke hoonoho i mau mea imi, - - - - -	42	5
O ka poe hoonohoia pela e hooihiki mua - - - - -	42	6
Ka hana ana o ia poe, - - - - -	42	7
Ka hana ana ke kolohe maoli ka mea aie, - - - - -	42	8
A hakiia ka palapala hoopaa, - - - - -	43	9
Ma na hihia waiwai o kela ano keia ano ma ka palapala noi e hana'i, - - - - -	43	10
Ke ano o ia palapala noi, - - - - -	43	10
Ina loa hou ka mea kupono i kekahi waiwai maopopo, e waiho ka mea hoopii i palapala noi, - - - - -	43,	10
Ke ano o ia palapala hoopii, - - - - -	44	10
Ina aole manao e hoopaa i ke kanaka. alaila, aole koi i ka mea hoopii e hooihiki, - - - - -	44	11
Ina e hoopaa ia kekahi me ka hooihiki no, - - - - -	44	11
Ina haawiia ka palapala noi, aole nae olelo kaohi e hoo- puka ke kakau olelo i palapala kii, - - - - -	45	12
Ke ano o ia palapala kii, - - - - -	45	12
Ina hoikeia ma kela palapala ke kumu e hoopaaia'i ka mea i hoopii'i, - - - - -	45	12
Ina hoomaluia ka waiwai paa, na ka luna e haawi i ke kope, - - - - -	45	13
O ka mea i hoopoino, e uku ka mea i hana, - - - - -	46	14
Ina hoopiiia kekahi, a olelo ole mai, alaila hiki i ka Luna- kanawai e hooholo, - - - - -	46	15
Ina e wehe hou, e kakau ia ma ka Moohihia, - - - - -	46	16
Ke ano o ka uku ma ka Pauku umi, - - - - -	46	17

	<i>Aoo.</i>	<i>Pauku.</i>
Ke ano o ka hana ana ke hooheitoia kekahi, - - -	46	18
Ina he hoopaapua kumu, na ka jure, - - -	47	19
No ka hooke ana i ka Moraki, - - -	47	20
Ke ano o ka hana ana, - - -	47	20
Ua lilo na Moraki hope o ia waiwai i mea ole, - - -	48	20
O na hihia ma na Moohihia, e hookolokolo mua ka mea i kaku mua ia, - - -	49	21
O ke kanaka i hai mai i ka mea hihia, oia ka hoopii no ia hihia, - - -	49	22
Ina he hihia e lewa wale ana na ka Lunakanawai e hoo- noho i ka Luna, - - -	50	23
Ina hookolokoloia kekahi a hoaponoia, - - -	51	24
O ka luna hooke e ohi no, - - -	51	25
Ka waiwai lewa i kapu, aole ohi ilaila, - - -	51	26
A ohi ka Luna, alaila, hoolaha i ke kuai, - - -	52	27
Ke ano o ia hoolaha ana, - - -	52	27
Hoopukaia ka palapala ohi, na ka Lunakanawai ke haa- wi i ka palapala hookii, - - -	52	28
Ina hooalalahaia kekahi hookolokolo ana, - - -	53	29
Ina mana kekahi ua poino oia, - - -	53	30
Ke ano o ka hana ana, - - -	53	30
Aole hiki ke hoopii ma ke kanawai i ka olelo waha ke ha- la ka makahiki hookuti, - - -	53	31
Pela ka aie ma ka buke Mooaie ke hala na makahiki elua, - - -	53	31
Ke ano o kela aie keia aie, - - -	54	31

HAAWINA 2.

NO KA HOOMAKA ANA, HANA ANA A ME KA HOHOLO ANA I KA OLELO NO NA HEWA, - - -	54	
O na hewa a pau ma ke ano kue i na kanawai na ka Aha- hookolokolo kaku e tana, - - -	54	1
Na ka Loio o ke aupuni e haawi i papainoa, - - -	54	2
Na ka Lunakanawai mai ka palapala hoopa, - - -	55	3
Heluheluia ka palapala hoopii e ninauia ka mea hewa, - - -	55	4
Ina ae ka mea hoopiiia, aole jure, - - -	55	5
E aeia i ke pio ke hooahuahualau i na hoike, - - -	55	6
Ina aole mea kokua i ka mea i hoopiiia na ka ahahooko- lokolo e hoonoho i kokua nona, - - -	55	7
O ka olelo a ke jure, o ka olelo a ka Lunakanawai oia ke kumu e hooholo ai ka olelo, - - -	56	8
Hiki i ka Lunakanawai ke hoopanee i ka hoopai, - - -	56	9
Aole e hoopai a make ka mea hehena, - - -	56	10
Aole e hoopai a make a hala e na hora 44, - - -	56	11
Na ka Ilamuku a o kona hope e hoopai i ka make, - - -	56	12
Ke ano o ka li i ka mea i hooheuaia, - - -	56	12
Ina holo ka olelo no kekahi uku iho i ka make, - - -	56	13
Na na Lunakanawai ka mana o na mea pili i ke kanawai ke hoopuka i palapala kena, - - -	56	14

HAAWINA 3.

NO NA HANA KUPONAI KA LUNAKANAWAI

KE HANA MA KONA KEENA IHO, - - 57

E malama na Lunakanawai oia aha i hale hana, e kapaia
keena, - - - - - 57 1

Na mea hana malaila, - - - - - 57 1

Na mea hana a ka Peresidena, - - - - - 57 2

O ka mea make kauoha, - - - - - 58 3

O ka mea make kauoha ole, - - - - - 58 4

No ke keiki malalo o na makahiki he umikumamalua, - 58 5

No ka noi ana o kekahi wahine kane make, - - - 58 6

Na ka Peresidena e mahale i ka poho, - - - 59 7

Hiki no hoi ke koho i mea paewaewa ole, - - - 59 7

Kekahi mau hana e ae a ka Peresidena, - - - 59 8

E lilo ka Peresidena ka Lunakanawai kaulike, - - 59 9

O na mea ma ka Pauu ehiku e hanaia ma ke ano bila e
noi ana i kaulike, - - - - - 60 10Na ka Peresidena e hoakaka i na rula o kana hana ana
ma ke keena, - - - - - 60 11I ka hooponopono waiwai ana o na mea make e haawi oia
i hana, - - - - - 60 12

Ke ano o ia haawi ana, - - - - - 60 12

I ka hoonoho ana i kahu, Penei, - - - - - 60 13

E koi aku ka Peresidena i ka mea hooponopono waiwai
hooilina e haawi i palapala hoopaa, - - - 60 14

E hooleia ka mea iuu rana aole ia he kahu keiki, - - 61 15

Aole e koi i ke kahu keiki, a me ka hooko kauoha ke
haawi i palapala hoopaa, - - - - - 61 16Na ka Peresidena e hoakaka i ka loihi o ka manawa a
hooko, - - - - - 61 17E hiki i na Lunakanawai ke koiako aku i na hookokauo-
ha e hana pono, - - - - - 61 18Hiki no i ka Peresidena Lunakanawai ke hoopuka i pa-
lapala kuu kino, - - - - - 61 19Hiki no i ka Peresidena ke ae aku i ka hookolokolo ana
ma kahi e, - - - - - 61 20Na na Lunakanawai koikoi e hoolaha aku i na rula e ma-
lamaia'i i ka hoopii ana, - - - - - 62 21Hiki no na Lunakanawai koikoi ke koiako i ka mea hoo-
pii e haawi i palapala hoopaa, - - - - - 62 22

Ia ia e ae aku a kii aku i ka jure haha i ke kino, - - 62 23

Kona mea e ae e hiki ai, - - - - - 62 24

NO KA HOOKOLOKOLO JURE, - - - - 62

Ke ano o ka hana ana i jure, - - - - - 62 1

O ia hana no, - - - - - 63 2

O ia hana no, - - - - - 63 3

O ia hana no, - - - - - 64 4

Ina aole hiki i ka Peresidena, o ka Iiamuku paha e unu-
hi i ka poe jure, - - - - - 64 5

	Aoa.	Pouku.
Ia he haoli kekahi a he kanaka maoli, alike alike ka poe jure,	64	6
Ia he haole hooiki ole i hoopiiia no ke karaima,	64	7
Na ke Kakauolelo koikoi e hana ma ka aoao o ke Aupuni,	64	8
Ia hoole ke Kanikela, a o kona hope paha.	64	9
A hoikeia ka papa inoa o ke Kanikela,	64	10
E unuhiia ka jure no ke karaima e like me ia no ka hihia waiwai,	65	11
O na hoopiiia kekahi no ka hewa e make ai, hiki no ke hoole wale i ka jure a hiki i ka umi;	65	12
Ma ka hoakaka ana i keena kekahi hoole ana,	65	13
No ka holoi ana i na inoa jure,	65	14
Ke ano o ka holoi ana i ka poe jure,	65	15
Na ka mea noi aku e holoi jure e uku,	66	16
No ka jure ma ka Ahahookolokolo kiki,	66	17
Na ke Kakauolelo o kela aha keia aha e unuhi,	66	18
Ia aole hele mai ka poe jure i kiiia, alaila na ka Iuna-kanawai e kauoha i ka Iiamuku e lawe mai i kekahi poe,	66	19
O na mea e kiiia e hele mai no a i ole e pili ke Kanawai,	66	20
Aole hooemi ka poe jure malalo o ka 12,	67	21
Ia like ole ka mana o ka poe jure,	67	22
O ka uku no ka poe jure a no na hoike,	67	23
OLELO PILI I O IA NEI,	67	
No ke kuae ana i keia Kanawai,	67	1
E paaia keia Kanawai i ka Olelo Hawaii a me ka Olelo Enelani,	68	3
NA MEA I PAKUI HOU IA MAI,	69	
NO KA AWA. — OLELO AE LIKE,	69	
Mai ka la i hoolahaia i keia Kanawai, kapu ke kanu wale ana i ka awa,	69	1
Na ke Kuhina Kalaiaina ke haawi i ka palapala ae i ke kuru,	69	2
Ka manawa e hookapua i ke kanu ana,	69	3
Pono i ke Kuhina Kalaiaina ke haawi i palapala ae i ke kua,	69	4
Pono hoi ia ia ke haawi i ka palapala hoolilo no na Kanuana,	69	5
O ka awa a pau e ulu ana mahope o Dekemaba, aole e kuai wale ia,	70	6
O ka awa i ikeia e ulu ana kua i keia Kanawai e uhukiia,	70	7
KANAWAI NO KA MAHELE O KA MOKU-PU- NI OAHU,	70	
NO KA AUHAU OLE A ME KA HELE OLE I KA HANA,	71	
Ua kuuia ka poe kua a pau,	71	1
Kuuia na kamana a me na paahana e ae,	71	2

	<i>Acso.</i>	<i>Postu.</i>
O ka poe aialo a me na aipuu, - - - -	71	3
O na misionari a pau, aole e aubauia, - - - -	71	4
NO NA KULEANA AINA, A ME KA HOOLIMA-		
luna ana, a me ke kuui ana, a me ka mahele ana i ka aina—Olelo ae like, - - - -	71	
Ko ka hoaina kuleana iloko o ka aina, - - - -	71	1
Ko ke Konohiki kuleana, - - - -	72	2
Ko ke Aupuni kuleana, - - - -	72	3
No ka lilo ana i kekahi ma ke ano alodio, - - - -	72	4
Lilo kekahi aina i mahia, a koe ke kula, - - - -	72	5
Ina makemake ke kanaka aina ole e kuai, - - - -	72	6
Ina makemake kekahi Konohiki e mahele i kona aina, - - - -	73	7
Ina makemake ke Aupuni e mahele, - - - -	73	8
O na kanaka i hemo i ka paahao, - - - -	73	9
NO NA HOLOHOLONA AEA.—Olelo ae like, - - - -		
Ina komo hewa kekahi bipi, - - - -	73	1
Ina komo hewa ka holoholona iloko o kahi mahi ole ia, - - - -	74	2
Ina kuuwale aku kekahi i ka holoholona o hai, - - - -	74	3
MANAO LIKE I HOHOLOIA, - - - -		
No ka hoona ana i ke Kanawai i hooholoia i ka la 27 o Aperila, 1846, - - - -	74	1
Na na Lunakanawai koikoi e koho a e hoopau i ka noho ana o ka Hope Kokualunakanawai, - - - -	74	2
Na ka Moi e hookohu i mea kakaa i kope no ke Hawaii Pae Aina, - - - -	75	3
Pela no na Maui, Hawaii a me Kauai, - - - -	76	4
Na ka Moi e hookohu i ka Ilimuku, - - - -	76	5
Pau ka noho ana o ke Kokualuakanawai i kekahi o na Luna hoona, - - - -	76	7
OLELO AE LIKE E HOOLU AI I KA HOLO-		
ana mai o na moku okohola, a no na mea e ae no hoi, - - - -	77	
KANAWAI NO KE KULEANA AINA O NA KA-		
naka o na aina e, - - - -	79	
KANAWAI I HOHOLOIA I MEA E PANI AI		
na hakahaka iwaena o ka "Poe hoona kumukuleana aina, - - - -	80	
Na ka Moi e pani i ka hakahaka ke haule kekahi, - - - -	80	1
E hoohiki no ka mea i komo, - - - -	80	2
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STATUTE LAWS

OF

HIS MAJESTY KAMEHAMEHA III.,

KING OF THE HAWAIIAN ISLANDS ;

PASSED BY THE

HOUSES OF NOBLES AND REPRESENTATIVES,

DURING THE TWENTY-SECOND YEAR OF HIS REIGN, AND THE FIFTH YEAR
OF HIS PUBLIC RECOGNITION,

A. D. 1847 :

TO WHICH ARE APPENDED THE

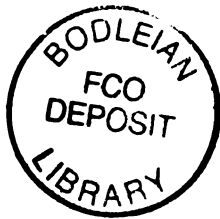
ACTS OF PUBLIC RECOGNITION,

AND THE

TREATIES WITH OTHER NATIONS. (Page 100)

VOL. II.

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1847.



**JAMES JACKSON JARVES,
DIRECTOR OF GOVERNMENT PRESS.**

THIRD ACT KAMEHAMEHA III.

AN ACT TO ORGANIZE THE JUDICIARY DEPARTMENT OF THE HAWAIIAN ISLANDS.

CHAPTER I.

PRINCIPLES AND RULES RELATING TO THE COURTS IN GENERAL.

SECTION I. *Be it enacted by the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :—*

That in order to conduct with greater certainty and system, the several judicial functions specified in the constitution, and required by the exigencies of this kingdom, by the treaties with other powers heretofore made and hereafter to be entered into, and by the general usage and comity of nations, there shall be, and is hereby created, a Department to be styled the Judiciary Department of the Hawaiian Islands.

SECTION II. Said Department, and the several judges and other judicial officers connected therewith, shall be distinct from, and in all respects independent of the executive department, organized and authorized by the first and second organic acts to which this act refers. The King, in his executive capacity, shall in no case control the judgments, decisions, and awards made or sanctioned by or before any of the said judges and judicial officers, neither shall he have authority to overrule the judgments, decisions, or awards

so made or sanctioned, except as Chief Judge of the Supreme Court, a majority of said court concurring with him in opinion : Provided however, that nothing herein contained shall be construed to prevent His Majesty, as executive head and chief magistrate of the kingdom, from pardoning at pleasure, any person offending against the laws, after final conviction in any of the said courts : and further provided, that nothing herein contained shall prevent the executive branch in any matter criminal or civil, in which this government is concerned as a party, plaintiff or prosecutor, from withdrawing its suit, or from entering *nolle prosequi*, as contemplated in the fifth part of an act, entitled an act to organize the Executive Departments of the Hawaiian Islands.

SECTION III. The principles of the Hawaiian constitution, and the prescriptions of an act entitled an act to organize the Executive Ministry, of an act entitled an act to organize the Executive Departments, of this act, of the civil code, of the criminal code, and of the laws, ordinances, and decrees heretofore passed and enacted, which have not been repealed by constitutional authority, and those hereafter to be enacted, shall be the measure of all judgments, awards, and decisions of the several judicial officers and courts created by this act. They shall have judicial regard to the rights vested and acquired by the government, and by private individuals, under any law, ordinance, or decree constitutionally and legally passed and promulgated, which may afterwards have been repealed, and shall as to such vested and acquired rights, consider such law as still in force for judicial purposes. Being of the courts of record, they shall determine for themselves the constitutionality and the binding effect of any law, ordinance, or decree passed, enacted, or put forth by the Nobles and Representatives under the approval of His Majesty, and of all orders in council, circular letters, patents, standing instructions, executive rules, ordinances, and decrees by His Majesty put forth through any of his executive departments or officers, with, or without the sanction of his Privy or Cabinet Councils. They shall have power judicially, being courts of record, to declare void or null any such act, ordinance, order or decree, patent letter or instruction as may upon mature consideration appear to them contrary to the constitution, opposed to the vested and acquired rights of individuals, to the law of nature and of nations, and to subsisting treaties with any foreign power. They shall adjudge and determine the validity of all considerations founding either public or private obligations, contracts, and agreements, national, international, or personal. Being courts of record, they shall administer the comity of nations, and take notice as matters of fact, of the laws of foreign countries. They shall have jurisdiction to determine all controversies in which this government is a party plaintiff, prosecutor, or defendant ; or arising between private parties, relating

to actions sounding in tort, to personal wrongs or chattels, or affecting the title to, or possession of land and tenements : Provided always, that nothing herein contained, shall be so construed as to interfere with the rights and jurisdiction of the Board of Commissioners to quiet Land Titles. They shall have jurisdiction to try and determine all crimes and misdemeanors, and to inflict the sentences annexed thereto by law.

SECTION IV. The judgments and decisions of said courts, whether of record or not of record, unless appealed from, shall be final and binding upon the parties, and upon the subject matter before them, and shall be, as to the causes so decided and unappealed from, the law of this kingdom, not to be disregarded, but to be fulfilled by the parties and enforced by mandate of the courts. Judgments and decisions passed and rendered by two thirds of the Judges of the Supreme Court, shall be the absolute law of this kingdom, as effectually binding in the controversy or question submitted to them, as if passed by the Legislative Council of Nobles and Representatives, and sanctioned by the King in his executive capacity. Said judgments and decisions of the Supreme Court, shall be binding and compulsory upon all inferior courts, in all matters, causes, and controversies, and the parties litigant, plaintiff, defendant, prosecutor, or prosecuted, may cite them for that purpose, and they shall be taken notice of by said courts as such, in the administration of justice. The reasonings and analogies of the common law, and of the civil law, may in like manner be cited and adopted by any such court, so far as they are deemed to be founded in justice, and not at conflict with the laws and usages of this kingdom. The principles sustained by said courts when sanctioned by the supreme court, shall become incorporated with the common law of the Hawaiian Islands, and shall form an essential ingredient in the civil code : Provided always, that the legislative Council of Nobles and Representatives, may by act sanctioned by His Majesty, and duly promulgated, correct, alter, or abrogate the principles of such abstract judgments and decisions, in analogous cases afterwards to arise before said courts, or any of them.

SECTION V. The said respective courts shall within the territorial and maritime limits, and the controversial amounts hereinafter assigned to each, derive jurisdiction from the presence of the party defendant or prosecuted, or from the local commission of the offence within their respective judicial limits. The local commission of crimes or misdemeanors, and the local liability to fines and penalties shall give jurisdiction in criminal and tortuous acts, to the courts otherwise having jurisdiction thereof by this act ; and the presence of the defendant or his property within the local limits assigned to a court otherwise empowered by this act, shall give jurisdiction to such

court for determining such civil controversy ; and in either case, unless appeal be taken, said court shall have power to proceed to judgment, and to enforce the same by execution.

SECTION VI. No person shall be allowed to give evidence in his own behalf ; neither shall any person be compelled to give evidence against himself : Provided however, that the statements or declarations of an accused person may be taken as good evidence against such person ; and further provided, that in civil suits a party defendant may voluntarily confess judgment himself at the suit of the plaintiff in any controversy, without the form of trial.

SECTION VII. In all civil causes triable by jury, the jury shall be solely judges of the facts proven before them. They shall not in such cases have power to determine the law applicable to those facts, or the legal construction to be given of any law, or to any contract or agreement, or the legal points arising therein, nor of the jurisdiction of the court over the matter submitted to them, nor of the constitutionality and force of any law ; but such constructions, interpretations and questions shall be solely determined by the judge, judges, or other judicial officers before whom the matter is depending ; who shall instruct the jury as to the law upon which such facts are to be applied by them in their verdict.

SECTION VIII. The said courts, being courts of record, the judges and other judicial officers thereof shall have power to punish summarily, any person or persons guilty of either of the following acts :—

1. Of any disrespectful or abusive language used in their presence ; or any disorderly, contemptuous, or insolent behavior, committed during their sittings, and in their immediate view and presence, tending to interrupt their proceedings, or to impair the respect due to their authority :
2. Of any breach of the peace, noise or other disturbance, tending to interrupt their proceedings :
3. Of any wilful disobedience of any process or order lawfully issued or made by them :
4. Of any wilful resistance to any of their lawful orders or process :
5. Of any contumacious refusal to be sworn as a witness ; and when so sworn, of the like refusal to answer any legal and proper interrogatory :
6. Of the publication of any false or grossly inaccurate report of its proceedings :

The punishment for such contempts may be by fine not exceeding five hundred dollars, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court. Persons punished for contempt under any of the preceding provisions of this section, shall notwithstanding be liable to indictment for such contempt, if the same be an indictable offence.

SECTION IX. The said courts, being courts of record, shall have power to examine and admit as practitioners at their respective bars, such persons being Hawaiian subjects of good moral character, and having taken the oath faithfully to discharge their duties, as they may find qualified for that purpose ; which practitioners shall be summarily amenable to the courts appointing them, and may be fined, imprisoned, or dismissed from the roll of practitioners for satisfactory cause, upon the complaint of any party aggrieved by their malpractice, or for nonpayment of monies collected by them for private suitors. They shall, when admitted and licensed, have the right to practice in the courts of record admitting them, and to appear therein as attorneys, counsellors, or solicitors in behalf of third persons who may choose to retain them for prosecution or defence of actions, civil, criminal or mixed. They shall be entitled to charge for their services the fees and perquisites of action and defence prescribed by the courts of record, which being taxed by any judge of the court, shall be added to the judgment and collected for their benefit upon the execution issued thereon. No person shall be allowed to practice as attorney, counsellor, or solicitor in any court of record in this kingdom, who shall not have been previously licensed so to do by the court in which he proposes to practice : Provided, that nothing herein contained shall be construed to prevent any person, plaintiff, defendant, or accused, from appearing in person before any court organized or created by this act, and there prosecuting or defending his own cause without the aid of legal counsel : And provided further, that any court of record in this act organized or by this act created, shall have power to allow a practitioner not licensed therein, to appear in any particular cause, provided he be of the degree of counsellor in the courts of some other nation in comity with this.

SECTION X. The attorneys, counsellors, and solicitors so appointed, shall have control to judgment and execution of all suits and defences confided to them by their clients : Provided however, that no attorney, counsellor or solicitor, shall have power to compromise, arbitrate and settle such matters confided to him, unless he have special authority so to do conferred upon him by his client in writing.

SECTION XI. The oath of office to be taken and subscribed by attorneys, counsellors, or solicitors, shall be in the following form :

COURT _____,
ISLAND OF _____, H. I.

_____, being duly sworn, deposes that he will support the constitution and laws of the Hawaiian Islands, and faithfully discharge the duties of attorney, counsellor, and solicitor of said court, according to the best of his abilities.

Subscribed and sworn to before me this _____ day of _____, 18—.

SECTION XII. The license to be given an attorney, counsellor or solicitor, shall be in the following form :—

COURT _____, }
Island of _____, H. I. }

_____, Esquire, having been examined and found duly qualified, and of good moral character, I do hereby license him to practice in this court as an attorney, counsellor or solicitor thereof, during good behavior.

Given under my hand and the seal of the court, this _____ day of _____, 18—.

(L. S.)

_____,
Chief Judge or Presiding Judge.

SECTION XIII. It shall be the province of an attorney at law to institute suits or interpose written pleadings or defences before the courts in which they practice, and to conduct the same in writing, in vacation or in term time, preparatory to the trials intended. It shall be the province of counsellors at law to appear on the trial of any cause before the court, and conduct said trial or defence before the court or jury, as the case may be, and it shall be solely competent to solicitors to practice in matters of chancery or equity.

SECTION XIV. It shall be competent to the several courts of record to affix terms and periods of study preparatory to the admission of attorneys, counsellors and solicitors, and to prescribe rules for the government of said officers in the pursuit of their practice, not inconsistent with those hereinafter prescribed.

SECTION XV. The courts created and organized by this act, shall be of two classes, viz. : National courts of record, having seals and being of original and appellate jurisdiction, and Island courts not of record, having no seal, and having solely the original jurisdiction hereinafter confined to them. The judges of the courts not of record, shall be those particularly applicable to the islands, which the governors are required to appoint by the constitution, and over whom the said governors shall be considered to preside, and whose sentences they shall see executed by the officers they may have sanctioned, in accordance with the fifth part of an act entitled an act to organize the Executive Departments. The judges appointed to preside over courts of record shall be those applicable to national courts in contradistinction from Island courts. The courts of record shall form a judicial chain of appeal leading to the supreme court, who are entitled

to correct their erroneous judgments and decisions. The said national courts of record shall have legal jurisdiction, that is, power to determine matters in controversy according to the strict letter and meaning of the law relied upon or violated by any party litigant, plaintiff or defendant in any cause, brought before them. They shall also have equitable jurisdiction, that is, power to relax the strict and harsh rules of law as manifested in its words, and to administer justice according to the enlarged spirit and intent of such law, applying necessary remedies to evils that are not specifically contemplated by law, and conserving the cause of morals and good conscience.

CHAPTER II.

THE ISLAND COURTS NOT OF RECORD.

ARTICLE I.—OF THE JUSTICE'S COURTS.

SECTION I. For judicial purposes the island of Hawaii shall be subdivided into the following districts, viz. : 1st, Kona, 2d, Kau, 3d, Hilo and Paua, 4th, Hamakua, 5th, Kohala.

The island of Maui into the following districts :—1st, Kahakuloa and Kaanapali, 2d, Lahaina Oleva and Ukumehamea, 3d, from Waikapu to Waihee, and from Hamekuapoko to Kula, 4th, Honuaala, 5th, Hauekualoa, Koolau, Hana, Kipahula, Kaupo and Kahikinui, 6th, the dependent island of Molokai, 7th, the dependent island of Lanai.

The island of Oahu into the following districts :—1st, Ewa, 2d, Honolulu and Waikiki, 3d, Koolaupoko, 4th, Koolauloa, 5th, Waialua, 6, Waiamea.

The island of Kauai into the following districts :—1st, Kona, 2d, Halelea, 3d, Koolau, 4th, Paua, 5th, Wahiana to Kepa, 6, the island of Niihau.

SECTION II. The governors of said respective islands shall appoint one or more judicial officers, not exceeding three, for each of the districts in their respective islands above named, giving due notice of their appointment to the King through the Minister of the Interior, and to the people of said districts by proclamation. They shall any of them be removable on complaint to the governors appointing them, sustained by proof of fraud, collusion or corruption in office, or of partiality or injustice to any party aggrieved, or to the government. They shall be denominated District Justices.

SECTION III. Said District Justices shall have jurisdiction to determine, subject to appeal as hereinafter provided, all civil cases and cases of theft, wherein the property stolen or involved in contro-

versy shall not exceed one hundred dollars ; and all cases of riot, assault, fornication, and other misdemeanors wherein the fine shall not exceed one hundred dollars, the party or parties defendant or prosecuted, being resident or having usual domicile in their appropriate districts, or being found therein for the time being, whether the parties in said cases be natives or foreigners, except that in the districts of Lahaina and Honolulu said justices shall have no jurisdiction in those cases in which any foreigner may be a party. They shall also have power to issue warrants for the arrest and examination of all such criminals and offenders as are not subject to their jurisdiction, and upon satisfactory evidence of the probable guilt of any criminal thus arrested, to commit him to prison for trial at the ensuing term of the Superior Court or the Circuit Court of their respective islands. It shall be the duty of said justices in all such cases of arrest and imprisonment, to furnish the judge who is to preside at the trial of any such criminal with the evidence taken before him, upon which the commitment of any such criminal is founded.

SECTION IV. Said judicial officers, other than those prescribed in and by the second article of this part, shall have all the necessary powers in and for the administration of justice, in cases either civil or wrongful ; but shall not be confined to forms ; neither shall they be compellable in such cases to preserve any other record of their transactions and proceedings than the mere conclusion, determination, or judgment to which they arrive between litigant parties.

SECTION V. They shall have power to cite parties and witnesses by oral message or in writing, at their discretion, and taking equitable consideration of the controversy depending before them, to render judgment according to law.

SECTION VI. Appeal may be taken from their judgments to any local circuit judge at chambers, by either party deeming himself aggrieved, within ten days after judgment rendered, upon oral demand of such appeal. Review of such appeal at chambers may be entertained by either of the local circuit judges for the island (who shall entertain a rehearing of the parties, and cause the evidence relied on by them to be reduced before him) without the intervention of a jury, and shall render judgment upon such new rehearing according to the very right of the matter in controversy, preserving however, the minutes of the testimony, and of the trial and proceedings in every such primary appeal.

SECTION VII. It shall be competent to any party deeming himself aggrieved by the appellate decision of any local circuit judge, as in the preceding section allowed, to take exception thereto, either

upon the facts in controversy or upon legal grounds, which exception said circuit judge shall note in writing and certify if required, and the party deeming himself aggrieved by the decision excepted to, may by payment of the costs accrued and twenty-five dollars for the costs further to accrue, have said appealed controversy placed at his option upon the calendar for the next regular circuit, or supreme court; when, if the cause of appeal be for grounds of law only, it shall be tried and determined on debate in *banco*, or if for grounds of fact, it shall be tried and determined as other causes coming originally before the said courts.

ARTICLE II.—OF THE POLICE COURTS FOR LAHAINA IN THE ISLAND OF MAUI, AND FOR HONOLULU IN THE ISLAND OF OAHU.

SECTION I. One of the District Justices appointed for the second district of Maui, shall by appointment be police justice for the port of Lahaina, and one of those appointed for the second district of Oahu, shall be police justice for the port of Honolulu, in said respective islands. These shall in all cases preserve in written detail the minutes and proceedings of their trials, transactions and judgments. They shall have original jurisdiction of torts and of wrongs arising upon the high seas, and upon the waters within His Majesty's maritime jurisdiction, and of controversies arising between the masters and crews of vessels, domestic or foreign, except for felony, and in cases of felony committed upon the high seas, they shall have jurisdiction to examine and perpetuate the evidence thereof; to commit the felon for probable cause, and to certify the facts and reasons of such commitment, to be used in evidence abroad upon the remission of the offender to his domestic forum. They shall respectively have exclusive original jurisdiction within the precincts of their respective districts over all police cases proper, and over all cases where the amount of property in dispute shall not exceed one hundred dollars, wherein one or both of the parties shall be foreigners. Their criminal powers over public offenders shall be coextensive with their respective islands for the purpose of their arrest, examination, commitment and enlargement. Their mode of administering justice in civil and criminal cases, shall be that hereinafter prescribed, and where in this chapter cases are contemplated to which are not prescribed forms and modes of treatment, they shall have power to apply

rules and forms thereto not inconsistent with this chapter, but as nearly as may be analogous thereto.

SECTION II. The said police justices, when applied to and tendered the costs of process, shall within their respective jurisdictions issue summons to any defendant party or parties, commanding such party or parties, to appear and show cause why judgment should not be rendered upon a plaintiff's demand. If a defendant so summoned do not appear at the day, hour and place recited in such summons, the oath of the officer that it was duly served personally upon the defendant, shall authorize the justice, if the claim be upon a note due, to render judgment therefor, and for the costs as by default, without other proof; if upon an account or book debt, he shall take ex parte proof by the examination under oath of some credible witness, that the said debt honestly accrued, and render judgment according to the evidence so taken, ex parte upon default; if upon a contract, agreement or promise, written or verbal, other than a note or book debt, such justice, if the defendant being personally served with summons, do not appear at the time set, shall by examination of the plaintiff's witnesses ex parte, award judgment for default of appearance, according to the right of the matter involved. If the party in any of the cases above mentioned appear and deny the liability, the said justice shall allow full latitude to show cause by the evidence of witnesses, and for this purpose may grant sufficient time by adjournment, may subpœna and compel by attachment the attendance of witnesses, and shall decide the matter at issue between the parties, allowing any offsets in deduction of a plaintiff's demand that may have been proven by a defendant, and in case such offsets exceed the plaintiff's demand to render judgment for such excess in favor of the defendant.

SECTION III. The summons so to be issued by either of the said justices, in cases of alleged monied indebtedness or obligation under contract, whether written or verbal, express or implied, within the value of one hundred dollars, may be in the following form:—

To any Constable of the District of _____, Island of _____, H. I. :—

You are commanded to summon _____, if he can be found in this district, to appear before me at _____, on the _____ day of _____, to answer the demand of _____, for _____ dollars _____.

Notify the said _____ that upon default to attend at the place, on the day and at the hour above mentioned, judgment will be rendered ex parte by default.

Given under my hand this _____ day of _____, 18—.

Police Justice for the District of _____.

SECTION IV. The said justices shall keep each for himself a Docket, in which he shall enter every cause by him determined, with the testimony and the facts upon which his decision rests. He shall

conclude each case with the particular nature of the judgment or decision rendered ; and in civil cases the amount thereof, if in money, or the object thereof if not sounding in money ; whether in favor of the plaintiff on assessment by default or upon proof, or in favor of the defendant by non-suit or by excess of offset.

SECTION V. Either of the said justices shall at the request of the party recovering any civil judgment, unless one hundred dollars or bond as hereinafter mentioned be deposited with him to secure the costs of appeal, within forty-eight hours after the rendition of such judgment, issue his execution against the property of the party recovered against, which may be in the following form :—

To any Constable of the District of _____, Island of _____, H. I. :—

You are commanded to levy upon the personal property of _____, if any within your district, and if sufficient cannot be found, then upon his real property within said district, and giving thirty days previous notice as required by law, to sell the same, or so much thereof as may be found necessary, at public sale to the highest bidder, in order to satisfy a judgment rendered by me against him on the _____ day of _____, 18—, for _____ dollars and _____ cents, the costs of this court inclusive, collecting also the legal interest thereon, from the date thereof, and your costs and the expenses of levy, advertisement and sale. Make due return to me of this writ, with your proceedings thereon, and the money by you so collected, on or before the expiration of _____ days ; and hereof fail not at your peril.

Given under my hand this _____ day of _____, 18—.

Police Justice for the District of _____.

SECTION VI. Upon sworn complaint being made to either of the said justices, by a party or some other person in his behalf, setting forth that his demand was contracted in a fraudulent or deceitful manner, or upon false or unfounded pretences by the debtor, or that the debtor having honestly contracted the debt or obligation, seeks to avoid the payment thereof, by secreting his property, or by intention to transfer the same to some third person with that object, or is about to remove his property out of the jurisdiction of the district, or if not triable before the police justice is about to remove it out of the jurisdiction of the island circuit, or is eluding the service of summons, or is about to quit the island, said justice shall have power to issue an attachment against the property of such debtor at the suit of the creditor, which may be in the following form :—

To any Constable of the District of _____, Island of _____, H. I. :—

You are commanded to attach and safely keep the property of _____, if any can be found within this district, subject to the order of this court (or subject to the order of the court as the case may be) at the sworn information and suit of _____, plaintiff, to answer to a debt (or obligation, as the case may be,) alleged to be due him from said _____, and having so attached, you are further commanded to summon the said _____, if he can be found in this district, to appear and answer the complaint and demand of the said _____, before me at

_____, on the _____ day of _____, (or to appear and answer the complaint and demand of the said _____, before the court of _____, to be holden on the _____ day of _____ next,) and then and there show cause, if any he has, why judgment should not be rendered against him, and the property by you attached subjected to execution, levy and sale, for the payment of said demand, interest and costs.

Notify the said _____, that upon default to attend at the place and upon the day and the hour above mentioned, judgment will be rendered against him *ex parte* by default.

Given under my hand this _____ day of _____, 18—.

Police Justice of the District of _____.

SECTION VII. Any person applying under oath for such attachment, knowing the grounds of application to be false, shall be liable upon proof thereof to the pains and penalties of perjury.

SECTION VIII. In case such sworn application be made to either of said district justices in any matter of indebtedness greater in alleged amount than one hundred dollars, the summons and attachment shall be made returnable to the circuit or superior court, and the constable shall return the same to the court. In every such case, it shall not be lawful for the justice to issue attachment, until the applicant shall have deposited with him a bond in a penal sum at the discretion of the justice, with one or more sufficient sureties, to be approved by said justice, which shall be in substance as follows :—

KNOW ALL MEN BY THESE PRESENTS, That we, _____, principal, and _____, surety, are held and firmly bound unto _____, of _____, Island of _____, Hawaiian Islands, in the penal sum of _____ dollars _____ for the just and full payment of which, we jointly and severally bind ourselves, our heirs, executors and administrators firmly by these presents, in case the following condition be violated.

Sealed with our seals and dated this _____ day of _____, 18—.

The condition of this obligation is, the said _____, principal, has this day made application for an attachment to be imposed upon the property of _____, defendant, which attachment and the summons accompanying the same are made returnable at the court next to be holden at _____.

Now if the said plaintiff shall duly appear and substantiate the truth of his said complaint, at the return of said writ, and if the said attachment shall not before that time be dissolved by order of a justice of the Superior Court at chambers, then this obligation to be void : Otherwise, the same shall be enforceable against us, our heirs, executors or administrators, for all the costs of the said proceeding, both on the part of the said principal and of the said defendant, the costs of court, and the damages sustained by the said _____, defendant.

Given under our hands and seals the day and year first above written.

_____, (L. S.)

_____, (L. S.)

_____, (L. S.)

SECTION IX. In case such application be made for attachment to an amount not exceeding one hundred dollars, the summons and attachment shall be returnable within ten days after summons served before the justice issuing the same, and shall be by him dissolved, in

case the applicant fail to establish his claim, on appearance and contest of the merits of such indebtedness by the defendant ; but in case the defendant make default, or appearing, the plaintiff substantiate his demand, the property attached shall be liable to execution at his instance, and shall be levied on, advertised and sold as in other cases, subject to the right of appeal, and subject to the right of property in third persons.

SECTION X. Every attachment issued as aforesaid, shall be imposed by placing the property in security without removing the same from defendant's premises, except for greater safety. The officer so attaching shall take an inventory thereof, and append a copy of the same to his return of the attachment. He shall also furnish a copy of the inventory to the defendant, and if the property attached be lands or tenements, post in a conspicuous place upon the premises a public notice of the following import :—

These premises are attached by virtue of a writ from ———, Esquire, Police Justice of ———, returnable at ———, on the ——— day of ———, at the suit and complaint of ———, for ——— dollars.

Dated, ——— day of ———, 18—.

Which notice, if the attachment be dissolved, on motion to a justice of the superior court at chambers, or by non-appearance of the plaintiff on the day indicated for return, or by failure to sustain by satisfactory proof the merits of his claim, or by the recovering of an offset balance by the defendant, shall be removed from the property. If the property attached be removable, the said constable shall post in three conspicuous places within the district a notice in substance as follows :—

By virtue of a writ from ———, Esquire, Police Justice of ———, returnable at ———, on the ——— day of ———, at the suit of ———, for ——— dollars, I have attached, subject to a demand to be proved, the following articles of property, viz. :

All persons having rights in said property are notified to prove their claims on or before the return day above named.

Dated, ——— day of ———, 18—.

—————.

In case the attachment and summons be returnable at the Circuit or Superior Court, the sheriff of the island shall in addition to the above local notice from the constable, post the like notice, signed by him or his deputy, in three public places at the seat of such court.

SECTION XI. Every levy by a constable in pursuance of a judgment rendered by either of the said justices shall be made by taking

the property levied upon into his possession, care and private guardianship, at the risk and peril of the constable, and in his option, by removal of the same to any place of security preparatory to advertisement and sale. The said constable shall in like manner make an inventory of the property levied upon, and shall give the following public notice of levy and sale, for the space of thirty days from the day of levy, by posting three such notices in conspicuous places in the district if there be no newspaper therein ; but if there be a newspaper by publishing it therein for thirty days, and if at Honolulu, in the Island of Oahu, by publishing for that period in the Polynesian newspaper a notice in either case in substance as follows :—

In virtue of a writ of Execution issued by ———, Esquire, Police Justice of ———, upon a judgment against ———, defendant in execution, in favor of ———, plaintiff in execution, for ——— dollars, I have levied upon, and shall expose for sale to the highest bidder, on ———, the ——— day of ———, at ——— o'clock, A. M., at the ——— in the ———, the following property, viz :

Unless the said judgment, interest, costs of suit, and my fees and commissions be previously satisfied.

SECTION XII. On the day of sale set forth in the said notice, and at the place and hour therein named, the said officer shall expose such levied property to sale, and shall sell the same to the highest bidder, to whom he shall give, at the expense of the defendant in execution, a certificate of purchase in substance as follows :—

The following described articles being this day sold pursuant to the mandate of an execution, and according to law, to ———, the highest bidder, for the sum of ——— dollars, he has become the lawful owner thereof, viz. :

Dated, ——— day of ———, 18—.

SECTION XIII. Whenever any claim to property levied upon by an officer shall be interposed by any person other than the debtor, such officer shall have the power to select and impanel a jury of twelve disinterested men, who shall try the question of the ownership of the property claimed. Their verdict however shall not be final and conclusive upon the parties, but shall, if the jury find the title not to be in the debtor, justify the officer in releasing said property from execution, unless a sufficient bond of indemnity be tendered him by the person in whose favor the property is levied upon. If such bond be tendered, he shall proceed to sell the property notwithstanding the finding of the jury.

SECTION XIV. No sale by execution as aforesaid shall operate to convey a greater estate or interest in the property sold than the defendant had at the time of such sale ; and all such sales of property

not belonging to the defendant shall subject the officer to the private action of the purchaser, being afterwards deprived thereof by the real owner.

SECTION XV. Any officer holding an execution or attachment may decline to levy or attach property of the defendant, unless the plaintiff in execution or attachment shall tender him a bond of indemnity against the consequential injury likely to ensue thereon. Such bond of indemnity when required shall be in substance as follows :—

KNOW ALL MEN BY THESE PRESENTS That we, ———, principal, and ———, sureties, are severally held and bound unto ———, of ———, Island of ———, Hawaiian Islands, in the penal sum of ——— dollars, ——— for the payment of which well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators firmly by these presents.

Sealed with our seals and dated this ——— day of ———, 18—

The condition of this obligation is, that whereas ———, of ———, is now about to levy or attach the property of ———, defendant, in execution or attachment, to satisfy my demand against him: Now if he at the suit of any third person interested, become liable and be found guilty of trespass by reason of such levy (or attachment) and shall be condemned to the payment of damages, then this bond to stand good to him as his private indemnity, and to be leviable of our joint and several property to the extent thereof: Otherwise, to be void and of no effect.

Given under our hands and seals the day and year first above written.

—————, (L. S.)
 —————, (L. S.)
 —————, (L. S.)

SECTION XVI. Bonds of indemnity so given shall be collectable by the officer receiving the same, upon bare citation to show cause and proof of the genuineness of the signatures thereto, without the intervention of a jury, and the damages to be assessed thereon shall be the amount recovered against the said officer, interest and costs of said suit, and expenses of such citation and judgment of indemnity; for which execution may be issued against the co-obligors, both jointly and severally, leviable as in other cases of indebtedness.

SECTION XVII. Upon application made to either of said justices under oath, showing good and satisfactory reasons for believing that any person within his jurisdiction is wrongfully secreting property of another, or of his own, to the prejudice of another, and upon bond to the said suspected person, filed with said justice as in the succeeding section prescribed, said justice shall have power to grant a warrant to search the person or premises of said suspected person, and to take the property secreted by him for some judicial purpose to be stated in the application, and the legality of which shall be determined by said justice. Said warrant may be in the following form :—

To any Constable of the District of ———, Island of ———, H. I. :—
 Information having been given to my satisfaction, by the oath of ———, that ———, residing or being in said district, is wrongfully secreting (here

specify the property if possible) belonging to said informant, (or any other person for whom he applies,) with intent to defraud the said informant, (or other person in whose behalf he applies,) and the said ——— having deposited a bond, with approved security, conditioned to answer the said ——— for all damages, costs and charges to arise in consequence of his act in this respect, if adjudged to be a wrongful trespass :

You are commanded to search the person and premises of the said ———, to discover if possible the property aforesaid, and for that purpose, if necessary, to break locks, doors and bolts, and if opposed, to secure the persons of such opposers until you shall have completely searched his person and premises. And having found, to safely keep the same, to the end that justice may be done to the said ——— in the premises.

You are also further commanded to apprehend the said ——— and to bring him forthwith before me to answer to an allegation of (wrongful, fraudulent or felonious, as the case may be,) concealment, so alleged against him by the said ———.

Make return of this writ and of your proceedings thereon with all convenient speed.

Given under my hand this ——— day of ———, 18—.

—————,
Police Justice of ———.

SECTION XVIII. The bond so required to be given, may be in the like form as is in and by the eighth section of this chapter required in cases of attachment, but shall be upon a condition in substance as follows :—

The condition of this obligation is, that whereas the said ———, principal, has this day made application for a warrant to search the premises (or person and premises, as the case may be,) of ———, residing in this district, upon a sworn allegation of (wrongful, fraudulent or felonious, as the allegation may be,) concealment of property (belonging to him, or to ———, as the case may be,) with intent, (as the case may be,) or for the purpose, (as the case may be, setting forth the alleged object of the alleged concealment,) to the detriment of the said ———, principal, in that (setting forth the kind of injury arising from said concealment:)

Now if the said ——— shall in consequence of said warrant and search, or in consequence of the taking of such property have lawful right to claim damages, costs or charges, and the same shall be awarded to him, then this obligation shall be in force against us the co-obligors, and our joint and several property, to the extent of the penalty above set forth, and shall be leviable to that extent by execution.

Given under our hands and seals the day and year first above written.

—————, (L. S.)
—————, (L. S.)
—————, (L. S.)

SECTION XIX. The said justices shall not have jurisdiction to try actions for slander, libel, defamation of character, malicious prosecutions, breach of promise of marriage, false imprisonment, nor seduction. They shall not have power to decree divorce, nor affiliate bastards, nor to appoint guardians, nor to take the probate of wills and testaments; nor to grant letters testamentary nor of administration, nor to admeasure dower to widows. Neither shall they have jurisdiction to try and determine any crime, legally speaking, triable by jury, or any misdemeanor triable by a jury, as hereinafter prescribed. They shall, nevertheless, subject to appeal, have power to try with-

out jury, allowing full latitude of testimony and debate, and to render judgment, enforce fines and sentence to imprisonment, according to law, for breaches of the public peace, for riots, for assaults, for blasphemy, for open desecration of the Sabbath, for disturbance of public or private schools, churches and divine worship, for destruction of school or church property, for defacing or removing notices posted in accordance with any law of this kingdom, for drunkenness, for lewdness, for fornication, for receiving stolen property, for defrauding the revenue laws to an amount not exceeding five hundred dollars, and for petit larceny or theft not exceeding one hundred dollars.

SECTION XX. The said justices shall respectively have power to issue criminal warrants for the apprehension of, and to examine and commit to prison for trial at the Circuit or Superior Court, any person accused by any credible witness or witnesses of any crime or misdemeanor against the laws of this kingdom.

SECTION XXI. In all cases of misdemeanors or of crimes contemplated in the two preceding sections, in which a warrant of arrest shall be issued by either of the said justices on the information of some person cognizant thereof, the said warrant shall be verified by the oath of the informant, that he has knowledge of, or reason to believe the commission of such misdemeanor or crime, by some person whose name or description, if possible, shall be alledged in the information, as well as the place where the violation of law took place, and the names of the witnesses, if any. Such warrant of arrest may be in the following form :—

To any Constable of the District of ———, Island of ———, H. I. :—

You are commanded on the information of ———, verified by oath, forthwith to arrest and take the body of ———, accused of ———, if he can be found, and forthwith have his body before me at my office in ———, at any time between the hours of —, A. M., and —, P. M., (to answer to the said crime or misdemeanor, or to show cause why he should not be committed for trial at the Circuit or Superior Court, as the case may be.) And you are also commanded, having arrested the said ———, to summon as witnesses of accusation ———, if they can be found, and to make due return of your proceedings upon this writ.

Given under my hand this — day of ———, 18—.

—————,
Police Justice of ———.

SECTION XXII. The officer charged with the execution of any such warrant, shall have power, and is hereby fully authorized, to use reasonable force in the execution or service thereof. He shall also be authorized to search for, seize and take into possession to be used in evidence, anything found in possession of such suspected or accused person at the time of his arrest, that may tend to the conviction of the accused, and for that purpose the said criminal process shall serve as a search warrant. Nothing however in this or the preceding

sections contained, shall be construed to prevent any constable or other executive judicial officer of this kingdom, from apprehending persons known by them to have committed crimes or misdemeanors, or common offences, without warrant for that purpose from any court or judicial officer created by this act : Provided, that in all cases of arrest by an executive judicial officer without warrant, the arresting officer shall thereby become and be deemed himself the informant.

SECTION XXIII. In all cases of arrest for crimes or for misdemeanors cognizable before a jury, the magistrate in whose jurisdiction or on whose warrant the accused was arrested, shall, upon the bringing up of such accused, proceed to consider whether there is probable cause to believe that a jury of the Circuit or Superior Court would, upon the evidence adduced, convict the accused of the crime or misdemeanor charged against him. Said justice shall reduce to writing, in substance, the evidence so elicited on examination, with the respective names of the witnesses, and if in his opinion the testimony do not warrant commitment for trial, he shall release the prisoner, entering that fact upon the criminal docket to be kept at his office ; but if in his opinion there should be probable cause to believe that upon the evidence produced to him conviction would take place before a jury, he shall make out, sign and deliver to the constable by whom the accused was arrested a mittimus, which may be in the following form :—

To ——— or any other Constable of the District of ———, Island of ———, H. I. :—

It appearing to my satisfaction, from the testimony hereunto affixed, that there is reason to believe that ———, who was arrested for ———, on the information of ———, (or otherwise, as the case may be, describing how he came before the justice,) would be convicted upon indictment for the said offence : You are commanded to deliver him the said ——— to the Sheriff of the Island of ———, or his empowered deputy, who is hereby authorized to commit him to the jail of said island, for trial at the Superior or Circuit Court, as the case may be ; and have you then there this writ, with full return of your proceedings thereon.

Given under my hand this ——— day of ———, 18—.

—————,
Police Justice of ———.

SECTION XXIV. The failure to find a bill against any accused person at the next Circuit or Superior Court, or having found such bill, the failure to prosecute the same at the ensuing Circuit or Superior Court, unless the court postpone the same for good reasons, or failure to sustain such bill upon any of the charges therein preferred, or a verdict of not guilty to all the counts therein set forth, or the successive disagreement of two juries impaneled to try the same, shall operate as an acquittal of the accused, and as a supersedeas of the power of the marshal, the sheriff or his deputy, longer to detain the said accused in custody upon the allegations for which he was originally committed.

SECTION XXV. Neither of the said justices shall have power to determine any matter required by law to be tried by jury, whether civil or criminal, nor to appoint referees in any cause: Provided, that parties litigant, having agreed in writing to appoint arbitrators for the determination of their civil rights within the value in money cognizable before said justices, and having agreed to make the award when rendered a judgment of any such court, the said justice, upon the coming in of such award and satisfactory proof of such written agreement, shall enter up judgment for the amount awarded, according to the agreement, and shall issue execution upon such judgment as in other cases, with or without appeal, as agreed upon by the contracting parties, being paid the fees of the court.

SECTION XXVI. Any person indebted to another or liable to another in law for money to an amount not exceeding five hundred dollars, may, with or without suit first instituted against him, appear in person or by duly empowered attorney, before either of said justices and there confess a valid judgment against himself and his property for such sum with costs. And it shall be the duty of said justice in every such case to enter up such judgment in the same manner as if he had rendered the same upon default, or upon evidence of indebtedness, and to issue execution thereon in like manner, and with the like effect: Provided, that no such judgment confessed without suit shall have the effect in law to cover or conceal the property of a debtor, nor to take precedence of other judgments subsequently rendered, if it be made apparent that the same was collusively or fraudulently confessed, or confessed without legal consideration, or with the view of giving fraudulent and undeserved precedence of one creditor over another.

SECTION XXVII. No judgment rendered in either of said justices courts, shall be a lien upon landed or other real property within this kingdom, until a transcript thereof, certified by such justice, shall have been docketed in the office of the clerk of the Superior Court. Such justice's judgment shall be a lien upon the moveable effects of the defendant in execution, not exempted by law from levy, from the time and according to the priority of levy.

SECTION XXVIII. The said justices shall have power to administer oaths, to perpetuate testimony under commissions issued to them from other justices or judges of the same or other islands, to issue commissions for the perpetuation of such testimony to be used in controversies depending before them, and to legalize acts of adoption of children as allowed by law. To enforce the taxes of their respective districts on the complaint of the tax gatherers and overseers of public labor, and to enforce summarily as to justice may seem appro-

appropriate, the complaints of the general superintendants in the respective school districts corresponding to their judicial limits, according to the requirements of the fourth part of an act, entitled an act to organize the Executive Department of the Hawaiian Islands.

SECTION XXIX. The said respective justices shall, on complaint of the government or of any party conceiving himself aggrieved, be liable to mandamus, prohibition or injunction from any of the courts of record. Such injunction, prohibition or mandamus shall be on pain of complaint to, and removal by the governor of the island appointing such justice.

SECTION XXX. Appeal may be taken in any case or cause tried and determined by or before any such police justice, by any party in interest, for any exception of law or of fact, decided by such justice, to the Circuit Court of the island or Superior Court of the kingdom, in ten days after the rendition of judgment, and if execution shall have been in the meantime issued and levy been made thereon, subject to such levy in case the judgment below shall be affirmed, upon the following conditions, and in the following manner :—

The party desiring to appeal shall within ten days from the day of trial file his exceptions in fact, or in law, with the justice, and give him notice of his intention to appeal. He shall also pay the costs accrued, deposit with the said justice the sum of one hundred dollars to be held conditioned for the payment of costs of the court on the appeal, in case the judgment be not reversed, or in lieu of such deposit, he shall file with said justice a bond to the plaintiff below, with sufficient surety, approved by the justice, in the sum of one hundred and fifty dollars, upon a condition in substance as follows :—

The condition of this obligation is, that whereas _____ has this day (or on the _____ day of _____, as the case may be,) recovered a judgment before _____, Esquire, Police Justice for the district of _____, Island of _____, to which the said _____, principal, has filed his objections and demanded appeal.

Now if he shall prosecute said appeal with all due diligence and sustain the same before the Circuit Court of said island, or the Superior Court, as the case may be, then this obligation to be void : Otherwise, so much of the penalty in this bond mentioned as shall be sufficient for the payment of costs of court, shall become and be entered up as a joint and several judgment against us the said co-obligors, collectable by execution upon our joint and several property without further assessment or trial.

Given under our hands and seals the day and year first above written.

_____, (L. S.)
_____, (L. S.)

Approved and signed in my presence.

_____, Police Justice of _____.

SECTION XXXI. Upon such application being made and accrued costs paid, and the said one hundred dollars deposited, or such

bond filed, the justice shall give immediate notice thereof to the other party, and if execution shall have been issued, to the officer charged therewith, and shall also within ten days after the receipt of such application, costs and sum or bond, make out and transmit to the court a literal transcript of all the record and proceedings had before him ; which if he fail to do said court shall have power, upon complaint, to compel him by mandamus.

SECTION XXXII. A compliance with the provisions of the two last preceding sections shall immediately thereafter operate as an arrest of judgment and stay of execution.

SECTION XXXIII. Costs shall be allowed to the prevailing party in judgments rendered on appeal, in all cases, with the following exceptions and limitations :—

1. If the defendant against whom judgment is rendered before a justice, appeal, and judgment thereon be rendered in his favor, and the amount recovered before the justice be reduced one fifth or more, costs shall be awarded to the appellant :

2. If the defendant in whose favor a judgment is rendered before a justice, shall appeal, and he shall not recover at least one fifth more than the amount recovered before the justice, costs shall be awarded to the appellee :

3. If the plaintiff in whose favor judgment is rendered before a justice, appeal, and he shall not recover at least one-fifth more than the amount recovered before the justice, costs shall be awarded to the appellee :

4. In all other cases, the party recovering any sum shall be entitled to costs.

SECTION XXXIV. Whenever costs are awarded to the appellant, he shall be allowed to tax as part thereof, the costs and fees paid to the justice on making the appeal, as disbursements, in addition to the costs in the court appealed to. And if, upon an appeal, a recovery for any debt or damages be had by one party, and costs be awarded to the other party, the court shall set off such costs against such debt or damages, and render judgment for the balance.

SECTION XXXV. Unless appeal be taken within ten days after the rendition of such judgment, the same shall be thereafter final in the controversy, and no court in this kingdom shall have power to remove the same for any cause whatsoever.

SECTION XXXVI. In case the award of arbitrators agreed to become the judgment of either of said Police Courts, shall have been rendered from collusion or fraud, the party aggrieved shall be at liber-

ty to apply to the justice, and the justice shall have power to cite the party opposed to show cause, on debate or examination of witnesses, why the same should not be set aside ; and if found to be collusive or fraudulent, he shall set it aside and render justice in the matter at the cost of the collusive party thereto, subject to appeal as hereinbefore provided.

SECTION XXXVII. Admission to practice as an attorney, counsellor or solicitor in the courts of record hereinafter created or organized, shall not be necessary to entitle any person to appear in his own behalf or for another in the said police courts ; neither shall they have power to debar any person from so appearing and practising before them, except for contempt of their authority as justices, or of their judicial process.

SECTION XXXVIII. The costs of court, independently of the fees of its executive judicial officers and stamps, shall in no instance exceed the sum of ten dollars ; and said costs shall be paid by the party failing to recover or recovered against, and shall enter into and form part of the judgment. No costs of counsel or attorney shall be allowed by said justices.

CHAPTER III.

THE NATIONAL COURTS OF RECORD.

ARTICLE I.—OF THE CIRCUIT COURTS.

SECTION I. For the purpose of more effectual national and international justice, the Hawaiian Kingdom shall be and the same is hereby divided into four judicial districts, that is to say :—

First, The Island of Oahu, whose seat of justice shall be at Honolulu :

Second, The islands of Maui, Molokai and Lanai, whose seat of justice shall be at Lahaina in the Island of Maui :

Third, The Island of Hawaii, whose seat of justice shall be at Hilo :

Fourth, The islands of Kauai and Niihau, whose seat of justice shall be at Hanalei in the Island of Kauai.

SECTION II. There shall be held annually a circuit court at each of the said seats of justice, that is to say :—

In the second circuit, on the first Monday of March ; in the third circuit on the first Monday of September, in the fourth circuit on the first Monday of February, and in the first circuit on the first Monday of August in each year, at each of which circuit courts one of the judges of the superior court, created in and by the second article of this chapter, shall preside.

SECTION III. Each of the said circuit courts shall have a seal to be adopted by the judges of the superior court, which, when so adopted, shall be notified to the public through the Polynesian newspaper, and all writs and mandates whatsoever, impressed with the said seal, and all records, transcripts, and certified copies of proceedings, pleadings, rules, ordinances and judicial decrees, issued by said courts,

respectively attested by any judge thereof and impressed with the seal of said court, shall have full faith in all places.

SECTION IV. The governors of the respective islands corresponding to the said several national circuits, shall appoint for their islands respectively, each two local circuit judges to sit with and aid the judge of the superior court, who shall attend to preside over and conduct the circuit court appointed to be held for said island. The local circuit judges shall be so appointed during good behavior, upon terms of compensation to be determined by the King in privy council. They shall be impeachable and removeable in like manner as other judges of the courts of record. They, or either of them, when associated on the bench with one of the judges of the superior court, shall at the stated times for holding such courts in their respective districts constitute a circuit court for the trial of causes in the mode and manner hereinafter prescribed. They shall reside and keep offices, to be called chambers, at the seats of justice for their respective districts, at which they shall each have the powers at chambers hereinafter conferred upon them. Except that at Honolulu, they shall only have and exercise such powers in cases affecting natives.

SECTION V. The judges of the superior court shall, at least one month before the holding of any island circuit court, determine by majority which of their number shall proceed upon such approaching circuit, and shall give notice thereof to the public through such newspaper as to them may seem advisable and proper for its general notification. The chief justice of said superior court shall also communicate the said information to the local circuit judges for the district, who shall post a written notice thereof upon the outer side of the principal entrance to the place set apart for holding the island circuits.

SECTION VI. The said respective circuit courts shall have jurisdiction to determine all civil suits between individuals, or in which this government is plaintiff, involving a greater amount of indebtedness or claim than one hundred dollars, also all cases wherein the fines, penalties and forfeitures recoverable by this government exceed that amount, wherein the party accused or liable resides, or for the time being is found in the judicial limits of such circuit. They shall have power to try and determine all private actions arising within their jurisdiction, sounding in consequential injury or damages, without limit as to amount of claim. They shall have power to try and determine all landed controversies between private parties or at the direct suit of this government: Provided always, that nothing herein contained shall be so construed as to interfere with the rights and jurisdiction of the Board of Commissioners to quiet land titles. They shall also have power to partition and set off land to co-tenants and tenants in

common ; to grant writs of ejectment and of possession ; to admeasure dower in lands to widows ; to affiliate bastards ; to sequester property for their support ; to grant bills of divorcement and to annul the marriage contract for legal causes ; to decree the restitution of personal property ; to grant warrants of summary arrest and imprisonment ; to restrain by writs of *ne exeat*, injunction and attachment ; to issue commissions at law or in equity for the examination of foreign or domestic witnesses ; to depute the power of administering oaths ; to change the locality of trial at the request of parties to any cause depending before them, to some other circuit ; to grant continuances and postponements ; to grant writs of *habeas corpus* ; and to enlarge prisoners on bail.

SECTION VII. The criminal jurisdiction of said circuit courts shall be co-extensive with the districts for which they are created. It shall be appellate from the district and police courts thereof in all cases, and original in all other cases, except of crimes punishable by death, which shall be solely cognizable before the superior court at Honolulu.

SECTION VIII. The jurisdiction of said circuit courts shall not extend to the foreclosure of mortgages upon landed property, nor to the foreclosure of maritime liens and hypothecations ; but in cases of hypothecation and maritime lien, the said courts or any president judge thereof at chambers, whether in actual attendance or not upon the circuit, may grant process of attachment, seizure or arrest, returnable in the superior court at Honolulu, and may summon the respondent to appear at the superior court to show cause. Neither shall the jurisdiction of said circuit courts extend to actions instituted against this government, nor against the governors of the respective islands.

SECTION IX. The local circuit judges of said courts shall have power respectively to attend at chambers to the appeals of native parties, from the decisions of the district justices of their districts, as prescribed in the first article of the second chapter of this act. They shall have power to issue any process required by the practice of said circuit courts returnable to the said circuit, or by the practice of the superior court returnable thereto ; which process shall be considered the commencement of a suit between the parties therein named : Provided, that the judge who first issued original process in any cause shall alone have power to issue interlocutory process therein, so long as it shall remain before the court in which the suit was commenced, and no other judge of the same circuit shall have chamber powers over the same controversy.

SECTION X. The sessions of said circuits shall not extend during any one term beyond the period of fourteen days, and all causes not reached upon the calendar, or not within that period disposed of, shall be continued to the next term of said court, unless removed by said circuit court or some judge thereof at chambers, to some other circuit for trial.

ARTICLE II.—OF THE SUPERIOR COURT OF LAW AND EQUITY.

SECTION I. There shall be, and is hereby created, a tribunal for the Hawaiian Islands, to be styled the Superior Court of Law and Equity. Said court shall be statedly held at Honolulu in the island of Oahu, in the months of January, April, July and October, at such place as His Majesty in privy council may determine. And the judges of said court shall have power to appoint special terms to be held at other times, in their discretion. Said court shall be open and accessible to all persons during its sessions, subject to judicial discipline.

SECTION II. The Representatives of the People in Legislative Council assembled, shall appoint three persons of intelligence, discrimination and probity, learned if possible in the law, to be co-ordinate judges of the said court, of whom one shall be chief justice of said court, to be designated by the representative votes. The King and Premier shall issue to them patents, under the great seal, in token of their due election. The said judges shall hold their offices during good behavior, removeable only upon impeachment before the house of Nobles and Representatives in council assembled.

SECTION III. Said judges shall, after election and appointment, make and file with the Minister of the Interior an oath of office in the following form :—

HONOLULU, OAHU, ———, H. I., ———.

I, ———, do solemnly swear, that to the best of my ability, I will support the constitution of this kingdom, preserve the prerogatives and succession of the crown, observe equity and administer justice to all persons and the government, and impartially interpret and enforce the laws, liberties, rights, privileges and obligations of all men resorting to or brought before me as a judge of the Superior Court of Law and Equity in the Hawaiian Islands. So help me God.

Subscribed and sworn to this ——— day of ———, 18.—

SECTION IV. The salaries of the judges of the Superior Court of Law and Equity shall be fixed by the King and privy council at the time of their appointment, and shall not be diminished during their term of office.

SECTION V. Said judges shall have power to prescribe rules from time to time to govern the practice of litigant parties or their counsel before the superior court, and at the circuit, regarding the institution, progress and determination of causes. They shall determine the days in the stated months hereinbefore named, in which the said terms of court shall commence, and the hour for opening the same.

SECTION VI. The superior court shall have full appellate jurisdiction, subject to the review and reversal of the supreme court, of all matters and controversies, civil, criminal or mixed, equitable or legal, public or private, from any inferior court, for causes of exception assigned, or when no exception has been assigned; or upon writs of error, *certiorari*, or *habeas corpus* allowed by either of the justices of the said superior court, upon subsequent assignment of error, or cause shown at chambers. Said court shall have original and exclusive jurisdiction of all civil actions, causes of action, suits and controversies instituted by permission of the King in privy council against the government of the Hawaiian Islands, of all bills in equity for the foreclosure of mortgages, hypothecations and other maritime liens, and of all other bills in equity; of all surrenders and assignments in trust for the benefit of creditors, or for the relief of debtors, or in bankruptcy; of all admiralty causes in *rem* and in *personam* affecting any foreign vessel within His Majesty's waters, or importing the arrest, detention, libel, seizure or sale of any foreign vessel; of all claims to salvage, and of all claims to the adjudication of average; and said court shall have original jurisdiction of all felonies committed within this kingdom, not cognizable before any inferior court. Said court shall have exclusive original jurisdiction of all suits, actions and controversies affecting ambassadors or other public ministers, and consuls, resident in this kingdom. Any of the said suits, actions or controversies so cognizable before the superior court, whether entertained originally or on appeal as aforesaid, may be carried to the supreme court of judicature created by the constitution and hereinafter methodized.

SECTION VII. The sessions of the superior court shall never exceed at any one term the period of one month, when all causes not reached in the calendar shall be deemed to have been prolonged to the next term of said court.

SECTION VIII. The said court shall have full power to nominate, constitute and appoint referees in any cause depending before them, involving long or complicated accounts or transactions between the parties litigant; to submit the matter so in controversy to the said referees, and to require the parties on pain of contempt as by default, to appear before said referees and there explain the matter in dispute between them; to receive the report of said referees, and enter up binding judgment thereon, and to enforce the same by execution.

SECTION IX. The said court shall have power, on motion, when any party defendant does not appear at the return day of the writ of summons, or citation at law, or subpoena in equity, to order judgment to be entered up as by default. Said court shall have power, on motion, when any party plaintiff shall fail to appear at the return day of the writ of summons, or citation at law, or subpoena in equity, or upon any subsequent day to which said suit may have been continued or postponed by the court, or appearing, fails to prosecute the same, or fails to make good said suit, to order judgment of *non pros* to be entered against such plaintiff.

SECTION X. The powers hereinafter conferred upon the judges of said court at chambers shall be considered initiatory, interlocutory, progressive, or final in causes before the said superior court, or before any circuit thereof before which any cause is depending, or sought to be instituted; and all orders granted by either of said judges at chambers during the recess or vacation of the court in which the matter is depending, or sought to be instituted, shall be as effectual, compulsory and binding upon the parties, as if issue were made during the actual session of the said court, by a majority in number of the said judges. The terms of the respective circuit courts for each island, and of the said superior court at Honolulu, shall be considered for judicial purposes, to continue from the commencement of one to the commencement of the next, and all such orders, process and decrees, original, interlocutory, mesne or final, shall be entitled and tested as of the term within which they were issued, granted or made.

SECTION XI. There shall be appointed by the said judges of the superior court, a clerk to reside and keep his office in Honolulu, and said clerk shall be sworn to the faithful discharge of his duties. He shall have charge of the seal of said court, which shall be impressed upon all process issuing out of said court, which until so sealed shall not have the force and effect intended thereby, and shall not be binding upon the parties thereto, nor upon the officer to whom the same is addressed. The said clerk shall keep the minutes of the said court when in session. All process shall be issued by him at the request of the party applying therefor, or his attorney, duly licensed and com-

missioned, and all process so issued, shall be returnable to him and filed in his office. The mode of obtaining process shall be as hereinafter prescribed for the courts of record. Said clerk shall enter in a docket in alphabetical order, the judgments and their amounts, including costs, rendered in the said superior court, whether originally or on appeal; and shall on application issue execution therefor, as hereinbefore prescribed for the courts of the second districts of Maui and Oahu. Said judgment shall be a lien upon the defendant's real property throughout the kingdom, and may be satisfied by the marshal or his deputy in any part thereof, out of said real property, according to the priority of judgment. The execution issued upon such judgment shall be a lien upon the personal property of a defendant in any part of the kingdom, according to the priority of actual levy; and as to such personal property the same rules, privileges and rights shall exist in favor of the plaintiff, and marshal or his deputy, as are conferred and allowed in like cases to the constables holding executions issued by the justices of the second districts of Maui and Oahu. The said clerk shall be governed by the rules hereinafter prescribed for the institution of suits, for the trial of causes at the forum, and for the transaction of business at chambers by the judges of the superior courts, and in all matters requiring the previous order of a judge at chambers, he shall not act without such order, and all ordinary or extraordinary orders granted by any of the said judges at bar, or by any of them at chambers shall be binding upon him regarding any act to be by him performed in relation to any suit depending, or about to be instituted or reduced to judgment in said superior court.

SECTION XII. The said clerk shall, when required, grant a certificate of the number and priority of judgments entered in his office against any party defendant, which form incumbrances upon the real property of such defendant, being paid therefor the fees of search and certificate.

SECTION XIII. Said clerk shall have power to administer oaths; to take the deposition of witnesses; to assess damages upon notes, bonds, breaches of covenant, bills of exchange, orders and other liquidated obligations, in all cases in which default shall have been made; which assessment shall be equally binding as the verdict of a jury. He shall enter up judgment also in all cases in which specifically required so to do by order of the court, or of a judge upon hearing in *banco* or at chambers. He shall file the reports of referees appointed in any cause, and the award of arbitrators, and enter up judgment thereon.

SECTION XIV. The local circuit justices for each circuit shall transmit to said clerk, at least one week before the first day of each

term of the superior court, the record in full of each cause appealed at the circuit in which natives are concerned, that said clerk may add them to the foreign cases of appeal of which the presiding judge of said circuit shall also give him the record and proceedings, and he shall make out according to the priority of their dates, a calendar of such appeals for the use of the judges of the superior court, distinct from the calendar of causes originally instituted before said superior court, which he shall also make out and submit to the said judges at such term of the superior court.

SECTION XV. The clerk of the superior court shall at least twenty days before the session of any circuit court at which jury cases may be coming on for trial, in presence of the marshal and chief justice of the superior court, draw from the appropriate box for the appropriate island, an array of thirty-six jurors, which array he shall certify to the marshal to be by him or his deputy summoned as hereinafter prescribed. He shall also transmit a certified list thereof to the local circuit judges, to be posted on the outer side of the principal entrance to the court house or room for the particular island, and shall cause the same to be inserted for public information in the Polynesian newspaper. He shall in like manner, and as long previously, draw from the jury box for the island of Oahu, a like array of jurors for each term of the superior court at which it shall appear that there are controversies triable by jury, and he shall in like manner certify the same to the marshal for summons, and post a list thereof on the outer door of the place of holding the said superior court. Every juror so duly drawn, if duly summoned at least forty-eight hours previous to the holding of the court for which he was drawn, shall for non-attendance at court be punishable by fine, in the discretion of the court, not exceeding one hundred dollars for each day that he fails to attend said court, without reasonable cause; and he may be brought up by summary attachment for that purpose.

SECTION XVI. Said clerk shall issue to any party plaintiff or defendant in any cause, civil or criminal, depending before either of the courts of record other than the supreme court, or to their counsel duly licensed to practice, writs of subpoena for witnesses in blank, so far as regards the witnesses to be summoned, which the said parties or their counsel may fill up at their option, and the said writs so issued and signed by said clerk, and impressed with the seal of the superior court, shall be obligatory upon the marshal and all other executive judicial officers, and upon the witnesses actually served therewith. Upon non-attendance of witnesses so summoned, and upon oath of the officer who served the same, the said court shall have summary power to cause their attendance, and to fine and imprison them at discretion for contempt.

SECTION XVII. The criminal calendar of causes triable at the circuits shall be made out distinct from the civil calendar, by the clerk of the superior court, to enable him to do which, the sheriff of each island shall, at least forty-eight hours previous to any stated term of a circuit court for his island, furnish the marshal a list of persons committed to their custody, the date of such commitment, and the offence for which they await trial. Like calendars shall be made out by him for each term of the superior court, of criminal causes triable thereat, originally or by appeal.

SECTION XVIII. The said clerk shall deliver to the judge appointed to preside at the coming circuit, certified copies of the respective calendars, which said presiding judge shall follow in the adjudications at the circuit. He shall also, before the session of any term of the superior court, furnish a certified calendar of original civil causes, and another of appellate civil causes, a certified calendar of original criminal causes, and another of appellate criminal causes to the chief justice of the superior court.

SECTION XIX. All writs of execution, whether civil or criminal, being founded upon any award or judgment of the superior court, shall issue to the marshal upon the application of the party entitled thereto, and be signed by the clerk or some one of the judges thereof, and be impressed with the seal of said court.

SECTION XX. All writs of supersedeas of causes and controversies, writs of error or *certiorari* to remove the record of any cause from an inferior court to the superior; writs of injunction, prohibition or mandamus issuing out of the superior court, shall be allowed in writing by said court at term time, or by a judge at chambers, and being so allowed shall be binding upon the inferior court to which it is addressed, upon service thereof by the marshal or his deputy upon the officer to whom the same is addressed. All writs of the like nature and import issuing out of the supreme court of judicature to the said superior court, and in like manner allowed, shall be binding thereon when duly served upon the said clerk, who shall forthwith notify the chief justice of the superior court.

SECTION XXI. The costs of suit, of proceedings of this court, of prosecution, of defence, of counsel, of the marshals, and of the clerkship attending any suit, proceeding, prosecution or defence, civil or criminal, when taxed by a judge thereof, shall be entered up with the judgment rendered in said cause by the clerk, and shall be docketed as an integral portion thereof, to be comprised in the execution afterwards to issue.

ARTICLE III.—OF THE SUPREME COURT OF JUDICATURE.

SECTION I. The supreme judges contemplated by the constitution, shall be presided over by the King as chief judge, or in his absence by the Premier ; or in their temporary discretion by some chief judge to be by them jointly appointed *pro tempore* in case of their inability to attend at the time, or inability to remain in attendance at the court, or in case of the Royal demise and the minority of the Royal successor. Four in number of the members of said court, the King or his substitute being one, shall constitute a quorum for business.

SECTION II. The said court shall convene at Honolulu in the island of Oahu semi-annually, on the first Mondays of June and December, at such place and hour as a quorum of said judges may by rule establish.

SECTION III. The powers of said court shall be supreme and final, and shall extend to all cases, suits, prosecutions and controversies, which having been cognizable before any of the other courts of the kingdom, whether of record or not of record, has been regularly brought before said court on exception taken below, or on appeal, or by writ of error, *certiorari*, or *habeas corpus* issued by the clerk of the supreme court, and approved at chambers by the chief judge thereof, upon the sworn petition of the applicant, founded upon assignment of errors.

SECTION IV. The powers of the said supreme court shall also be original in all cases in which either of the governors is a party defendant or prosecuted ; in which cases, the said supreme court shall follow the course of practice and the mode of adjudication, and may exercise all the functions in like cases prescribed for the guidance of the Superior Court of Law and Equity.

SECTION V. No appeal shall be taken to said supreme court until resort has been had to the proper inferior courts : Provided however, that all appeals from the awards and decisions of the Board of Commissioners to quiet land titles, shall in all cases be brought direct to the supreme court without the intervention of any intermediate tri-

bunal : And further provided, that in all cases and causes of controversy arising purely between aboriginal natives of these islands, if either party conceive himself aggrieved by the decisions of a local circuit judge at chambers, the party so aggrieved may appeal without formality to the supreme court upon deposit of twenty dollars with the local circuit judge to abide the costs of appeal. In all such cases of informal appeal, the supreme court shall proceed to consider the very truth and merits of the matter brought up, without regard to form or technicality, and shall render judgment thereon according to law, with or without the addition of new or further evidence : Provided however, that nothing in this section contained shall be construed to compel native aboriginal parties to carry their appeals in the first instance to the supreme court, but they may at their option, follow the regular course of appellate jurisdiction through all the courts in like manner with other parties.

SECTION VI. All appeals to the said supreme court from any decision of the Board of Commissioners to quiet land titles, shall be made within ninety days after notice thereof shall have been given to the party against whom such decision shall be made, or to his attorney.

SECTION VII. Upon any appeal being made from a decision of the said board, the same shall not be effectual for any purpose, until the party appealing shall have given a bond to the adverse party in such penalty and with such sureties as the president of said board shall approve, conditioned for the speedy and diligent prosecution of such appeal, and for the payment of all costs that have been and may be awarded against such appellant, in case of the discontinuance or dismissal of said appeal, or his failure to prosecute and sustain the same.

SECTION VIII. If the decision appealed from, direct the delivery of the possession of any real property, the issuing and execution of process to enforce the same, shall not be stayed until a bond be given in a penalty and with sureties to be approved by the president of the Board of Commissioners to quiet land titles, conditioned that during the possession of such real property, he will not commit waste, or suffer any waste to be committed thereon ; and that in case the appeal be dismissed or discontinued, or such decision be affirmed, such appellant will pay the value of the use and occupation of such property, from the time of such appeal, until the delivery of the possession thereof, pursuant to such decision.

SECTION IX. The Board of Commissioners to quiet land titles may, in its discretion, require the appellant to do such other acts and

things, on taking an appeal from their decision, as justice and the protection of the adverse party may require ; and until such acts or things so required to be done, shall be performed, such appeal shall not be valid, and shall not operate as a stay of proceedings on any decision of said board.

SECTION X. No trial by jury shall be entertained before the supreme court, except in cases in which the governors are parties defendant or prosecuted. If it become necessary to the decision of any controversy depending before the supreme court that an issue of fact arising therein be first tried and resolved, the said court may by order require such issue of fact to be tried before a jury by the superior court, or some one of the circuits, and the verdict certified to the supreme court for its information. All suits or proceedings, whether appellate or original, commenced or brought before the supreme court shall be placed upon the calendar by the clerk of said court. And all proceedings of said court shall be registered and kept in the Hawaiian language.

SECTION XI. The views, arguments and reasonings adduced to said court shall be written or printed in the Hawaiian language. No oral debate shall take place before said court except by special leave obtained ; neither shall any written argument, debate or reason be admitted before the said court, unless signed by some duly admitted and sworn counsellor thereof, or some party plaintiff or defendant in proper person.

SECTION XII. The Minister of Public Instruction shall be *ex officio* clerk of the said supreme court. It shall be his duty carefully to preserve, and faithfully to prepare the records and proceedings of said court. To facilitate the labors of the judges, he may at their request compile a true statement of any cause sent or brought up on appeal, exhibiting in brief the grounds and points contended for by either party below, and the object of the review sought, which brief he may cause to be printed for the use of said court, at the expense of the party failing in the appeal.

SECTION XIII. Upon delivery to said clerk of an assignment of errors alleged in the record, proceedings, judgment or decree of the superior court, it shall be incumbent on him, being first secured for the costs of appeal, to issue under the seal of the supreme court a writ of error, to be signed by the chief judge, and addressed to the superior court, commanding the chief justice thereof to certify and send up for review, the record and proceedings of such cause as it exists in said court, or as it existed in the court where it originated, that errors assigned may be corrected.

SECTION XIV. In all cases in which the supreme court has original jurisdiction, or in which it is resorted to on appeal, or in which motion is made therein for interlocutory judgment, or for mesne or final process, the applications, petitions and assignments of fact or of law shall be in writing addressed to the chief judge, and shall be transmitted to him through the said clerk, whose duty it shall be to present such application, and make known to the party in interest or his counsel the final result or conclusion.

SECTION XV. In all cases in which reference to a master in equity, or to an assessor at law becomes desirable to the said court, with a view to the settlement of facts, the computation of accounts, or the assessment of damages, interest or costs in *banco*, the same may be referred for that purpose to the clerk, and it shall be his duty, on pain of impeachment and punishment as set forth in the act to organize the executive ministry, to make correct legal or equitable report thereon as required by said court. Such report shall be filed with the record of any decision the court may afterwards make upon the matter reported on, whether in accordance or disagreement therewith: Provided however, that the clerk shall in no case have power to report to said court upon any appeal taken from any decision of the Board of Commissioners to quiet land titles.

SECTION XVI. The respective judges of the supreme court shall have all the judicial rights and powers for appellate purposes conferred by this act upon judges of courts of record at chambers, and in like manner for purposes of original jurisdiction over the governors of the respective islands, and in all such original causes said court and the judges thereof at chambers, shall pursue the practice prescribed by this act for the superior court at forum, and for the judges thereof at chambers.

SECTION XVII. The seal of the supreme court shall be the great seal of the Hawaiian Islands. It shall be impressed upon all process, writs, and mandates of said court, and all records, proceedings, transcripts, and copies signed by the clerk thereof and impressed with said seal, shall be deemed authentic in all courts, and be obligatory upon all officers throughout the kingdom.

CHAPTER IV.

PRACTICE OF THE COURTS OF RECORD.

ARTICLE I.—OF THE COMMENCEMENT, PROGRESS, AND DETERMINATION OF CIVIL SUITS.

SECTION I. In all civil suits for the recovery of money upon evidences of indebtedness, or vouchers certain or computable by the court, that is to say ; upon promissory notes, bills of exchange, drafts, orders, bonds and other instruments, parol or specialty, the plaintiff in person, or by his attorney, shall file with the clerk of the court a petition for process, addressed to the chief judge or justice, in substance as follows :—

The undersigned claims of _____, residing at _____, Island of _____, _____ dollars, upon (a note or other evidence of debt, as the case may be,) dated _____, payable on _____, with _____ interest from _____. Said defendant has neglected and refused to pay the same until this date, (and in case of fraud or concealment, or other collusive or deceptive circumstances attendant upon the contracting or the nonpayment of the debt. Here insert the same according to the circumstances.)

Wherefore, the undersigned asks the process of this court to cite the said defendant to appear and answer this demand.

Dated, _____ day of _____, 18—.

_____,
Plaintiff's Attorney, or plaintiff in person.

SECTION II. Upon filing such petition, in case no fraudulent circumstances be alleged by the plaintiff, the clerk shall issue, under the seal of the court, a summons addressed to the marshal of the Hawaiian Islands, which may be in the following form :—

SUMMONS.

You are commanded by order of (_____, judge of the superior or circuit court for _____, as the case may be,) to summon _____, defendant, in case he shall file written answer within twenty days after service thereof, to be and appear be-

fore the said court at the — term thereof, to be holden at —, in the Island of —, on the — day of — next, — o'clock, A. M., to show cause why the claim of —, plaintiff, should not be awarded to him pursuant to the tenor of his annexed petition. And have you then there this writ with full return of your proceedings thereon.

Witness, —, Esquire,
Chief Justice (or as the case may be the President Judge) of the said court at Honolulu, this — day of —, 18—.

(L. S.) —, Clerk.

SECTION III. Every summons issued under the seal of a court of record, shall be served by the marshal or his deputy upon the defendant, by the delivery to him of a certified copy thereof, and of the plaintiff's petition, to which petition shall always be annexed a literal copy of the voucher upon which it is predicated, (if any there be,) or in case the defendant cannot be found, by leaving such certified copy with some agent or person transacting the business of the defendant, or at the defendant's last place of residence, with some member of his family of suitable age. Service upon one of several partners or other joint debtors, shall be legal service upon all for the purposes of appearance in court, and judgment may be entered against all such joint debtors or partners thereon: Provided however, that no execution shall issue against the sole property of any debtor on whom process was not duly served as aforesaid.

SECTION IV. It shall be incumbent upon every defendant served with process of summons, as in the two preceding sections prescribed, within twenty days after such service, to file with the clerk of the court from which the summons issued, a plea or answer in writing to the plaintiff's demand, either denying the grounds thereof upon the facts alledged, which answer shall be called the general issue, or admitting the truth of the facts alledged in the plaintiff's petition, denying that by the law of the land those facts are sufficient to entitle him to recover judgment, which last mentioned answer shall be called a demurrer. In case the defendant does not put in one of the said pleas within the time above stated, the plaintiff may prove service of said summons and default in answering by the clerk's certificate, and shall be entitled to demand and receive of any judge at chambers competent to preside at a circuit court, an order declaring the defendant or defendants in default, and authorizing the clerk to assess the amount of the plaintiff's claim, principal, damages and interest, and to enter up judgment therefor and for the costs to be awarded and taxed by said judge at chambers. But in case the defendant so served shall put in a plea of the general issue, the clerk shall enrol the cause upon the calendar of the civil causes triable at the court in which the action was commenced, under which plea any special matter may be given in evidence, on due notice accompanying such plea.

In case the defendant shall put in a demurrer to the plaintiff's demand, said plaintiff shall join therein within twenty days upon like liability to default, and may apply to the same judge at chambers for hearing before, and decision thereof by him at chambers. The judge so applied to shall have power to cite the party interposing such defence, accord a day for argument, cite witnesses to prove collateral facts involved, and to decide the merits of every such legal defence, subject to exceptions taken by the parties, on account of which exception the cause may be placed upon the calendar of motions, with the decision of the judge at chambers, to be reconsidered by the court in term time at the costs of the party losing. If no exception be taken at chambers to the judge's decision of a question of law, and no question of fact remains to be decided at the court, the judge at chambers shall make an order to the clerk to enter up the judgment awarded by him upon the issue, which shall be valid, subject to appeal.

SECTION V. In all cases of complication, and in cases involving long accounts, the court at bar may, upon the written application of either party under oath, assigning satisfactory cause, appoint three referees competent in the estimation of the said court to inquire into and report upon the facts and merits of the same.

SECTION VI. Referees so appointed shall be sworn to the faithful and speedy investigation of, and to an honest award upon the matter submitted to them. All persons residing for the time being within the jurisdiction of the court, shall be liable, and may be compelled to serve the courts of record upon appointment, as such referees, and may for refusal be fined in the discretion of the court as for contempt.

SECTION VII. The report of referees in any cause shall be signed by them or a majority of their number, and be considered in law to be made under oath. They shall file it with the clerk of the court before which the suit was instituted, who shall notify the parties. The party in whose favor the report shall have been made, shall within ten days thereafter, move the court or some judge at chambers, giving at least forty-eight hours written notice of such motion to the opposite party, for judgment of confirmation, which the court or judge so moved shall grant or refuse upon hearing the parties, or shall grant upon default of the opposite party, upon proof of notice of such motion. Either party deeming himself aggrieved may except to the decision of the judge upon the said report of referees, enter up the grounds of his exception with the clerk of the court in arrest of judgment, and require the said decision to be reported to the court upon the calendar of motions for reconsideration. If the confirmation or refusal be awarded by a court of record at bar, the party excepting

may take his appeal to the next court superior in order, according to the ascending order of the courts, until the final determination thereon by the supreme court.

SECTION VIII. In all cases in which the plaintiff's petition against the defendant alleges fraud in the contraction of his demand, or in the non-payment thereof after maturity, it being verified by oath, the said plaintiff may move some judge of the superior court or local circuit judge, at chambers, for an order of arrest to be endorsed upon said summons, authorizing the marshal or his deputy to hold the defendant to bail in double the amount sworn to be due, or in default of bail, to commit him to jail until judgment rendered, unless sooner discharged by order of the court. Bail shall have power to surrender their principal in exoneration of themselves at any time, upon delivering the body of such principal to the marshal or his deputy.

SECTION IX. Said bond, when forfeited, shall be recoverable against the bail before a judge of the court at chambers, without the intervention of a jury.

SECTION X. In all civil cases involving unliquidated demands, constructive, implied, suppositious or hypothetical right on the part of the government, or of any private person, corporation or other party, being plaintiff, to recover money or damages pursuant to the words or the spirit or intent of any law, heretofore, now, or hereafter to be passed, or of any instrument in writing signed by any party, or of any verbal understanding, contract or agreement, or in consequence of any injury direct or consequential to the party plaintiff, or to his property, real or personal, or to his character, or to his feelings, the plaintiff in person or by his licensed attorney shall file with the clerk of the court a petition for process, addressed to the chief judge or presiding judge, in substance as follows :—

The undersigned claims of ———, defendant, residing at ———, Island of ———, the sum of ——— dollars for damages resulting to him (or as the case may be) to ——— for injury done by said defendant to (the person, the property, the character or the feelings of the plaintiff, as the case may be,) in that the defendant did (here set forth the cause and the manner in which the injury was done, circumstantially with the view to proof.) which the plaintiff alleges was done in contravention of his private rights under the laws.

Wherefore, the undersigned asks the process of this court to cite the said defendant to appear and answer this his complaint before a jury of the country, at the ——— term of this court, unless otherwise sooner disposed of by judicial authority. In case the matter involved and sworn to be bailable, the plaintiff may further add a request for order to hold to bail, or for attachment or injunction, or *ne exeat regno*, as in cases of fraud already recited, thus : And the plaintiff alledging upon his oath that the defendant is secreting his property, (or disposing of the same, or

colluding so to do, or about to depart the realm, or is damaging or wasting the said property,) further asks process (of attachment, or of injunction, or of personal arrest, or of *ne exeat regno*, as he may judge proper to ask) in the premises.

Dated, — day of —, 18—.

In case of any like right to recover at law any specific property, real or personal, or any specific share or interest, or right to property, real or personal in kind, as in cases of replevin of chattels, or ejectment of lands, the party plaintiff in person, or by his duly licensed attorney, shall file with the clerk of the court a petition for process addressed to the chief or presiding judge, which may be in the following form :—

The undersigned complains of — —, defendant, residing at —, in the Island of —, that he has unjustly, and contrary to law and the rights of the plaintiff, — taken into his possession and converted to his use, (or occupation, as the case may be,) the following property, viz : (here set forth the property wrongfully in the defendant's possession, whether real or personal, and if personal, the articles by name and description, and if real, the metes, bounds, quantity and locality thereof, with the kind of title claimed by the plaintiff,) valued at — dollars, or if in ejectment of real property, state in lieu of the value, to the damage of said plaintiff — dollars.

Wherefore, the plaintiff asks the process of this court for restitution of said property, with damages for its detention, (if replevin of chattels,) pursuant to the condition of plaintiff's bond (if ejectment of real property or a destruction of tenements or other property thereon by the defendant or his agent *pendente lite*, he may state such his apprehension and ask for injunction or other restraining process of the court thus :) And the plaintiff alledging upon his oath that there is danger the said defendant, or some one for him will (here insert the allegation calling for restraint) on the said premises, further asks process (of attachment, or of injunction, or of personal arrest, or of *ne exeat regno*, as he may deem proper to ask,) in the premises.

Dated, — day of —, 18—.

SECTION XI. In every civil case contemplated by the preceding section, in which no process of constraint to the person or the property of a defendant is intended, it shall not be obligatory on the plaintiff to verify his petition by oath ; but the defendant may obtain a judge's order at chambers, commanding the plaintiff to file security for costs or be nonsuited. In every such civil case in which process of constraint to the person or the property of a defendant is intended, no process shall issue until the plaintiff or some one on his behalf shall have verified his petition by oath, and shall have filed a bond conditioned for the reimbursement to the defendant of all costs, charges and damages sustained by him in consequence of the suit, in case the plaintiff fail to sustain his action. Upon the filing of such sworn petition and bond, it shall be competent to any judge of a court of record at chambers, to sanction a constraining writ, by endorsing thereon his written allowance, without which no executive judicial officer of this kingdom shall be authorized or justified in the seizure,

constraint, restraint, or commitment of a defendant, or in the seizure, attachment, removal, detention or injunction of his property, real or personal.

SECTION XII. Upon filing such petition, in case no prayer for constraining process be contained therein, the clerk shall issue, under the seal of the court, a summons addressed to the marshal, which may be in the following form :—

SUMMONS.

You are commanded by order of (the superior court, or of a judge of the circuit court for ———, as the case may be,) to summon ——— ———, defendant, in case he shall file written answer within twenty days after service thereof, to be and appear before the said court at the ——— term thereof, to be holden at ———, on the ——— day of ——— next, — o'clock, A. M., to show cause why the claim of ——— ———, plaintiff, should not be awarded to him pursuant to the tenor of his annexed petition. And have you then there this writ with full return of your proceedings thereon.

Witness, ——— ———, Esquire,

Chief Justice (or as the case may be the President Judge) of the said court at Honolulu, this ——— day of ———, 18—.

(L. S.) ——— ———,
Clerk.

In case the petition contain matter calling for the constraint of the defendant, or of his property, and ask process for that purpose, be verified by oath, and the plaintiff have deposited with the clerk a bond of indemnity to the defendant in an amount and with sureties sufficient in the estimation of a judge at chambers, the clerk may issue a writ of summons in the form above prescribed, with an additional clause after the words “ annexed petition ” as follows :—

And you are further commanded to arrest the said defendant and commit him to prison, unless he shall give bond to answer as aforesaid, or to (attach and keep safely the said personal property until judgment of restitution be awarded or refused,) or to (enjoin the said defendant under the penalty of ——— dollars not to sell, mortgage, lease or rent the said real property, lands and tenements, until the dissolution thereof by order of some competent officer.)

SECTION XIII. In all cases of attachment, sequestration or injunction of real property, the officer serving such writ shall in addition to personal delivery of a copy thereof to the defendant, post conspicuously upon the premises, a copy of the process and a notice of the day and hour when attached, sequestered or enjoined, and shall also afterwards give notice thereof in the Polynesian newspaper. All after leases, mortgages, sales, bequests, assignments, trust or other subsequent conveyance of said property until the dissolution of the process, shall be void in law as against the plaintiff in such cases.

SECTION XIV. All persons residing or being in this kingdom shall be personally accountable in damages, to be assessed by or before

a court of justice, for trespass or injury, either direct or consequential, to the person or property of others, or to their wives, children under majority, or wards, by such offending party, or by his wife or child being under the age of legal majority, or by his command, or by his animals, *domæ* or *feræ naturæ* ; and the party so aggrieved shall have the right to prosecute therefor in the proper courts by this act created.

SECTION XV. Upon failure of any party prosecuted or served with process, as in the several preceding sections prescribed, to answer the same within twenty days after service of copy of any such summons, and of the petition founding the same, the plaintiff in the action, upon proof to a judge at chambers, shall be entitled to demand, and it shall be the duty of such judge to give such plaintiff an order for judgment by default, debarring the defendant from the right to answer the complaint. The judge however, shall have power to open the default in his discretion, for good and sufficient reasons.

SECTION XVI. The clerk shall, after such default, enter the cause upon the calendar of assessments to be made *ex parte* at the regular term, upon sole adduction of plaintiff's testimony, without admitting the defendant to rebut the evidence : Provided however, that the defendant so in default may in person, or by his counsel, appear before the court, cross-examine plaintiff's witnesses, and address the jury in mitigation of damages.

SECTION XVII. The measure of damages in all cases contemplated by the tenth section of this chapter, shall be according to the true legal interpretation of the judge upon the law, instrument, contract or agreement ; and in all cases of injury, direct or consequential, to the plaintiff in person or his wife, child or servant, or to his, her or their character or feelings, or to his property, real or personal, the measure of damages shall be determined by the jury.

SECTION XVIII. In all actions of ejectment to enforce the right of possession in lands, it shall be sufficient to serve the party in actual possession thereof, though he be not the adverse claimant, or if no one be in actual possession at the time, to post a copy of such process and notice to the party claiming adversely, in some conspicuous place upon the premises, at least thirty days before the first day of the term of the court at which the plaintiff proposes to substantiate his title. In case the adverse party fail to appear and answer, judgment may be taken by default as in other cases, and in case of appearing and answering, the issue joined shall be set down for trial by the clerk as in other cases.

SECTION XIX. Issues of fact joined by the parties in any suit

contemplated by the tenth and eleventh sections of this chapter, and placed by the clerk upon the calendar, shall be tried by a jury. But no such jury shall have power in any civil case to judge of the law applicable to such case, or to judge of its construction or application. They shall be guided implicitly in respect thereto by the judge presiding at the trial. Such juries shall be judges only of the facts proven before them.

SECTION XX. All applications to either of the courts of record for the foreclosure of any mortgage of real property, or of any hypothecation or other maritime lien upon any vessel, domestic or foreign, or for the enforcement of the rights of material men, or for damages in cases of collision, or for the enforcement of rights in action between the master and crew of any foreign vessel *ex delicto*; which right of action arose beyond the jurisdiction of this kingdom; all application for the abatement of nuisance, public or private; for the annulment of charters and other corporate rights; for restraint or prohibition in the exercise thereof; for proclamation by *scire facias*; for sequestration of property upon legal or equitable grounds; for divorces and separations other than those cognizable before the governors; for the affiliation of bastards; for the partition and division of real property; for the admeasurement of dower in real property; or for relief in cases of insolvency, bankruptcy or embarrassment; shall be by sworn petition addressed to one of the judges of a court having jurisdiction thereof. Upon filing such petition, said judge at chambers shall determine *ex parte* upon the propriety of granting the process of citation or constraint, or both prayed for. In cases not demanding secrecy and occasioning doubt, he may, before issuing process, grant an order to show cause, make any interlocutory order in the matter necessary, or in his opinion advisable to the ends of justice. When process is issued in any such case, it shall be served by delivery of copy of the petition and of the judge's citation to the defendants, or in case they cannot be found by leaving such copy with some one upon the premises involved in the controversy, or upon the vessel libeled for foreclosure or attached for payment of a maritime lien or liability, and as soon after such service as may be, the officer charged with the execution of the mandate, shall in the discretion of the court publish in the Polynesian newspaper for such period as the court may deem equitable, a notice of such action or proceeding, or of such libel, attachment, intended foreclosure, or sale upon hypothecation, or maritime lien, and inviting all persons interested to show cause against it on or before the day assigned for the hearing. The judge at chambers may assess the amount due upon mortgages, both real and personal, and upon maritime liens and hypothecations, without the intervention of a jury, after hearing of the parties, and adduction of the proofs. He shall order judgment or decree to be entered

for the amount so awarded by him, and execution to be issued thereon, subject to appeal as in other cases, which appeal shall be to the court in *banco*. All prior and subsequent mortgage creditors, whose names are or can be discovered by the party foreclosing, shall be made parties to his application, and if discovered before the day of the hearing set in the process and public notice, they shall be served with copy of such petition. Mortgage creditors shall be entitled to payment according to the priority of their liens, and not *pro rata*; and decrees of foreclosure shall operate to extinguish the liens of subsequent mortgagees of the same property, without enforcing prior mortgagees to their rights of recovery. The surplus after payment of the mortgage foreclosed, shall be applied *pro tanto* to the next junior mortgage, and so on to the payment wholly or in part of mortgages junior to the one assessed. Hypothecations and maritime liens shall follow the course of the law of nations, the law of the place of the contract, the law maritime and the law merchant in like cases, which the judge foreclosing them shall apply thereto, and to the apportionment and distribution of the proceeds therefrom arising: Provided, that in no case purely between foreigners, in which the property in any foreign vessel is concerned, shall it be lawful to entertain any bill of foreclosure, or in the nature of libel in admiralty without the previous written request of the Representative of the nation whose subject or citizen is concerned, or whose vessel is sought to be attached or libeled and sold on foreclosure. The mortgagor or any subsequent mortgagee may appear and answer matter of fact or of law pleadable in defence of such application or petition, and shall be allowed to show any matter in legal or equitable avoidance of such mortgage. The judge at chambers shall in such cases have power to grant commissions to take testimony on interrogatories and cross interrogatories, after issue joined, as in matters cognizable before courts of chancery, and on hearing, to grant a decree of foreclosure and sale; and in matters of maritime lien or forfeiture, decrees of condemnation, confiscation and sale enforceable by execution, subject to appeal and writ of error. Actions for the abatement of nuisance and to recover damages on account of nuisance; for the affiliation of bastards; for divorces and separations; for maritime actions *ex delicto* as between the master and crew of any foreign vessel, if the damages laid exceed one hundred dollars; inquiries of lunacy or insanity; and inquiries *de ventre inspiciendo* to determine right of property, shall be commenced as in this section prescribed, and shall be in like manner verified by oath, and they shall be enforced and narrowed to issue at chambers, as in other cases hereinbefore contemplated; but the *quantum* of damages and all issues of fact therein arising, shall be submitted to a jury for assessment and for ascertainment, for which purpose the said judge shall have power to empanel a special jury as hereinafter allowed. Matters of probate, of forfeiture, of corporate

franchises, of partition and division, of insolvency, bankruptcy and embarrassment, may be triable solely at chambers by the judge, or in *banco* by the court without jury intervention, and enforced by decree and execution.

SECTION XXI. Causes placed upon the calendar shall be taken up in the order in which they stand, and be disposed of on the merits of the controversy, unless postponed or diverted by a party upon some material question collaterally involved therein. The plaintiff in every such issue shall be called by the clerk when the issue is reached on the calendar, and if he be not present, nor represented by counsel present in court, or if he or his counsel being present, decline to answer when so called, he shall be declared nonsuit, with costs. It shall be competent to every defendant to plead an offset of like kind and denomination existing in the same right between him and the plaintiff; or having made a legal tender of money in full payment of the plaintiff's demand, to plead such tender, and bring the amount thereof into court in bar of further interest and costs, after such tender. If upon calling the plaintiff, he does appear, and the defendant having joined issue does not appear, or answer when called, the court shall order judgment by default to be entered against such defendant, and shall allow the plaintiff to proceed *ex parte* before the court, or jury, as the case may be, and the verdict of the jury or decision of the court at bar, shall be rendered or pronounced on such *ex parte* showing, unless good cause appear to the court for allowing a postponement.

SECTION XXII. The party affirming the facts or the law, in issue before the court or a judge in any case, shall be as to such affirmance plaintiff in the depending controversy, and shall be held to make good the affirmance, by proofs to be by him adduced. He shall have the right to open the prosecution or debate, and first to introduce his witnesses and vouchers, and he shall have the right in all such cases to sum up the entire evidence, or close the entire debate. The party denying or controverting the fact, or the law affirmed by the issue, shall be as to such denial or controversy, defendant. He shall have the right to cross-examine the plaintiff's witnesses, and when the plaintiff declares his cause to have rested, he shall have the right to introduce his witnesses of defence, which the plaintiff may in turn cross-examine. The defendant shall sum up his defence to the court in *banco*, or to the jury, and the plaintiff shall have the right to close his advocacy or debate, when the defendant has fully ceased.

SECTION XXIII. Either party to a cause set down for trial on the calendar, may move the court upon sworn petition showing the absence of a material witness, for a commission to take the testimony

of the same, whether residing in a foreign country or in some other island than that at which the cause is triable. To obtain such commission, the party applying shall file his interrogatories with his sworn petition, and shall suggest for the consideration of the court, suitable persons being disinterested and impartial, to act as commissioners at the place where the proposed witness resides ; he shall also serve copy of such sworn petition, recommendation and interrogatories upon the adverse party, and the court may in its discretion grant said motion after hearing the objections which may be urged thereto by the adverse party. If no good cause be shown to the contrary, the court may make an order upon the adverse party to file cross interrogatories within the given time for cross examination of such witnesses, or be precluded from the right of cross examination. If such interrogatories be crossed, or if the adverse party neglect or refuse to cross them, pursuant to order, the court may issue such commission, appending such interrogatories thereto, direct the commissioners to cite, and with aid of the local authorities, to compel the attendance and deposition on oath of such witnesses to the same. No such commissioner shall have power to put any other question to such witness than those so appended. The witnesses shall sign their respective answers as given, and the commissioners shall certify the same to be authentic as given, and transmit them sealed to the clerk of the court to be used in evidence. Depositions so taken in civil cases on commission, unless impeached for fraud or collusion, or gross impropriety, shall be received as valid evidence in any such cause.

SECTION XXIV. Any party in whose favor a decree or award, or judgment in *banco*, or on court assessment at chambers, or in whose favor the verdict of a jury has been rendered in any civil matter, shall have the right to move the court for judgment, and the same shall be entered of record : Provided however, that any party against whom such judgment is rendered, may upon filing a sufficient bond of security, conditioned for the payment of all such costs of motion, in case he fail to sustain the same, and that he will not to the detriment of the plaintiff in said judgment, remove or otherwise dispose of any property he may have liable to execution on said judgment, and upon giving notice of said motion, and the grounds thereof to the opposite party, at any time within ten days after recovery of said judgment, move the proper court for a new trial, arrest of judgment or stay of execution.

SECTION XXV. The executive judicial officer receiving any execution duly signed by the clerk of the court, and impressed with the seal thereof, shall note thereon the day and hour of its receipt, and he shall give priority in levying upon chattel property of the defendant in such execution, to the writs received by him according to

the order of time in which they were received : Provided, that any executive judicial officer shall have the right to decline levying upon property until duly secured from damages by competent bond of indemnity.

SECTION XXVI. The executive judicial officer to whom any writ of execution is so delivered shall, after levy, advertise for sale the property levied upon, whether real or personal, for at least thirty days, by posting such advertisement in three conspicuous places in the district where such property may be found, and, if in the island of Oahu, by advertisement thereof in the Polynesian newspaper. He shall, on the day and place set for such public sale, unless tendered and paid the amount of the judgment, interest and costs, and his fees and disbursements accrued upon the writ, sell the property advertised to the highest bidder, and having sold the same, he shall deduct from the proceeds of the sale sufficient for the full satisfaction, if possible, of the said execution and his costs, expenses and commissions, and return the said writ, satisfied wholly or in part, paying the amount collected thereon to the plaintiff in execution or his attorney. The executive judicial officer serving any execution shall act upon his own private accountability for all excesses of his official powers, and for all departure from the legal import of the writ or mandate in his hands. The court out of which any execution issued, which was returned unsatisfied wholly or in part, may afterwards issue an alias execution to the same island, or an execution leviable in some other island, for the satisfaction of the unpaid remainder of such judgment and additional costs, expenses and commissions, which alias or *testatum* writ of execution shall be served by the marshal or his deputy, in like manner as the original.

SECTION XXVII. Any judge of a court of record may by order at chambers, in any cause upon which execution shall have been issued, grant a stay thereof in the sheriff's hands for equitable reasons, when no appeal or writ of error is granted, upon the defendant's giving bond and security for its payment with costs up to the said stay. The property levied upon shall not by reason of such stay be released from levy ; and in case at the end of the time accorded the condition of such bond be not complied with, the plaintiff in execution may elect whether to proceed to the sale of the levied property or to enforce the bond : Provided, that if the levied property be not sufficient to pay the judgment, with all costs, expenses and commissions, the stay inclusive, the sureties in the bond shall be answerable for the deficiency. And when justice may require the renewal of any execution, or an enlargement of the time for making return to said execution, any such judge shall have the power so to do.

SECTION XXVIII. Every writ of error allowed at chambers upon assignment of errors, shall operate to stay any execution in the hands of an executive judicial officer, before the actual sale of property thereon, and the actual satisfaction of judgment ; nor shall any such executive judicial officer proceed to satisfy any execution the judgment in regard to which has been appealed or removed by writ of error from some higher court or judicial officer : Provided, that such stay shall not release property under actual levy at the time thereof from liability, if the judgment appealed from be affirmed by the court above.

SECTION XXIX. Any party deeming himself aggrieved by the decision of a judge at chambers, or by the decision of a court in *banco* or by the verdict of a jury in any civil suit, may at any time before the execution thereon is fully satisfied, within six months after the rendition of such judgment, file with the clerk of the court in which such judgment was rendered, his written reason for deeming himself aggrieved, assigning the causes of error in the judgment or verdict. Such party may upon service of copy of such assignment of errors, with notice of application upon the gaining party or his counsel, at least ten days before such application, and tender of error bond of security, conditioned for the payment of all costs in case he fail to sustain his suit, and that he will not to the detriment of the plaintiff in said judgment, remove or otherwise dispose of any property he may have liable to execution on said judgment, apply to some judge of the next superior court in scale of judicature, for a writ of error to be issued to the clerk of the court below, commanding him to send up the record and proceedings had in such cause, that the errors assigned may be corrected. The judge so applied to, upon the return of the writ with the record sent up, may grant an order to the plaintiff to join in error on pain of reversal. The joinder in error shall, if in the superior court, be debated and decided at bar, and if in the supreme court, by written or printed argument ; and the court thus applied to shall have full power to affirm or reverse the judgment so removed, or to remand the same whence it originated for new trial.

ARTICLE II.—OF THE COMMENCEMENT, PROGRESS AND DETERMINATION OF CRIMINAL PROSECUTIONS.

SECTION I. In all offences against the laws of this kingdom, triable only by a court of record, the offender shall be arraigned and prosecuted by indictment, by the legal prosecutor of the crown, at

the ensuing term of the court having jurisdiction of the offence, unless such trial be postponed by the court, or a judge at the delinquent's request, or to afford reasonable time to obtain proofs of accusation.

SECTION II. The government attorney shall furnish to the clerk, at least five days before the first day of the term of every circuit court, or of the superior court, a list of all criminal cases triable by jury at such term, and of the witnesses of prosecution, that the calendar of criminal causes may be made up, and the witnesses duly cited.

SECTION III. The government attorney may require of any judge of a court of record at chambers, that witnesses material to the prosecution of any criminal indictment preferred, or about to be preferred, be bound by recognizance, to appear and testify at the trial of such indictment, or that the said witnesses be committed to jail for that purpose, and the judge so applied to shall have power so to do.

SECTION IV. Unless there be good reason to the contrary, every criminal offender at the session of the court next ensuing the commitment of such offender, shall be arraigned before the court upon an indictment, as prescribed in the fifth part of an act to organize the executive department. Such indictment shall be read to the offender aloud in open court, and after the reading thereof, the presiding judge or justice shall call upon him to plead thereto, either guilty or not guilty.

SECTION V. If the plea be guilty, the clerk shall enter the same of record, and no jury shall be necessary in the case; but if the plea be not guilty to all the counts of the indictment, a jury shall be empaneled as hereinafter provided. If the plea be guilty to some of the counts, and not guilty as to others, the court may, on motion of the prosecutor, enter judgment for such counts, and vacate those traversed, or on motion of the prosecutor, proceed to try those traversed after judgment upon the counts confessed. If the plea be guilty of the facts alledged in the indictment, but denying the illegality of those facts, there shall be no jury trial, but a trial on debate, at the bar of the court upon the law involved.

SECTION VI. Full latitude of examination and cross examination of witnesses, and of debate and advocacy, shall be allowed to the accused in all criminal causes by the court. The prosecution shall be held to make good the affirmation of the issue depending, and the accused the negative, as in civil cases; and the order of opening and summing up shall be the same.

SECTION VII. In all cases in which an accused or indicted offender is unable to employ counsel for his defence, the court shall have power to assign him such counsel from among the licensed practitioners at its bar, who shall use every lawful exertion in his behalf, without fee or reward, upon pain of contempt to the court.

SECTION VIII. The verdict of the jury, or as the issue may happen to be, the decision at bar, subject to arrest of judgment, shall found the sentence to be passed in open court by the judge, pursuant to the prescriptions and penalties of the law charged and found to have been violated, subject to the executive clemency, and subject to motion in arrest of execution for cause.

SECTION IX. Any judge of a court of record may, for cause shown to his satisfaction, respite any convicted criminal for any length of time sufficient for the purposes of mercy, or not to work injury to innocent third parties.

SECTION X. No person at the time insane, and no woman at the time *enciente*, shall suffer capital punishment; neither shall any child suffer capital punishment, who has not evinced a knowledge of the distinction between right and wrong.

SECTION XI. In all cases in which the law of this kingdom awards the punishment of death, there shall always intervene at least forty-eight hours between the conviction and the sentence, and at least fourteen days between the sentence and the execution.

SECTION XII. The marshal, his sheriff, or other deputy, shall inflict the punishment of death, by hanging the convicted and sentenced criminal by the neck until fully dead, when he shall dispose of the body pursuant to the direction of the court. No capital punishment shall be so inflicted until the warrant for that purpose be signed by His Majesty, and attested by the Premier; neither shall such punishment be inflicted after His Majesty's pardon.

SECTION XIII. In all other breaches of the penal code, less than capital, the presiding judge of the court before whom the conviction was had, shall proceed as soon thereafter as may be to pass the sentence of the law awarding the punishment incident to the offence, which he shall afterwards certify to the marshal in writing, to serve said officer or those acting in his behalf as an order of commitment, or of other punishment, as the case may be.

SECTION XIV. The respective judges of the courts of record shall have all the powers in criminal cases hereinafter conferred upon

the said judges individually at chambers, and may to the like extent, and with the like effect, and in the same manner, issue compulsory process, cite parties and witnesses, make rules and orders, commit, enlarge, restrain, enjoin, prohibit, command, commission and depute, at discretion, for the promotion of justice.

ARTICLE III.—OF THE JUDICIAL POWERS AND DUTIES AT CHAMBERS.

SECTION I. The respective judges of the courts of record shall keep offices to be called chambers. They shall prescribe stated hours and specific rules, not inconsistent with the law, for the transaction of business connected with the respective courts over which they preside, and may enforce obedience to such rules of practice by default, nonsuit, *non pross*, fine or imprisonment, or either. They shall in vacation have power, by warrant, summons or citation, to compel the attendance of parties, and by subpoena, of witnesses, in like manner as the said court may do in term time. They shall possess, at chambers, in matters civil and criminal, cognizable before the said circuit, superior or supreme courts, all the specific and general powers within their jurisdiction, heretofore conferred by this act on any judge or justice.

SECTION II. In all cases involving the seizure, confiscation, or sale of any vessel, the proceedings shall be instituted upon petition, in the nature of libel, filed with the clerk of the superior court, and shall follow the course to be prescribed by the chief justice at his chambers, subject to appeal to the superior court in *banco*. A jury may be impaneled by the said chief justice, to assess damages in cases of collision, or of other consequential injury, arising upon the high seas, or within the jurisdiction of this kingdom, or to assess the wages of seamen, or to try the facts in *personam*, or in *rem*, in controversy. In that case, the chief justice shall, after citation of the parties, draw such jury from the jury box for the island of Oahu, and may compel their attendance as fully as the court might do in term time. The parties shall be duly heard, and the evidence adduced in like manner as at term, and the verdict upon the facts being rendered, or the decision being pronounced by said chief justice after debate at chambers, the said chief justice shall order the clerk to enter judgment thereon, subject to appeal, and to issue execution as in other cases not maritime.

SECTION III. In all cases in which any person, native, naturalized, domiciled or transient, shall come to his or her death in any part of this kingdom, leaving a will in this kingdom of his or her property within its jurisdiction or abroad, or having died abroad, and there left a will bequeathing or disposing of his or her property within the jurisdiction of this kingdom, it shall be incumbent upon the person named as executor of such will, or on the person to be benefitted thereby, or on the person in whose charge the same was deposited, or some person in behalf of those so interested, to petition the chief justice or some other judge of a court of record at chambers, for probate of such will, and for citation of the next of kin of the deceased, and of the witnesses thereto.

SECTION IV. It shall in like manner be incumbent on the person entitled and desirous to administer upon the estate of any intestate person dying in this kingdom and leaving property therein, or dying abroad and leaving property in this kingdom, according to the priority of right hereinafter prescribed, to apply by petition to the chief justice of the superior court, or some other judge of a court of record at chambers, for power to administer thereon.

SECTION V. It shall in like manner be incumbent on the person entitled and desirous to have the guardianship of the person of any minor child or infant under the age of fourteen years, and the custody and care of the property of any such child, to apply therefor by petition to the chief justice of the superior court, or some other judge of a court of record at chambers, who shall upon citation of next of kin, and if necessary of witnesses, have power to confer such guardianship, and again on cause shown, to remove from office the guardian so appointed. He shall also have power upon application and cause shown on citation, to appoint guardians *ad libitum*, in cases in which minor children or their property are involved before the courts of record.

SECTION VI. The several judges of the courts of record shall have special power at chambers, upon the petition of the widow of any deceased person in this kingdom, to set off and cause to be admeasured the dower of such widow in the property, real or personal, of her husband, and to appoint commissioners for that purpose, and if need be, to order such property to be surveyed and admeasured.

SECTION VII. The chief justice shall have power at chambers to adjust average claims, general and particular, decree the compensation of salvors, and to fix the responsibility of underwriters upon the application of parties concerned, and may make binding awards thereon, subject to the right of appeal, and enforce the same by exe-

cution, to be issued by the clerk of said court. He may for that purpose, order surveys pursuant to the provisions of the third part of an act to organize the executive departments, and certify the facts reported to be used in evidence, in any court having cognizance thereof.

SECTION VIII. The chief justice of the superior court, subject to the said court in *banco*, shall alone have power at chambers, to entertain bills in equity for the discovery of fraud, or of facts important to any complainant; and to enforce, by bill and decree in equity, hypothetical rights of property; to decree the foreclosure of mortgage liens upon landed or personal property; to entertain application for divorce not brought before the governors of the respective islands; to relax the strict rules of law applicable to any case, or to enlarge or restrain the meaning of the law, when the strict application thereof would work injustice to a party. He shall, upon petition, have power to grant equitable relief to insolvent debtors, upon assignment of their property for the benefit of their creditors to such person or persons as he may appoint, and may by decree appoint commissioners in bankruptcy, agents and receivers, and manage and control them and their acts for the mutual benefit of the parties in interest: Provided however, that he shall not have the power to grant such relief, unless the petition for that purpose be signed by such insolvent or insolvents, and by so many of his or their creditors, at least one half in number, as have debts owing to them in good faith by such debtor or debtors, and amounting to at least two thirds owing by him or them, whether then due or to become due. He may also in like manner, upon the application of creditors and cause shown to his satisfaction, declare bankrupt, persons attempting to postpone, elude or escape the payment of their debts, and appoint commissioners, receivers, and agents for the collection and payment thereof. He may in like manner entertain applications for the annulment of corporate rights and franchises, for proclamation by *scire facias*, and for the recovery of damages for the infringement of patents duly conferred.

SECTION IX. In all such matters, applications and controversies, the said chief justice shall have all the equity powers incident at common law to the office of chancellor, and his rules, orders and decrees thereon, shall be subject to review and reversal, or amendment, by the said superior court upon the record in *banco*, and by the supreme court in like manner.

SECTION X. All applications contemplated in the seven preceding sections shall be by bill in the nature of a petition in equity, in which the party complainant shall set forth circumstantially all the facts, and all the considerations upon which his application rests, and

in which he shall join all the parties necessarily implicated, or concerned directly, or by consequence. The complainant shall swear to the truth of his petition, and shall append thereto a list of the witnesses relied on.

SECTION XI. The said chief justice shall prescribe the rules of practice to be observed at chambers, regarding the form of process, and the time to be accorded for answer, plea or demurrer, and the effect of any bill in equity. He may refer the facts at issue, appoint a master and examiners at discretion, and issue commissions for the taking or perpetuation of testimony.

SECTION XII. In the appointment of administrators upon the property of deceased persons, the following order of priority shall be observed :—

1. The husband of a deceased wife :
2. The wife of a deceased husband :
3. The children being major :
4. The brothers and sisters of the deceased :
5. The cousins Germain of the deceased :
6. Any *bona fide* creditor applying for administration.

SECTION XIII. In all cases of guardianship, the following order of priority shall be observed :

1. The father of the infant :
2. If there be no father, the mother :
3. If there be no father or mother, the nearest and eldest relative of full age, not being under any legal incapacity ; and as between relations of the same degree of consanguinity, males shall be preferred :
4. If there be no father, mother, or other competent relative, any other competent and friendly person.

SECTION XIV. The judge appointing administrators and guardians shall always exact bond and security of administrators adequate to secure against fraudulent misapplication of the assets, and of guardians against the squandering and misapplication of the ward's inheritance.

SECTION XV. No person addicted to drunkenness shall be appointed to be an administrator, nor to be the guardian of a ward.

SECTION XVI. It shall not be lawful to exact bond and security of the executor of a will, nor of the guardian appointed by a will.

SECTION XVII. The judge shall in such case make the orders for and prescribe the period of time during which the executors and

administrators of deceased persons shall give notice to creditors and debtors of the estate, which executors and administrators shall in no case be liable to suit, until the expiration of six calendar months after letters testamentary or of administration granted, and he shall require of them by order at chambers, the filing of inventories of the assets, upon penalty of contempt.

SECTION XVIII. They shall have full powers to compel executors, administrators and guardians to the performance of their trusts, and to require them to give account of their administration. They may in case of the moral unfitness or turpitude of the executor to any will appearing after letters testamentary granted, or in case of the death or surrender, or wrongful absconding of any such executor, upon satisfactory proof, appoint any suitable person applying or consenting, administrator *de bonis non administravit*, annexing to the letters of administration the testator's will, to be scrupulously followed by such administrator. And they may in like manner, and for the like causes, supersede any guardian appointed by will or by letters of guardianship.

SECTION XIX. The chief justice and the associate justices of the superior court shall severally have powers at chambers, upon any sworn application made in writing, to issue writs of *habeas corpus* for inquiring into the cause of alledged imprisonment, or *ad testificandum*, and may enlarge on bail persons rightfully confined, except in cases punishable by death.

SECTION XX. The chief justice, upon proper application at chambers, and satisfactory evidence that a fair and impartial trial cannot be had in any cause depending at a circuit, may after citation to the opposite party and due hearing, change the venue to some other circuit, and order the record to be transferred thereto.

SECTION XXI. The justices of the superior court shall conjointly, a majority concurring, establish and promulgate the rules to be observed in taking appeals from the police justices of Lahaina and Honolulu to the appropriate circuits, and to said superior from the inferior courts, and of removing causes by *certionari* and *habeas corpus*; and of taking appeals from the said superior to the supreme court of judicature; which rules they shall have power in like formal manner to modify and alter, in their discretion, and to enforce summarily as in the case of other mandates.

SECTION XXII. It shall be competent to any judge of a court of record, whether at chambers or in *banco*, in vacation or in term time, upon application in writing by any party defendant, in a civil action, and upon rule or order *nisi causa*, to require the plaintiff to give bond

and security for costs likely to accrue upon any writ depending in said circuit or superior courts, upon pain of judgment as in case of *non pros*.

SECTION XXIII. The said chief justice shall have power at chambers, upon sworn written application setting forth probable cause, to summon and impanel a special jury of inquiry of lunacy, or *de ventre inspiciendo*, and to take and act upon the verdict of such jury, as equity and good conscience may require; which special juries need not be struck as is hereinafter allowed in cases of special jury, but may be selected by said justice, subject to the challenge for cause of either party.

SECTION XXIV. It shall be necessary to join as defendants in a civil action, all the joint and several, or joint makers of promissory notes, or of drawers of drafts, bills of exchange, or orders, or of joint and several obligors, lessees, or parties of the first or second part to covenants, agreements and contracts, in suing for non-payment, non-acceptance or non-fulfillment thereof; but it shall in no case be necessary to serve all the joint parties sued with process. Process served upon one of several joint defendants at law shall authorize the rendition of judgment against all the co-defendants.

ARTICLE IV.—OF THE TRIAL BY JURY.

SECTION I. The Governor and Representative or Representatives of the several islands of Oahu, Maui, Hawaii and Kauai shall annually assemble on their respective islands, commencing on the first Monday of the month following the passage of this act, and make out lists of the names of one hundred persons residing within their respective jurisdictions, being native Hawaiians, who in their judgment are competent to serve as jurors in cases where either of the parties is a native Hawaiian. Each of these lists shall be signed by the governor and representative or representatives aforesaid, and sent to the clerk of the superior court at Honolulu, who shall write the names contained in said lists on separate pieces of paper, and deposit them in appropriate boxes to be provided and kept by said clerk.

SECTION II. Said clerk, at least twenty days before the holding of any circuit or superior court in the island of Hawaii or Kauai at

which there may be cases coming on for trial in which both of the parties are native Hawaiians; and at least twenty days before the holding of any circuit or superior court in the island of Oahu or Maui at which there may be cases coming on for trial in which both of the parties shall be native Hawaiians, or one a native Hawaiian and the other a foreigner, shall in the presence of the chief justice of the superior court and the marshal of the Hawaiian Islands, draw from the appropriate box the names of thirty-six persons, who shall be summoned as the civil array of jurors for such holding of either of said courts in the cases above mentioned.

SECTION III. The governor and representative or representatives of the island of Oahu, and the governor and representative or representatives of the island of Maui shall assemble semi-annually on their respective islands, commencing on the first Monday of the month following the passage of this act, and make out lists of the names of fifty persons residing within their respective islands, and being foreigners, naturalized or unnaturalized, who are competent, in their judgment, to serve as jurors in cases where both or either of the parties is a foreigner: Provided however, that the governor and representatives of the island of Maui may, in case fifty foreigners competent to serve as jurors cannot be had in their island, make out (in the place of said list of fifty persons) one of forty. Each of these lists shall be signed by the governor and representative or representatives, and sent to the clerk aforesaid, who shall write the names contained in said lists on separate pieces of paper and deposit them in appropriate boxes, distinct from those containing the names of native jurors; to be provided and kept by said clerk.

SECTION IV. Said clerk at least twenty days before the holding of any term of the circuit or superior court at Lahaina or Honolulu, at which there may be cases coming on for trial in which both or either of the parties is a foreigner, naturalized or unnaturalized, shall in the presence of the chief justice of the superior court and the marshal of the Hawaiian Islands, draw from the appropriate box containing the names of such foreigners, the names of thirty-six persons who shall be summoned as the civil array of jurors for such court in the trial of the cases in this section above mentioned.

SECTION V. In case of the inability of the said chief justice or marshal to attend any such drawing, the place of the chief justice may be supplied by any other judge of the superior court, and that of the marshal by the sheriff of Oahu.

SECTION VI. In all jury cases in which one party is a foreigner and the other a native, the jury shall be composed of an equal number

of natives and foreigners, (naturalized or unnaturalized,) who shall be drawn alternately from the boxes containing the names of such foreigners and natives as have been summoned to attend the court convened for the trial of such cases.

SECTION VII. The clerk of the superior court at least twenty days before the holding of any term of the circuit or superior court at which there may be any criminal case or cases coming on for trial, in which any accused party is an alien foreigner, shall send a letter to the consul or consular agent of the nation to which said accused may belong, requesting him on or before the tenth day from the date of said letter to propose the names of thirty-six persons for the acceptance of the government of the Sandwich Islands, as jurors from which may be drawn a jury for the trial of such accused person or persons.

SECTION VIII. The clerk of the superior court, so far as the acceptance of said persons as jurors is concerned, is hereby empowered to act for and on behalf of the said government.

SECTION IX. In case of the refusal or neglect of such consul or consular agent to propose said jurors within ten days after the reception of such request, such refusal or neglect shall be considered as a proposal on the part of said consul or consular agent that the jury for the trial of such accused person or persons shall be drawn from the array of jurors for the trial of civil cases in which any foreigner is a party.

SECTION X. When a list of thirty-six persons shall be duly proposed by said consul or consular agent, and accepted by said clerk, they shall then be certified by said clerk to the marshal of the Hawaiian Islands, who shall summon them to attend upon the court as jurors for the trial of such accused person or persons.

SECTION XI. All native Hawaiians and naturalized foreigners, when accused of any crime, shall be tried by a jury drawn in the same manner as for the trial of civil cases.

SECTION XII. Every person arraigned and put on his trial for any offence punishable with death, shall be entitled peremptorily to challenge ten of the persons drawn as jurors for such trial, and no more.

SECTION XIII. In all cases, civil or criminal, triable by jury as in this act provided, either party may challenge any juror drawn for such trial, for cause to be assigned to the presiding judge who may determine the validity of the objection urged against the competency

of said juror, or submit the question to the determination of three jurors to be appointed by him.

SECTION XIV. The chief justice of the superior court shall have power in any case of complication or involving artistical or professional knowledge or skill, pending in either circuit, or the superior court, upon the application of either party to summon the adverse party to appear before him and show cause, if any he has, why a special jury should not be struck for the trial of such case. If the adverse party do not appear in obedience to the summons; or appearing fail to assign any good cause to the contrary, and the chief justice shall be of the opinion that the ends of justice will be best reached by such a jury, he shall have the power to order the striking of said special jury.

SECTION XV. Special juries shall be struck in the following manner:—The chief justice aforesaid shall appoint a time and place for the striking of said jury, at which time and place the party making application for such jury shall notify the other party to attend. The clerk of the superior court at the time and place appointed shall draw off a full list of the names of the jurors furnished him for the trial of civil cases like the one for which the jury is to be struck, when the parties in person or by their attorneys, beginning with the plaintiff, shall alternately strike off from said list one name until only twelve names remain on said list; and those twelve shall constitute the jury to try the particular cause for which they were struck. If either party shall fail to attend at the time and place of striking such jurors, or shall neglect to strike out any names according to the foregoing provisions, the clerk shall strike for said party. The twelve jurors so chosen by the respective parties shall be summoned in the like manner as other jurors, and shall be in like manner answerable to the court for non-attendance. They shall not be liable to challenge for any cause whatever.

SECTION XVI. The expense of striking a jury shall be paid by the party applying for the same, and shall not be taxed in the costs of the suit.

SECTION XVII. Whenever a jury shall be needed for the trial of any cause in the supreme court, the clerk of said court shall at least twenty days before the holding of such court at which said trial is to take place, in the presence of some judge of said court and the marshal of the Hawaiian Islands, draw from a box containing the names of one hundred persons to be furnished to him annually, on the first Monday of each year, by the Minister of the Interior, the names of thirty-six persons, which names he shall certify to the marshal,

who shall summon them to attend upon the supreme court in the same manner as the jurors of the superior and circuit courts.

SECTION XVIII. At the trial of any case in the supreme, superior or circuit court requiring a jury, the clerk of said court shall draw such jury, to the number of twelve, from the box or boxes containing the names of such persons as have been duly summoned to attend said court as jurors ; and if any of the said twelve be challenged and set aside, he shall continue to draw from said box or boxes until twelve impartial jurors are obtained, when they shall be sworn as the jurors for the trial of such cause.

SECTION XIX. Whenever a sufficient number of jurors, duly drawn and summoned, do not appear or cannot be obtained to form a jury, the court may order the marshal or his deputy to summon from the bystanders, or from the island at large, so many persons qualified to serve as jurors, as shall be sufficient.

SECTION XX. The marshal or his deputy shall summon the number so ordered, and return their names into court. Every person so summoned shall attend forthwith and serve as a juror, unless excused by the court ; and for every neglect or refusal so to attend, shall be answerable to the court in the same manner as jurors regularly drawn and summoned as hereinbefore provided. The persons so summoned shall be subject to challenge as other jurors.

SECTION XXI. No jury for the trial of any civil or criminal case shall be less than twelve in number ; but when any nine of such jury shall agree upon a verdict, they may render the same, and such verdict shall be as valid and binding upon the parties as if rendered by all twelve.

SECTION XXII. Whenever any jury shall return into court and state that they, or any nine of them, cannot agree upon a verdict, the presiding judge may at his discretion discharge said jury, or remand them to the jury-room for further deliberation.

SECTION XXIII. The fees of all jurors and witnesses attending as such, upon any court of record shall be that of one dollar for each day of their attendance ; and when they do not reside in the town where such court is held, five cents per mile in addition, for all their necessary travel in going to and returning from said court ; and in addition to the above fees, jurors shall be allowed fifty cents for every case in which they act as such. No witness shall be bound to

attend upon the trial of any cause unless his traveling fees be paid to him at the time of the service of the subpoena. Witness's and juror's fees shall be taxable items in the bill of costs to be paid by the losing party : Provided always however, that nothing in this section contained shall be so construed as to entitle witnesses to any fees in criminal cases.

GENERAL PROVISIONS.

SECTION I. This act shall take effect and be the binding law of the land, thirty days after the promulgation thereof, by caption, in the Polynesian newspaper, and such other newspaper as the Minister of the Interior shall deem proper. From and after such promulgation, the forty-seventh chapter of the laws passed at Lahaina, Maui, on the fifth day of May, A. D., one thousand, eight hundred and forty-two, shall be considered as repealed, and this to have been substituted in the place thereof for all judicial purposes under the laws of this kingdom; and the judicial commissions heretofore issued, except to the judges of the supreme court, shall on that day be held to have expired.

SECTION II. All suits, process and proceedings, civil and criminal, at law and in chancery, and all indictments which shall be pending and undetermined in the courts at the present time existing in this kingdom shall, after the due promulgation and taking effect of this act, be transferred to the courts by this act created.

SECTION III. It shall be incumbent on the Minister of the Interior to cause this act to be printed in the Hawaiian and English languages, and to transmit one hundred copies thereof to each of the islands of Maui, Hawaii and Kauai, to be sold for the benefit of the Royal Exchequer, at such price as His Majesty in privy council may establish. He shall also supply each of the executive departments with one copy for departmental uses, and each of the judges and justices of the courts, whether of record or not of record, with one copy; and every such judge or justice shall upon leaving office deliver said copies, together with all other archives, to their respective successors in office.

Done and finally passed, at the Council House, at Honolulu, the 7th day of September, 1847.

KAMEHAMEHA.

KEONI ANA.

Vol. II.

APPENDIX.

JOINT RESOLUTIONS RESPECTING AWA.

At a meeting of the Nobles and Representatives of the common people, in Legislative Council assembled, the following resolutions were passed :—

1. From the day of publishing this law, it shall be and it hereby is prohibited for any person to plant or drink awa, at any place within this kingdom, without license.

Whoever uses awa shall be subject to a fine of ten dollars, unless he is licensed as hereinafter provided.

2. The Minister of the Interior, through the governors, shall give a written license to plant awa on their respective islands, merely as a medicine, as follows :

The island of Hawaii may have one license, for one field only :

The island of Maui for one field only :

The island of Oahu for one field only :

The island of Kauai for one field only.

No one field shall exceed six acres in size. Whoever shall plant awa without license, or, being licensed, in greater quantity than is hereby allowed, shall be fined in the sum of one hundred dollars.

3. After the first day of September next, all selling of awa shall be prohibited at every place within this kingdom, except by such persons as are licensed to sell as hereinafter provided.

4. The Minister of the Interior, through the governors, shall give written licenses to sell awa ; which licenses shall not exceed four for

each island, except Hawaii, which may have six. The licenses shall set forth the quantity and the manner of selling, but under this general restriction; the licensed person shall sell to no one who does not bring a certificate signed by a duly authorized physician and countersigned by the governor of the island, which certificate shall specify the kind of disease and the quantity of awa necessary to cure it.

5. The Minister of the Interior, through the governors of the islands, shall, in his discretion, give written authorization to physicians, not exceeding four for each island, except Hawaii, which may have six. Persons who are sick may apply to those physicians, who, according to said authorization, shall declare their opinions as to whether awa is proper for such disease, and if so, the certificate of such physician, countersigned by the governor, shall authorize the person licensed to sell awa to the person holding such certificate, to be used in such quantities as are specified therein. No sale of awa shall be made without such certificate.

6. Any awa growing after the first of December next, and awa lying in store at that time, it shall not be lawful to sell, except as hereinbefore provided. Those having awa in store at that time may give it to persons who are licensed to sell, who shall dispose of it and pay over the proceeds to the individual to whom the awa belonged. The person who sells it shall be paid as the governor may specify in his license to sell; and any one who sells awa contrary to the provisions of this law, shall be fined in the sum of ten dollars, for each and every offence.

7. All awa found growing contrary to the provisions of this law, may be pulled up by any person; and the judges shall punish for any violation of this law.

Done and passed at the Council House, Honolulu, this 6th day of August, 1846.

(Signed,) KEONI ANA.

(Signed,) KAMEHAMEHA.

AN ACT TO ALTER THE DISTRICTS OF THE ISLAND OF OAHU.

Whereas, There has this day been read before the Nobles and Representatives of the common people, in Legislative Council assembled, a petition from the people of Koolau, praying that certain words in the Act to organize the Executive Departments, chapter 3, part 4,

concerning schools, (page 157, Hawaiian version,) might be altered ;
Therefore,

Be it resolved, That the schools of Koolau and Koolauloa shall be separated, and shall constitute the 5th district ; Koolaupoko the 6th district.

And be it further resolved, That the taxation districts mentioned at page 126 (Hawaiian version) be altered, and the same is hereby altered, so that Honolulu and Ewa shall be separated, and Ewa be united with Waianae, thus : 1 from Kanau to Kapukahi ; 2, Koolau-poko ; 3, Koolauloa ; 4, Waiialua ; 5, Ewa and Waianae.

Done and passed at the Council House, Honolulu, October 12th, 1846.

(Signed,)

KAMEHAMEHA.

(Signed,)

KEONI ANA.

RESOLUTIONS

Passed by the Nobles and Representatives of the common people, for the releasing of certain persons from the labor tax and from other taxes :—

1. All soldiers are hereby exempted from paying the poll tax, and from being called out to work on the days appointed for the government labor ; but they shall still be liable to labor for their Konohikis.

2. All carpenters, sawyers, blacksmiths, overseers of sugar boiling, printers, shoemakers, tailors, coopers, canoe makers and clerks in stores are hereby exempted from going to the paahao, provided they work at such trades as their regular employment. Those however who are tenants shall not be exempted from the work of their Konohikis.

3. The servants and stewards of the chiefs shall go to the work on the government labor days ; they shall go also to the work of their lords when required, but not to exceed three days in a month for the government ; but if the chiefs require the services of their people, they may give to the tax officer the names of such servants as they wish to retain, who shall not then be required to go to work.

4. No missionary of either sect shall pay a tax, neither shall their servants be taxed, nor shall they go to the government work, nor shall any burden of the kingdom come upon them ; but there shall not be

exempted from taxation more than two servants to one missionary, nor shall this law apply to tenants of lands.

Done and passed at the Council House, Honolulu, October 12th, 1846.

(Signed,) KEONI ANA.

KAMEHAMEHA.

JOINT RESOLUTIONS ON THE SUBJECT OF RIGHTS IN LANDS AND THE LEASING, PURCHASING AND DIVIDING OF THE SAME.

Resolved, by the Nobles and Representatives of the people of the Hawaiian Islands, in Council assembled :—

1. The rights of the *Hoaina* in the land, consists of his own taro patches, and all other places which he himself cultivates for his own use, and if he wish to extend his cultivation on unoccupied parts, he has the right to do so. He has also rights in the grass land, if there be any under his care, and he may take grass for his own use or for sale, and may also take fuel and timber from the mountains for himself. He may also pasture his horse and cow and other animals on the land, but not in such numbers as to prevent the konohiki from pasturing his. He cannot make agreements with others for the pasturage of their animals without the consent of his konohiki, and the Minister of the Interior. The *hoaina* has also the right to take fish in those fishing grounds of the konohiki and those other places which are specified in the laws.

2. The rights of the konohiki consist of his own koeles, and he may also make others. He has rights in the grass land and in the timber of the mountains, as specified in the laws. He has also the right to his prescribed fish, and his *hoaina* owe to him three day's monthly labor. He cannot so dispose of the grass land as to leave the government and his *hoainas* destitute. After informing the Privy Council, through the Minister of the Interior, and receiving their approbation, he may lease the grass land, the government receiving one half of the rent. When the land is thus leased, the *hoaina* can no longer collect fuel, timber or grass for sale to others, without the consent of the owner, though he may still continue to feed his animals. He shall not be deprived of that right, nor of the right to procure grass and wood for his own use.

3. The rights of the government in the lands consist of its own koeles, and it may also make others. The government have rights also in the grass land and in the forests, and own the prohibited fish as specified by law. The government shall also have the right to lease land at discretion, though not without the knowledge of the konohiki, and he shall receive one half of the rent. But the rights of the hoainas as specified above, shall remain unaffected. The government however shall have the right out of its own portion to make appropriations for schools and for the support of public worship, in accordance with the laws.

4. If any man wish to obtain an allodial title to the land which he has himself cultivated, he shall have the right to petition the Minister of the Interior, in writing, who, in connection with the Minister of Finance, may determine on the terms of sale, which being complied with, an allodial title to said land shall be given under the great seal of the kingdom, as prescribed in Act 2, part 1, chap. 7, art. 2; after which the owner shall be no longer liable to the government labor tax, nor to the labor tax of the konohiki. That burden shall be removed, but the highway tax and other taxes for special emergencies shall remain. The pay for said lands shall be divided equally between the government and the konohikis.

5. Whenever any individual secures an allodial title to his cultivated grounds, as specified above, and the pasture ground and uncultivated parts remain, then that remainder shall belong equally to government and to the konohiki.

6. Any man wishing to purchase land may petition the Minister of the Interior, in writing, who, having ascertained what lands are unoccupied, shall have power to sell the same in the manner and on the terms to be prescribed by the Privy Council, and the products of the sale shall be divided equally between the government and the konohiki. The whole vacant land of no Ili shall be so disposed of as to leave the hoaina destitute.

7. If any konohiki wish to have his portion of any given Ili or ahupuaa set off to him according to his rights in the same, that he may procure an allodial title therefor, he may petition the Minister of the Interior, on stamped paper, who shall have power, with the approbation of His Majesty in Privy Council, to complete the arrangements for the same, after which there shall be given to the konohiki a patent for the same, in accordance with Act 2, part 1, chapter 7, article 2.

8. If the government wish to have its portion of the uncultivated part of any Ili or ahupuaa set off according to its rights, the Minister of the Interior shall address the konohiki thereof, and if they can agree, their agreement shall be executed; but if they cannot agree, then His Majesty in Privy Council shall decide between them; but in all such cases, the rights of the hoaina shall be respected.

9. It is further resolved in relation to all people who are absolved from the labor tax on account of having obtained an allodial title to land, that they shall not be freed from paying a school tax to the superintendent of schools for the benefit of the young. Whenever the legislature shall thus decree, they shall then pay a uniform tax. Those, therefore, who obtain allodial titles, and those who are freed from the labor tax are not to suppose that education is to be neglected, and therefore refuse to pay anything to the school superintendent. Schools for children are to be perpetual, and all people will be required to aid in supporting education ; that is not to cease.

Done at the Council House in Honolulu, Nov. 7, 1846.

KAMEHAMEHA.

KEONI ANA.

JOINT RESOLUTIONS RESPECTING ESTRAYS.

The Nobles and Representatives of the Hawaiian Islands having considered the numerous petitions presented to them in relation to Estrays, it was resolved:—

1. That if any kine, horse, mare, mule or ass commit any trespass on any cultivated ground, the owner of said animal or animals shall forfeit and pay to the owner of the ground the sum of five dollars for the trespass of each animal thus committed ; and if any productions of the land be destroyed or other damage done by the animal or animals, the owner thereof shall further pay to the loser the full amount of such damage or loss : Provided however, that if in any particular case this law have an onerous and unjust bearing, owing to the number of animals committing the trespass, the judge shall have power to diminish the forfeiture.

2. That if the animal or animals of any person commit any trespass on any uncultivated ground, the owner of the animal or animals shall forfeit and pay to the owner of the ground, four times the amount of damage done, or of value destroyed.

3. If any person shall set the confined animal of another at liberty in order that it may trespass on cultivated ground, or shall by any means designedly decoy any animal to commit a trespass shall forfeit and pay to the royal exchequer, for every such offence, the sum of one hundred dollars, or in default thereof shall be imprisoned at hard labor not less than six months, nor more than two years.

Passed at the Council House, November 7th, 1846.

(Signed,)

KAMEHAMEHA.

(Signed,)

KEONI ANA.

JOINT RESOLUTION,

To amend an act entitled "*An Act to organize the Executive Departments of the Hawaiian Islands,*" passed on the 27th day of April, A. D., 1846 :—

SECTION I. Resolved by the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled : That, from and after the promulgation hereof, in the Polynesian newspaper, and such other newspaper as the Minister of the Interior may select, so much and all such parts of an Act passed on the 27th day of April, 1846, entitled "*An Act to organize the Executive Departments of the Hawaiian Islands,*" as relate to, refer, or apply by name to, or contemplate the action of, or against an attorney general of this kingdom be, and the same is hereby (until the new appointment of such an officer) suspended, and that the cabinet ministry may, by vote and resolution, with the sanction of His Majesty, from time to time assign to any person, being an Hawaiian subject, any of the duties, powers, rights or privileges, in and by that act assigned to the attorney general as law adviser of the crown, and prosecutor and defender of the rights litigant of this kingdom.

SECTION II. It shall be incumbent upon the judges of the superior court, to appoint, and again, for proper cause, to suspend and remove, at their discretion, a district attorney for each of the island districts, created by the Act to organize the Judiciary Department ; who shall reside and practice in civil and criminal causes in behalf of the government, within the respective districts for which they may be appointed ; said district attorneys shall, when appointed, take an oath of fidelity to the constitution, and faithfully to discharge the respective duties assigned to them by the Minister of the Interior, on behalf of the Executive Departments, and by the rules to be adopted by said superior court, in respect to local prosecutions ; they shall severally give bond to the chief justice of the superior court in a penalty of at least one thousand dollars, for the faithful payment into the exchequer of all moneys and fines by them collected and received through the courts of law or equity.

SECTION III. There shall be appointed by His Majesty in Privy Council, upon the recommendation of the Minister of the Interior, a

registrar of conveyances for the Hawaiian Islands, to reside and keep his office at the seat of government, whose duty it shall be to discharge all the functions properly belonging to said registrar, in the manner prescribed and defined by article first of chapter second, part fifth of said Act to organize the Executive Departments.

Said registrar shall take an oath to discharge the duties of his office, and shall give to the Minister of the Interior, for the benefit of the public, a bond in a penalty of at least one thousand dollars, conditioned to answer to any party aggrieved, upon assignment thereof, for any damages, losses, or injuries sustained by reason of his negligence, carelessness or misconduct in office, or by reason of false certificates of search or encumbrance by him at any time made or given, to the detriment of the party prosecuting.

The fees of registry and acknowledgment prescribed by Article fourth of the third Chapter of Part third of the said Organic Act ; exclusive of the price of stamps, shall belong and are hereby appropriated to said Registrar, as his exclusive perquisites of office, of which, and of the number of official acts, by him performed, he shall nevertheless render sworn report to the Minister of the Interior, on or before the fifteenth day of March, in each and every year.

Said registrar of conveyances shall, *ex-officio*, discharge the duties prescribed by article second of chapter second of the fifth part of said Organic Act, as registrar of wills and testaments, and shall in like manner be entitled, as perquisites of office, to the fees of registry prescribed therefor by law.

Said registrar of conveyances shall in like manner be, and he is hereby endowed with the powers, and he is authorized and required to perform all the duties of the principal notary public for the Hawaiian Islands, as prescribed, set forth and defined by article third of chapter second of the fifth part of said Organic Act : Provided, however, that the said principal notary shall not have power to recommend, appoint or instruct island notaries for the respective islands, nor commissioners to take the acknowledgment of instruments for registry.

SECTION IV. The governors of the islands of Maui, Hawaii and Kauai shall appoint, at the recommendation of the Minister of the Interior, one or more persons, resident in their respective islands, of good moral character, and being Hawaiian subjects, to be notaries public, for the protest of commercial paper, and to certify the acknowledgment of instruments for registry, in the manner recited and prescribed in article third, chapter second of part fifth of the said Act to organize the Executive Departments, whose notarial acts and certificates shall have the same binding effect as if made by the said principal notary and registrar of conveyances.

The fees of such notarial acts and of such acknowledgments, shall

be those already prescribed by law, and they are hereby accorded as perquisites to the respective officers in this section provided.

SECTION V. There shall be appointed by His Majesty in Privy Council, upon the recommendation of the Minister of the Interior, a Marshal of the Hawaiian Islands, to be, *ex-officio*, sheriff of the island of Oahu, and prefect of police for the village of Honolulu, in accordance with, and in person, or by deputy, to do the duties set forth in chapter first of the fifth part of the Act to organize the Executive Departments.

The tenure of the said Marshal, and his duties, obligations, rights and compensation, whether as Marshal, as Sheriff of Oahu, or as Prefect of Police for Honolulu, shall be, in all respects, conformable with the provisions of the said chapter, excepting always, that in all cases in which the words "Attorney General" occur in the said chapter as applied to the form of the bonds, whether of the Marshal or of the Prefect of Police, or as applied to the reports required of said respective officers, or of the instructions, advice or opinions given to them, the words "Minister of the Interior" shall, for the purposes of this resolution, be, and they are hereby substituted, and in all such cases the Minister of the Interior shall be understood instead of the said Attorney General.

SECTION VI. The Minister of the Interior in succeeding to the rights, powers and duties of the Attorney General, as head of the Bureau of Executive Judicial, and of Executive Extra-Judicial officers, defined by chapters first and second of title second of the fifth part of the said Act to organize the Executive Departments, shall be, in all respects, accountable for the same to His Majesty in like manner as was the said Attorney General upon the responsibility of his high commission.

SECTION VII. After the promulgation hereof, it shall not be necessary that an Attorney General of this government be one of the Board of Commissioners to quiet Land Titles, as contemplated by section first of article fourth, chapter seventh of the first part of the Act to organize the Executive Departments, but the Minister of the Interior shall in like manner, as in and by said section prescribed, appoint an additional commissioner to supply the place of the said Attorney General.

Done at the Council Chamber in Honolulu, this 4th day of May, 1847.

(Signed,)

KAMEHAMEHA.

(Attest,)

KEONI ANA.

JOINT RESOLUTIONS TO ENCOURAGE THE VISITS OF WHALERS.

SECTION I. *Be it resolved, by the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :*

That, in order to encourage the visits of whale ships of all nations to the ports of entry for such vessels now open by the existing laws, or hereafter to be declared open, they and each of them on and after the promulgation hereof in the Polynesian newspaper, be exempted from all anchorage fees, and tonnage dues, imposed by the existing tariff upon vessels exclusively engaged in the whale fishery ; in all cases so long as said vessels shall not exceed in their trade or barter in foreign goods the amount of two hundred dollars *ad valorem* allowed by law to be landed from them free of duty, provided brandy, wine and other liquors which have an intoxicating effect, be entirely excluded from that trade or barter, any vessel trading or bartering in which shall wholly forfeit the advantage of this resolution.

SECTION II. *And be it further resolved,* That from and after the promulgation hereof as aforesaid, the harbor or roadstead of Keala-keakua, on the Island of Hawaii, shall be, and is hereby created a port of entry and departure for whale ships, in accordance with the existing laws applicable to such vessels, at the other ports already opened to whale ships.

SECTION III. *And be it further resolved,* That the Minister of Finance be, and he is hereby authorized to pay out of any monies in the exchequer, the drafts of the Collector General of Customs in favor of any duly appointed pilot, employed at the port of Honolulu, the sum of twenty-five dollars for each whale ship which shall have been promptly and faithfully piloted by him in and out of the port of Honolulu, in lieu of the one dollar per foot allowed by law to be charged for the pilotage of whale ships.

SECTION IV. *And be it further resolved,* That the Minister of Finance be, and he is hereby authorized to pay to the pilots appointed for Lahaina, Hanalei and Hilo, out of any monies in the exchequer, such gross sums per annum as may be recommended by the Board of Finance, in lieu of the charge which they are authorized to make for the pilotage of whale ships.

SECTION V. *And be it further resolved,* That the joint resolution of 3d April, 1846, relative to brandies, wines and other spirituous liquors shall be understood and is hereby interpreted to mean as follows :

The permits to trade or barter given to vessels engaged in the whale fishery, do not and shall not include the trade, sale, landing or disposal of spirituous liquors, but all such traffic on the part of said vessels shall be and is hereby construed to constitute them merchantmen, and shall subject them within the meaning of said joint resolution to the payment of twenty cents per ton, tonnage dues, as well at the anchorage of Lahaina, and the roadstead of Honolulu, as at anchor in the harbor of Honolulu ; and to all other legal liabilities.

SECTION VI. *And be it further resolved,* That from and after the promulgation hereof as aforesaid, so much of chapter second of the first part of the Act to organize the Executive Departments, passed on the 27th day of April, 1846, entitled " Of the Internal Commerce," as applies to the price or consideration to be paid to the Minister of the Interior for licenses granted, shall be, and the same is hereby amended as follows, viz :—

1st. Licenses for the wholesale vending of goods, wares and merchandise, at any place within this kingdom, to the sum of seventy-five dollars, instead of twenty-five dollars.

2d. Licenses for the wholesale vending of spirituous liquors, in like manner to the sum of fifty dollars, instead of twenty-five dollars.

3d. Licenses for the retail vending of goods, wares and merchandise, in like manner to the sum of forty dollars, instead of twenty-five dollars.

4th. Licenses for the keeping of hotels, in like manner to the sum of fifty dollars, instead of forty dollars.

5th. Licenses for the keeping of victualling houses and houses of entertainment, in like manner to the sum of forty dollars, instead of twenty-five dollars.

6th. Licenses for the keeping of billiard tables, in like manner to the sum of fifty dollars, instead of twenty-five dollars.

7th. Licenses for the keeping of bowling alleys, within the precincts of any town or village, fifty dollars, instead of twenty-five dollars.

8th. Licenses for public auctioneers in the town of Honolulu, in like manner to one thousand dollars, instead of five hundred dollars.

Provided always, that nothing herein contained shall be construed to act retrospectively upon the prices or considerations already paid for the use, exercise and enjoyment of the licenses now in existence, and already obtained, until the expiration of the full limit thereof by the existing laws.

SECTION VII. *And be it further resolved*, That the Collector General is authorized and directed on the first day of July of each year, to collect from the owners of all hulks the charges exacted by law : Provided however, that these charges shall not be exacted in cases where such hulks are intended to be broken up within a period of four months from their entering into the harbor.

SECTION VIII. *And be it further resolved*, That from and after the promulgation hereof as aforesaid, no clearance shall be given by any collector of customs, to any foreign vessels at any port in this kingdom where there is or shall be a consul, vice consul, commercial agent, or vice commercial agent of the nation to which such vessel belongs, until the master or commander of such vessel shall produce to said collector a certificate under the seal of his consulate, that all legal charges and demands in his office against said vessel have been paid, and that he knows of no reason why said vessel should not immediately depart. And that in ports where no such consul, vice consul, commercial agent, or vice commercial agent may exist, the local collector shall otherwise satisfy himself that all proper and legal charges have been paid, before granting a clearance to any foreign vessel.

SECTION IX. *And be it further resolved, by the authority aforesaid*, That from and after the promulgation hereof, in manner aforesaid, all, each and every, the provisions of the foregoing eight resolutions shall be considered, received, taken and construed to be amendments to the existing laws of this kingdom, and that they be substituted instead of any such laws at conflict therewith, which existing laws, so far as the same are found to be so at conflict, are and shall be hereby repealed.

Done and finally passed, at the Council House, in Honolulu, this 15th day of June, 1847.

KAMEHAMEHA.

KEONI ANA.

AN ACT RELATING TO THE LAND TITLES OF ALIENS.

Whereas, The value of real estate in the principal towns of the Hawaiian Kingdom, has been greatly increased by the outlay of the capital of foreigners : and

Whereas, It is the desire of His Majesty's government to bestow every favor and privilege upon such foreigners not inconsistent with the best interests of the native subjects : therefore

Be it enacted by the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :—

That so much of Section IV, article 1, chapter V, part 1, of "Second Act Kamehameha III." relating to the disabilities of aliens, as reads in the following words : "They are not able to acquire any allodial or fee-simple estate in lands," shall not be construed as applying to those "freehold estates less than allodial" in-lands in possession of aliens at the date of the passage of this act ; but on the contrary, it shall be lawful for them, subject to the control of the Hawaiian government, so far as such lands are concerned, to receive royal patents in fee-simple for those estates, in like manner as Hawaiian subjects, on the payment of such commutation as shall be approved by the Privy Council : Provided always, that nothing in this act contained shall be construed as giving any alien the power to convey an estate in fee-simple to any other person than a Hawaiian subject ; nor as giving the heir or heirs of any alien, not being Hawaiian subjects, any greater rights than those already secured to them by the previous acts of the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled.

Done and passed at the Council House, in Honolulu, this 28th day of June, 1847.

KAMEHAMEHA.

KEONI ANA.

AN ACT TO PROVIDE FOR THE FILLING OF VACANCIES IN THE BOARD OF COMMISSIONERS TO QUIET LAND TITLES.

SECTION I. Whenever any vacancy shall occur in the Board of Commissioners to Quiet Land Titles, by the resignation, removal or death of any member thereof, the King in Privy Council may fill such vacancy, by the appointment of some other person.

SECTION II. Every person appointed a member of said board, shall, upon his acceptance of such appointment, and before acting as a member thereof, take and subscribe the oath prescribed for said commissioners, in the act creating such board.

SECTION III. The King in Privy Council may, upon proper complaint of fraud, collusion, dishonesty or gross partiality, in any member of said board, by a party deeming himself aggrieved by a decision of said board, appoint a commission of three persons to investigate the facts, and report upon the truth of the charge alledged; and if the said commissioners, or a majority of them, shall find the accused guilty of either fraud, collusion, dishonesty, or gross partiality, as may be charged, he shall be forthwith removed. Said commissioners, before proceeding to such investigation, shall each take an oath, to be administered by some judge of a court of record, to well and truly investigate such complaint, and to report thereon according to the facts proven before them. For the purposes of such investigation, they shall have all the necessary powers to subpoena and compel the attendance of witnesses, to administer oaths, and obtain such other evidence as justice may require, which belong to any of the courts of this kingdom.

Done and passed at the Council House, in Honolulu, this 17th day of August, A. D., 1847.

KAMEHAMEHA.

KEONI ANA.

AN ACT RELATING TO THE BOARD OF COMMISSIONERS TO QUIET LAND TITLES.

Whereas, The existence of the Board of Commissioners to quiet Land Titles expires by law on the 14th day of February, A. D., 1848; and

Whereas, A full and faithful discharge of the duties of said board, requires that their powers for certain purposes should be extended beyond that period; therefore,

Be it enacted by the House of Nobles and Representatives, in Legislative Council assembled:—

That all the necessary powers of said board for taking testimony, examining, settling, and awarding upon all such claims to land as shall have been, or may be presented to them prior to the fourteenth day of February, A. D., 1848, shall be, and the same hereby are extended for the period of one year from the fourteenth day of February, A. D., 1848. That is to say, such powers shall be and the same

are hereby extended until the fourteenth day of February, A. D., 1849 : Provided always, however, that nothing in this act contained shall be construed as giving said board any power to receive or act upon any claim to land presented to them subsequent to the fourteenth day of February, A. D., 1848.

Done and passed at the Council House, in Honolulu, this 26th day of August, A. D., 1847.

KAMEHAMEHA.

KEONI ANA.

PRINCIPLES ADOPTED BY THE BOARD OF COMMISSIONERS TO QUIET LAND TITLES, IN THEIR ADJUDICATION OF CLAIMS PRESENTED TO THEM.

When the islands were conquered by Kamehameha I., he followed the example of his predecessors, and divided out the lands among his principal warrior chiefs, retaining however, a portion in his hands, to be cultivated or managed by his own immediate servants or attendants. Each principal chief divided his lands anew, and gave them out to an inferior order of chiefs, or persons of rank, by whom they were subdivided again and again ; after passing through the hands of four, five or six persons, from the King down to the lowest class of tenants. All these persons were considered to have rights in the lands, or the productions of them. The proportions of these rights were not very clearly defined, but were nevertheless universally acknowledged.

The tenures were in one sense feudal, but they were not military, for the claims of the superior on the inferior were mainly either for produce of the land or for labor, military service being rarely or never required of the lower orders. All persons possessing landed property, whether superior landlords, tenants or sub-tenants, owed and paid to the King not only a land tax, which he assessed at pleasure, but also, service which was called for at discretion, on all the grades from the highest down. They also owed and paid some portion of the productions of the land, in addition to the yearly taxes. They owed obedience at all times. All these were rendered not only by natives, but also by foreigners who received lands from Kamehameha I. and Kamehameha II., and by multitudes still alive ; of this there are multitudes of living witnesses, and a failure to render any of these has always been considered a just cause for which to forfeit the lands.

It is therefore certain that the tenure was far from being allodial, either in principle or practice ; but even if living testimony were wanting at the present time, the treaty established in 1836, between this government and Lord Edward Russell on behalf of the British government, would show the views then entertained on the subject by the contracting parties. It is there declared, "The land on which the houses are built is the property of the King." The same rights which the King possessed over the superior landlords and all under them, the several grades of landlords possessed over their inferiors, so that there was a joint ownership of the land ; the King really owning the allodium, and the person in whose hands he placed the land, holding it in trust. But when he put it in the hands of a third person, that third person bore a similar relation to him that he did to the King. The superior always had the power at pleasure to dispossess his inferior, but it was not considered just and right to do it without cause, and dispossession did not often take place, except on the decease of one of the landlords, when changes were often numerous, and the rights of heirs and tenants comparatively disregarded, for the purpose of favoring a new class of persons.

Such was the nature of the tenures, and such the titles by which the lands were held, when in 1839 protection was declared both for person and property, in the following words : "Protection is hereby secured to the persons of all the people ; together with their lands, their building lots, and all their property." (See Declaration of Rights, p. 10 of translation.) In section 6 of the same act, p. 33, the nature of the protection given to landed property is in some degree defined. It is there declared that the landlord cannot "causelessly dispossess his tenant," and it is also stated what shall be considered a sufficient cause. The same law confirms what has been already stated in relation to the rights of His Majesty the King in all lands. Section 3 requires that every tenant of land, by whomsoever owned, shall work 36 days in the year for the King or government, showing clearly that there is no individual who has an allodial title to the soil, that title remaining with the King.

It seems natural then, and obviously just, that the King, in disposing of the allodium, should offer it first to the superior lord, that is to the person who originally received the land in trust from the King ; since by doing so, no injury is inflicted on any of the inferior lords or tenants, they being protected by law in their rights as before ; and most obviously the King could not dispose of the allodium to any other person without infringing on the rights of the superior lord. But even when such lord shall have received an allodial title from the King by purchase or otherwise, the rights of the tenants and sub-tenants must still remain unaffected, for no purchase, even from the sovereign himself, can vitiate the rights of third parties. The lord, therefore, who purchases the allodium, can no more seize upon the rights of the

tenants and dispossess them, than the King can now seize upon the rights of the lords, and dispossess them. This appears clear, not only from the first principles of justice, but also from the act of 1839, declaring protection for tenants as well as for landlords. That act particularly recognizes but three classes of persons as having rights in the sale, viz : the King or government, the landlords and the tenants. Indeed, section 9, chapter 3 of that statute positively forbids the lord who receives land in trust from the King to place another lord under himself, over the tenants. If then any landlord violate this law, he only divides his own rights ; he cannot thereby diminish the rights of the King or government, nor the rights of the tenants.

It being therefore fully established, that there are but three classes of persons having vested rights in the lands,—1st, the government, 2nd, the landlord, and 3d, the tenant, it next becomes necessary to ascertain the proportional rights of each. Happily, evidence on this point is not wanting, though it may be the most difficult one to settle satisfactorily of any connected with land claims. The testimony elicited is of the best and highest kind. It has been given immediately by a large number of persons, of a great variety of character, many of them old men, perfectly acquainted with the ancient usages of the country ; some were landlords, and some were tenants. There has been no contradictory testimony, but all have agreed on all essential points. Several foreign landholders under Kamehameha I., Kamehameha II. and Kamehameha III., have been full in their testimony as to the rights of the King. Ancient practice, according to testimony, seems to have awarded to the tenant less than justice and equity would demand, and to have given to the King more than the permanent good of his subjects would allow. If the King be disposed voluntarily to yield to the tenant a portion of what practice has given to himself, he most assuredly has a right to do it ; and should the King allow to the landlord one third, to the tenant one third, and retain one third himself ; he, according to the uniform opinion of the witnesses, would injure no one unless himself ; and in giving this opinion, the witnesses uniformly gave it against their own interests. According to this principle, a tract of land now in the hands of a landlord and occupied by tenants, if all parts of it were equally valuable, might be divided into the three equal parts, and an allodial title to one then be given to the lord, and the same title be given to the tenants of one third, and the other third would remain in the hands of the King, as his proportional right. It is altogether probable that since the act of 1839, a few individuals may have acquired allodial ownership of landed property, either by purchase or by voluntary grant on the part of the King. Such ownership must be proved or it cannot be acknowledged ; for the King, representing the government, having formerly been the sole owner of all the soil, he must be considered to be so still, unless proof be rendered to the contrary ;

and even possession of ever so long standing cannot be proof, any thing more than that which is specified above as belonging to the landlord, or to the landlord and tenant, as the case may be.

All the above principles and remarks apply most particularly and clearly to districts, plantations and farms, and to their owners. But between the ownership of lands for cultivation, and mere building lots, there are often broad lines of distinction. Mere building lots were never bestowed by the King or lords for the purpose of being given out to tenants, as was uniformly the case with lands suitable for cultivation. It follows therefore, that (with some exceptions, which in all cases must be proved) in relation to building lots, there is no third class of persons having the rights of lords over tenants. The exceptions would be in those cases where individuals having received building lots from the King for their own particular use, those individuals have themselves for some considerations, expressed or implied, transferred such lots to third parties. Another exception exists in relation to building lots, especially if large, which were formerly within the defined boundaries of plantations and farms, and have since been occupied by persons owning no rights in the farms other than the building lots. Such lots must still be considered a part of the plantation or farm, in such a sense that the tenant must pay rent to the lord. This appears clear, not only from ancient usage, but also from the last clause of section 7, of chapter 3, old laws : "But possessions of house lots that are large like farm gardens, must aid the owners of the farms from which they are taken in payment of the yearly tax."

Although the above facts and principles are most perfectly clear and unquestionable, yet great evils have existed down to the present moment, owing mainly to the circumstance that several different classes of persons had undivided rights in the same land, and each class was very liable to claim more than the due proportions. In such cases, lords, or persons of superior power or rank have generally been the oppressors, and perhaps there are none of those classes, from the throne down, who have not sometimes taken advantage of the powerless in this respect. Neither the laws of 1839 nor of 1840 were found adequate to protect the inferior lords and tenants, for although the violators of law, of every rank, were liable to its penalty, yet it was so contrary to ancient usage, to execute the law on the powerful for the protection of the weak, that the latter often suffered, and it was found necessary to adopt a new system for ascertaining rights, and new measures for protecting those rights when ascertained, and to accomplish this object the Land Commission was formed.

The decisions of an executive board would be so far surrenders of the Chief Executive Magistrate, who has approved the powers conferred upon that board, as to be an authorization from him to adjust all the past tenures in the manner most equitable, and if abstractly just, power to alienate for him any rights, which he as King could

surrender in regard to these lands. The whole power of the King to confer and convey lands to which private equitable claim now attaches, is reposed in the Commission. What is the nature and extent of that power which the King has bestowed upon this board? It can be no other than his private or feudatory right as an individual participant in the ownership, not his sovereign prerogatives as head of the nation. Among these prerogatives which affect lands, are the following :

1st. To punish for high treason by forfeiture, if so the law decrees.

2nd. To levy taxes upon every tax yielding basis, and among others lands, if so the law decrees.

3d. To encourage and even enforce the usufruct of lands for the common good.

4th. To provide public thoroughfares and easements, by means of roads, bridges, streets, &c., for the common good.

5th. To resume certain lands upon just compensation assessed, if for any cause the public good or the social safety requires it.

These prerogatives, powers and duties, His Majesty ought not, and *ergo*, he cannot surrender. Hence the following confirmations of the board, and the titles consequent upon them must be understood subject to these conditions.

But the King's private or feudatory rights, understood by the natives, differ greatly from the above enumerated corporate rights, understood in civilized and refined nations, and in which the commonwealth is rather represented by the person of the monarch than the monarch himself. By the ancient usage, the taxes went not to the body corporate, in trust for political uses, but to the King, as his private income or revenue, and this gave him a private proprietorship in all lands. This autocracy was, however, diminished by the King's liberal and voluntary surrender to his people in the Constitution, 8th October, 1840, in which the government or body politic and the King are for the first time contradistinguished as follows: "He (the King) 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," in which clause is perceivable the line of distinction above adverted to. All that is essential to the common good in regard to lands, taxes on lands, and revenue from lands, is reposed in the King, as the head of a corporation aggregate; or in himself as a corporation sole, and from these is contradistinguished his own private lands.

In the spirit of this constitutional distinction, on the 7th of June, 1839, the Nobles, with the sanction of the King, passed some ordinances or rules "respecting applications for farms, forsaking of farms, disposing of farms, and the management of farms," having in

view the encouragement of industry. In these the landlords are recognized as a distinct and *independent class* of local proprietors over such portions of their lands as are actually in cultivation, subject to the claims of their tenantry ; and as to those lands not in actual use, it gives a community of ownership between the government and landlords, by saying, "Those men who have no land, not even a garden, nor any place to cultivate, and yet wish to labor for the purpose of obtaining the object of their desires, may apply to the land agent, or the governor, or the King, for any piece of land which is not already cultivated by another person, and such piece shall be given him."

This appropriation was to be with co-operation of the King and the landlords. In like manner the corporate right is recognized in what the same law declares respecting the "residuum lands," and "respecting landlords."

Yet the principle of suzerainship seems to have followed the King in those lands which are otherwise declared to be the proper possession of the landlords : for the "advice to the governors and landlords" commences with, "It shall be the duty of those to whom the King gives lands to see that they do not establish other landlords under themselves, over the people ;" and in the 18th section, landlords are cautioned lest they "be dispossessed, according to the principles of the eleventh section," which makes the landlords' right of possession dependant upon industry and intelligence.

It would thus seem inferable, that as late as the 7th of June, 1839, and before the Constitution was given, the chiefs considered themselves tenants at special will of the King as the head of the nation, or in his corporate right. Also that that corporate right to dispossess them was only to be exercised for causes of a public nature, inconsistent with the public well being. To suppose that the landlords could be lawfully dispossessed by the King at will, for causes of private pique, or because of personal disfavor, would be to make the King the real or intrinsic owner of the land in his individual capacity, a doctrine neither sustained by the current of past legislation, nor the testimony which has already been elicited by the board. But to recognize his right of forfeiting the lands of the landlords for misuser or nonuser, or for crime, is itself a recognition beneficial to the mass of the people, for whose happiness the corporation is instituted.

The Hawaiian rulers have learned by experience, that regard must be had to the immutable law of property, in things real, as lands, and in things personal, as chattels ; that the well being of their country must essentially depend upon the proper development of their internal resources, of which land is the principal ; and that in order to its proper cultivation and improvement, the holder must have some stake in it more solid than the bare permission to evolve his daily bread from an article, to which he and his children can lay no intrinsic

claim. They perceive by contact with foreign nations, that such is their uniform practice, and that the rules of right under that practice are contended for, understood and likely to be applied, in regard to the lands otherwise held at their hands by a tenancy incomprehensible to the foreigner. They are desirous to conform themselves in the main to such a civilized state of things, now that they have come to be a nation in the understanding of older and more enlightened governments.

Such we the commissioners understand to have been the reason of the distinction in the Constitution of 1840, between government lands and private lands of the King, and such we now understand to be the spirit of article 4th, chapter 7th, of the first part of the Act to organize the executive departments of the Hawaiian Islands, founded upon the Law Report of May 21, 1845, in which it was recommended to prepare His Majesty's government to consort in some measure with the recognizing powers. In consequence, it was enacted that the King is to appoint five commissioners for quieting land titles, and thus confer upon them all his private and public power over the corporate property in lands claimed by private parties, which in the nature of things he can delegate.

The requisition to appoint such a board is found in the fourth article of the 7th chapter of the first part of an Act of the Legislature, passed on the 10th of December, 1845, which took effect on the 7th of February following. The statute of which said article is a part, is as a whole denominated "An Act to organize the Executive Departments," indicating that the decisions of the board are not purely judicial, but executive adjudications. The Act as a whole in five parts, passed its final reading and received the approbation of His Majesty, on the 27th of April, 1846, and was promulgated on the 20th June following.

The Board of Commissioners thus instituted, was organized in strict conformity with the law, which having taken effect on Saturday, the 7th of February, the Minister of the Interior, on Monday, the 9th, in Privy Council, with the approbation of His Majesty, appointed and commissioned the undersigned, who at the same time in the presence of the King and Council, took and subscribed the following oath of office :—

"We, and each of us, do solemnly swear, that we will carefully and impartially investigate all claims to land submitted to us by private parties against the government of the Hawaiian Islands ; and that we will equitably adjudge upon the title, tenure, duration and quantity thereof, according to the terms of article 4th of the 7th chapter of the first part of an Act entitled ' An Act to organize the Executive De-

partments of the Hawaiian Islands,' passed at Honolulu, the 10th day of December, 1845.

“ (Signed,)

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WILLIAM RICHARDS,
JOHN RICORD,
J. Y. KANEHOA,
JOHN II,
Z. KAAUWAI.

“ Subscribed and sworn to this 9th day of February, 1846, before me.

JOHN YOUNG,
Minister of the Interior.”

On the 11th of February, the day following their appointment, the Commissioners organized as follows :

“ NOTICE.

“ At a meeting of the Board of Commissioners appointed to quiet land titles, having in view the proper organization required and allowed by article 4th of chapter 7th of the first part of an Act entitled ‘ An Act to organize the Executive Departments of the Hawaiian Islands.’

“ The members of said board having convened, it was

“ *Resolved*, 1st. That William Richards, Esq., be, and he is hereby chosen President.

“ 2d. That Joseph Henry Smith, Esq., be employed as one of our stated secretaries, at a compensation to be hereafter determined, derivable solely from the fees and perquisites resulting to the government from the labors of the Board.

“ 3d. That said secretary be duly sworn to fidelity in the discharge of his duties as such. That he be, and is hereby authorized to receive claims and evidences for our after consideration, from and after the first publication hereof. That he be required to endorse upon each claim the day and hour of its receipt by him. That he keep an office in Hale Kauwila, in Honolulu, for the transaction of his duties, and for the facility of claimants. And that he be charged with keeping the minutes of this board, and of its proceedings upon claims.

“ 4th. That claims submitted for settlement be taken up and acted upon according to the order of their presentation, and be settled according to order taken in each case by a majority in number of the board.

“ 5th. That the stated meetings of this board be held on Wednesday of each week, commencing at 9 o'clock, A. M., at the said office at Hale Kauwila, in Honolulu, for the transaction of business. The first meeting to be held on the 4th day of March next.

“ 6th. That these resolutions be published in the Polynesian newspaper, concurrently with the notice to claimants required by law, to the end that they may be apprised of these by-laws established by the board.

“ Done at Honolulu, this 11th day of February, A. D., 1846.

“ (Signed,)

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WILLIAM RICHARDS,
JOHN RICORD,
J. Y. KANEHOA,
JOHN II,
Z. KAAUWAI.”

Which resolutions were published in the Polynesian of the 14th February, 1846, together with the following notice, required by law:

“ TO ALL CLAIMANTS OF LANDS IN THE HAWAIIAN ISLANDS.

“ The undersigned have been appointed by His Majesty the King, a Board of Commissioners to investigate and confirm or reject all claims to land arising previously to the 10th day of December, A. D., 1845.

“ Patents in fee simple, or leases for terms of years, will be issued to those entitled to the same, upon the report which we are authorized to make by the testimony to be presented to us.

“ The Board holds its stated meetings weekly, at the Hale Kauwila, in Honolulu, on the Island of Oahu, to hear the parties or their counsel in defence of their claims, and is prepared every day to receive in writing the claims and evidences of title which parties may have to offer, at the office of Joseph Henry Smith, Esq., Secretary of said board, at Hale Kauwila, in Honolulu, between the hours of 9 A. M., and 3 P. M.

“ All persons are required to file with the Board by depositing with its Secretary specifications of their claims to land, and to adduce the evidence upon which they claim title to any land in the Hawaiian Islands, before the expiration of two years from this date; or in default of so doing, they will after that time be forever barred of all right to recover the same in the courts of justice.

“ Dated 11th day of February, 1846.

“ (Signed,)

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WILLIAM RICHARDS,
JOHN RICORD,
J. Y. KANEHOA,
JOHN II,
Z. KAAUWAI.”

1st. The field of the Commissioners is “ the investigation and final ascertainment or rejection of all claims of private individuals, whether natives or foreigners, to any landed property acquired ante-

prior to the passage of the Act" of which Article 4th is an integral portion, to wit, 27th April, 1846.

2d. The more minute powers of the Board for organization, and to carry out these objects, are specified and conferred; as the power to meet and adjourn, to appoint clerks, to summon parties and enforce mandates, to administer oaths, and to issue commissions for taking testimony. These are auxiliary to the powers and objects of the Board respecting land titles, which it is created to confirm or reject definitively.

3d. The principles by which the Board are to be governed in deciding certain questions, (i. e.) "Prescription occupancy, fixtures, native usages in regard to landed tenures, water privileges and rights of piscary, the rights of women, the rights of absentees, tenancy and sub-tenancy, primogeniture, and rights of adoption," are to be those "Established by the civil code of the kingdom," which the general provisions of the Act to organize the Executive departments, section 3d, defines as follows:—"Until the passage of the civil code, the principles of the foregoing Act, and the prescriptions of all the civil statutes now existing, not at conflict therewith, shall serve and be binding as a civil code for this kingdom, of which the courts of justice shall take notice, in administering the rights to which they are applicable."

A wide latitude is thus left to the Commissioners, who must, in passing upon the merits of each claim, first elicit from creditable witnesses, the facts or history of each; and thus assort or reconcile those facts to the provisions of the civil code, whenever there is a principle in past legislation applicable to the point under consideration; but when no such principle exists, they may judicially declare one, in accordance with ancient usage and not at conflict with any existing law, nor at variance with the facts, and altogether equitable and liberal.

4th. From the fact that His Majesty, the intrinsic proprietor, has reposed in this Board, such power of confirming or rejecting, the Commissioners must infer that he intended the utmost liberality to prevail towards the claimants, rather against the pecuniary interests of the body politic than against those of the claimants. But,

5th. The Commissioners do not understand that in virtue of such latitude, they are at liberty to disregard certain restrictions contained in the same Act, by the 4th Article of the 7th chapter of the first part of which they are created. For the same legislature by whose authority they exist, has elsewhere limited them as follows:—

1st. Aliens are not allowed to acquire any allodial or fee-simple estate in lands.

2d. No leasehold estate shall be considered validly acquired by any alien "until he shall have obtained a certificate of nationality, as in this" the first article of chapter 5th required.

6th. The Commissioners are only authorized by the Act to ascertain the claimant's kind and amount of title, and to award for or against that title, "wholly or in part."—They are not authorized to grant leases or patents, or to receive the commutation allowed by section 10th. Yet since the government share in the land confirmed has intimate connexion with the amount of the claimant's title, the Commissioners must ascertain and report upon that share, for the guidance and information of the Minister of the Interior.

7th. Connected with each claim for land, is its configuration and superficial contents, without the ascertainment and demarkation of which, it were impossible to make an award, or to quiet the title as between neighboring proprietors. The Board is therefore under the necessity of causing each piece of land to be surveyed at the claimant's expense, before awarding upon it. This is clearly contemplated by the 12th section of the law, among the "expenses incidental to the proposed investigation."

The following benefits will result from these investigations and awards :—

1st. They will separate the rights of the King and Government, hitherto blended, and leave the owner, whether in fee, or for life, or for years, to the free agency and independent proprietorship of his lands as confirmed. So long as the King or Government continue to have an undivided proprietary share in the domain, the King's and Premier's consent is necessary, by the old law, to real sales, or transfers from party to party, and, by parity of reasoning, to real mortgages also. This is because of the share which Government or the body politic has in the lands of the kingdom uniformly. To separate these rights, and disembarass the owner or temporary possessor from this clog upon his free agency, is beneficial to that proprietor in the highest degree, and also to the body politic ; for it not only sets apart definitely what belongs to the claimant, but untying his hands, enables him to use his property more freely, by mortgaging it for commercial objects, and by building upon it, with the definite prospect that it will descend to his heirs. This will tend more rapidly to an export, and to a permanency of commercial relations, without which, there can never be such a revenue as to enable the Government to foster its internal improvements.

2nd. The patents or leases given to claimants, are for certain fixed and ascertained extents or dimensions of land. This must prevent after litigation in regard to boundaries. All parties having been cited before awarding, there can be no counter claims to the same piece of land after award, except on appeal, and such appeal cannot be taken, except by a party who has presented his claims to the Board.

The patents and leases are recorded in duplicate, in the department of the Interior. This will enable the foundation of every one's right to be known to the Government, and inquiring parties. No pretended ownerships can exist without the means of undeceiving the public in regard to them. Subsequent purchasers and mortgagees need not be in ignorance of prior defects in the title, or of prior incumbrances.

The undersigned deem the foregoing prefatory remarks and explanations necessary to a clear understanding of the awards upon which they are about to enter, and indispensable to which awards, it is necessary to lay down the following general principles, to which they have arrived by critical study of the civil code, and careful examination of numerous witnesses; among whom are some of the oldest chiefs, possessing large tracts of land, which, equally with other lands, come under the adjudication of the Board, and under the principles here laid down.

The chiefs so situated, cannot have a personal interest in testifying to the facts leading to these principles, since they thereby clog their own rights, and become liable to pay the commutation to which the King and Government are entitled. Native proprietors and foreign residents are thus put upon the same footing in regard to their titles, in consistency with Article 2nd of the treaties concluded with Great Britain and France, 26th March, 1846.

1st. For the purposes of this Board in all cases where the land has been obtained from the King or his authorized agent without a written voucher, anterior to the 7th of June, 1839, the Board will inquire simply into the history of the derivation; and if the land claimed has been continuously occupied, built upon, or otherwise improved since that time, without molestation, the Board will, in case no contests exist between private claimants, infer a freehold less than allodial.

2d. In all such cases as above specified, when there are counter claims to the same piece of land, the Board will confine their inquiry to which of the claimants has the freehold, less than allodial.

3d. In all cases where the land has been obtained from the King or his authorized agent, or from any governor, chief, or pretended proprietor, subsequently to the 7th of June, 1839, the Board will strictly inquire into the right of the King, or chief, or landlord, to make such disposition of the land; and will confirm or reject, according to the right of such donor, grantor, or lessor, regardless of consideration, occupancy or after improvements.

4th. In all cases where the land has been legally and validly obtained from the lawful proprietor, by written grant, deed, or lease, the Board will construe the claimant's rights by the wording of the instrument.

5th. When rights were originally acquired either in writing or

verbally, in a lawful manner, and from the *bona fide* owner, for a valid consideration or otherwise, and yet were never occupied, or have not been occupied by such claimant since the 7th of June, 1839, the Board will infer an absence of title. Especially in view of section 6, chapter 3, old law.

6th. The share of government, or the body politic, to be commuted for with the Minister of the Interior, by any confirmed claimant wishing to obtain a fee simple title under chapter 7 of part first of the Act to organize the Executive Departments, this Board understand, from the evidence adduced before them, to be one third part of the value of the land, without improvements, which third part of unimproved value, being paid by the confirmed claimant, should extinguish the private rights of the King in the land, and leave such claimant an allodium, subject only to the corporate rights of the body politic, to be exerted by the King under authorization of the laws, and through the agency of his officers created by the laws. The Board, in asserting this principle, do not mean however to restrict the power of His Majesty in Privy Council, to fix upon a less commutation, under section 10th of the article creating this Board, and subject to the private rights of tenants, if there be any on the land; for the King has no power to convey away the rights of individuals without their consent. They deem it their duty to state the maximum value of the interest retained in all lands of the kingdom at this date, which was never relinquished, and which the government to this day has never received any valuable consideration for, even from the private chiefs from whom the claimants derive. Claimants cannot derive more than the original proprietor had, neither could the original proprietors grant more than they had to the present claimants. They had a possessory right under the crown, equal to two thirds undivided of the value of the land, provided there were no tenants; and in consideration of the undivided third of the King, they paid an annual rent, in produce of the soil, and in service. The foreign claimants, deriving from these, have not, in all cases, paid the rent which was due from their grantors, and have lost sight of the corporate rights in their lands, pertaining originally to the government. That rent can be sold by the Minister of the Interior, for not exceeding one third of the unimproved value of the land as aforesaid, which would divest the land so commuted for of all interference, save that of the community, for the causes and in the way aforesaid.

7th. The titles of all lands, whether rightfully or wrongfully claimed, either by natives or foreigners, in the entire kingdom, which shall not have been presented to this Board for adjudication, confirmation or rejection, on or before the 14th day of February, 1848, are declared to belong to this government, by section 8th of the article creating this Board. Parties who thus neglect to present their claims,

do so in defiance of the law, and cannot complain of the effect of their own disobedience.

Upon these principles, the undersigned proceed to take up the claims now before them in the order of their presentation.

(Signed,)

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WILLIAM RICHARDS,
JOHN RICORD,
J. Y. KANEHOA,
JOHN II,
Z. KAAUWAI.

Hale Kauwila, August 20, 1846.

RESOLUTION OF THE LEGISLATIVE COUNCIL.

The principles adopted by the Board of Commissioners to quiet Land Titles, under date of August 20th, 1846, having been read before the Nobles and Representatives of the people, in Legislative Council assembled, and having been carefully considered, it was,

Resolved, That the same are hereby approved; and it is enacted, that from the date hereof, all claims for landed property in this kingdom shall be tested by those principles, and according to them be confirmed or rejected.

KAMEHAMEHA.

KEONI ANA.

Council House, Honolulu, Oct. 26, 1846.

AN ACT TO ALTER AND AMEND THE LAW OF MARRIAGE.

Whereas, many foreigners intermarrying with the natives of these islands have forsaken them after living with them a short time, and departed into other countries, leaving their families in great distress:

And whereas, the present laws of this kingdom, passed for the prevention of this evil, require every foreigner wishing to marry a native of these islands to take the oath of allegiance previous to such marriage:

And whereas, certain foreigners wishing to marry natives of these islands have objections to taking such oath of allegiance : Therefore,

Be it enacted by the House of Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :—

That so much of any law heretofore passed and now in force in this kingdom, as requires that foreigners, before entering into marriage with natives of these islands, shall take the oath of allegiance shall be, and the same hereby is repealed, and the following substituted in the place thereof :

SECTION I. Every foreigner who shall have resided in this kingdom for the period of two years, desirous of marrying a native thereof, shall, upon giving a satisfactory bond of indemnity to the Minister of the Interior, in a penal sum not exceeding one thousand dollars, conditioned for the faithful discharge of his duties as a husband and father, to the best of his abilities ; that he will not forsake his wife or children, nor leave them temporarily without providing for their maintenance and support during his absence ; and that he has no wife living in any other country, be entitled to a certificate for such marriage from the governor of the island in which he has his fixed residence : Provided however, that every such foreigner who shall prefer so to do, shall be entitled to such certificate, upon going before the governor of the Island of Oahu, and making oath that he has no wife living in any other country, and that he will support the constitution and laws of the Hawaiian Islands and bear true allegiance to His Majesty the King.

SECTION II. No marriage of any such foreigner with a native of these islands, shall be legal or valid, unless he has given the bond or taken the oath required by the preceding section of this act.

SECTION III. This act shall take effect, and be in full force from and after the day of the passage thereof.

Done and passed at the Council House in Honolulu, this 7th day of September, A. D., 1847.

KAMEHAMEHA.

KEONI ANA.

AN ACT TO RESTRAIN HAWAIIAN SUBJECTS FROM ABANDONING THEIR FAMILIES.

Whereas, certain Hawaiian subjects have departed this kingdom,

leaving their families in distress for the want of the necessary means of their support, therefore,

Be it enacted by the House of Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :—

SECTION I. That wherever any subject of this kingdom having a family shall be about to depart the same, leaving his family unprovided for, the several governors, judges, and justices of this Kingdom shall have the power, upon proper application, to arrest and detain said subject, until he has given a satisfactory bond to the officer ordering his arrest, conditioned that he will not abandon his family, and that he will provide for their support during his absence.

SECTION II. Every Captain or other officer of a Foreign vessel, wishing to ship any such subject, native or otherwise, shall comply with the provisions of the law now in force in relation to the enlistment of native sailors on board of foreign vessels, and in case of failure to comply with said provisions, he shall be liable to all the penalties and forfeitures prescribed in said law.

SECTION III. This Act shall take effect and become a law of this kingdom thirty days from and after the day of its passage.

Done and passed at the Council House, in Honolulu, this 27th day of September, A. D., 1847.

KEONI ANA.

KAMEHAMEHA.

AN ACT TO REGULATE THE SALE OF ALE, BEER, PORTER, CIDER AND OTHER LIQUORS.

Whereas, under the treaties at present existing between this Government and the Governments of other nations, all malt liquors and cider are now admitted into this kingdom upon the payment of the duty of five per cent., imposed upon foreign merchandize : and

Whereas, there exists much doubt whether, under the present laws, every person holding a license to vend goods, wares and merchandize, may not, in virtue of said license, vend the aforesaid liquors, and thus promote the increase of drunkenness and other evils : and

Whereas, much intoxication has been produced by the sale of a drink compounded with awa, or other narcotic ingredients, under the name of "Spruce Beer," therefore,

Be it enacted by the House of Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled:—

SECTION I. That the sale of all Cider, Ale, Beer, Porter, or other fermented liquor of foreign manufacture, shall be subject to all the regulations, restrictions and penalties prescribed in the laws regulating the vending of spirituous liquors at wholesale and retail, and shall be sold by no other persons than those duly licensed to sell spirituous liquors.

SECTION II. The sale of Spruce Beer, and all other fermented liquors of domestic manufacture, shall be subject to all the restrictions, conditions and penalties prescribed in the laws regulating the keeping of Hotels, inns and victualling houses, and shall be sold by no other persons than those duly licensed to keep a hotel, inn, victualling house, or to sell spirituous liquors at retail.

SECTION III. Every person who shall, in violation of either of the preceding sections of this Act, sell any Cider, Ale, Beer, Porter, Spruce Beer or other fermented liquor, of foreign or domestic manufacture, shall upon conviction of such offence before any police or district justice of this Kingdom, be fined five hundred dollars. The property of every such offender may be levied upon and sold to collect said fine, and in case it cannot be collected of said property, the court may in its discretion, sentence such offender to imprisonment not exceeding six months.

SECTION IV. Every person, whether such person be licensed to sell spirituous liquors or not, who shall sell any Cider, Ale, Beer, Porter or other intoxicating drink to any native subject of this Kingdom, shall upon conviction of so doing before any police or district justice of this Kingdom, be liable to all the penalties and fines prescribed in the above section of this act.

SECTION V. This Act shall take effect and become a law of this Kingdom thirty days after the day of its passage.

Done and passed at the Council House, in Honolulu, this 27th day of September, A. D., 1847.

(Signed,
VOL. II.

(Signed,
KEONI ANA.
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KAMEHAMEHA.

AN ACT RELATING TO THE DIRECTOR OF THE GOVERNMENT PRESS.

Be it enacted by the House of Nobles and Representatives, of the Hawaiian Islands, in Legislative Council assembled :—

That Part 1, Chapter 1, Article 1, Section 4, of the Act entitled "An Act to Organize the Executive Departments," which makes the Director of the government Press, *ex officio* editor of the official organ of the Hawaiian government, shall be, and the same hereby is so amended, as to leave it discretionary with the King and Premier to make the Director of the government Press and the editor of the Poly-nesian a single office, conferable upon one individual, or distinct and separate offices, conferable upon two individuals, as may to them seem proper.

This Act shall take effect from and after the day of its passage.

Done and passed at the Council House, Honolulu, September 27th, 1847.

(Signed,) KEONI ANA.

KAMEHAMEHA.

AN ACT TO REGULATE AND EXPLAIN THE LAW OF TAXATION.

Whereas, His Majesty's Minister of Finance has stated to us, that by reason of the failure of the governors of the several Islands to make the requisite returns respecting the internal taxes, he is unable to prepare the assessment rolls required by the Act to Organize the Executive Departments of the Hawaiian Islands, Part 3, Chapter 2, Section 4, and by Article 4, Section 4, of said Chapter; and

Whereas, there appears to be some misunderstanding on the part of the tax officers, as to property taxable upon the assessment roll of the Minister of Finance, and taxes permanently imposed by the existing laws; therefore,

Be it enacted, by the Nobles and Representatives of the Hawaiian Islands, in Legislative Council assembled :—

SECTION I. It shall be the duty of the tax officers of the several districts of this Kingdom, to receive and collect the following taxes. viz:

The land tax, as imposed by the above mentioned law, Chapter 2, Article 2, entitled "of the land tax."

The poll tax, as imposed by the same law, Chapter 2; Article 1, entitled "of the poll tax."

And the chattel tax, as imposed by said law, Chapter 2, Article 4, upon the following property, viz:

On all horses, mares, mules and asses, as by Section 7, of said Article.

On all dogs and cats, as by Section 9 of said Article.

It shall be the duty of the tax officers, in person or by deputy, to receive and collect the above mentioned taxes before the first day of January of each and every year; after which day, in case of a refusal or neglect to pay any of the above mentioned taxes, it shall be the duty of the tax officer, and he is hereby empowered, in person or by his deputy, to seize and take possession of any property belonging to the person so neglecting or refusing to pay his tax, sufficient in value for the payment of the tax and the expenses of collection; which property shall be delivered over to the governor of the Island where it is seized, for the benefit of the royal exchequer.

SECTION II. It shall not be required of the Minister of Finance to present to the Legislative Council the assessment rolls required by the above mentioned law, until the necessary returns can be made to him from the respective Islands, but he shall, in concert with the governors, devise such means to enforce the exhibition of both chattel and real property, as shall in their judgment best ensure the requisite returns.

SECTION III. The land tax imposed by law, as herein before cited, remaining unpaid on any taxable land at the first day of January in any year, it shall be the duty of the tax officer in whose district said land is situated, to give written notice thereof to the Konohiki who is acknowledged by the tenants of such land, or in case the land be destitute of tenants, to the Konohiki who can be found; and in case of the failure of the Konohiki to pay the tax, within thirty days after being served with the above notice, it shall be the duty of the tax officer to notify the governor and the Minister of Finance, in order that they may inform His Majesty that said land is forfeited to the government.

Done and passed at the Council House in Honolulu, this 29th day of September, 1847.

(Signed)
(Signed) KEONI ANA.

KAMEHAMEHA.



BRITISH TREATY.

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1.22.

It being desirable that a general convention should be substituted for the various instruments of mutual agreement at present existing between Great Britain and the Sandwich Islands, the following articles, have, for that purpose and to that intent, been mutually agreed upon and signed between the governments of Great Britain and the Sandwich Islands, and it has been determined that any other treaty, or conventional agreement, now existing between the respective parties, shall be henceforward abrogated and considered null and of no effect.

ARTICLE I. There shall be perpetual peace and amity between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the King of the Sandwich Islands, their heirs and successors.

ARTICLE II. The subjects of Her Britannic Majesty residing within the dominions of the King of the Sandwich 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 Sandwich Islands engages to grant to British subjects the same rights and privileges which now are, or hereafter may be, granted to or enjoyed by any other foreigners, subjects of the most favored nation.

ARTICLE III. No British subject accused of any crime whatever, shall be judged otherwise than by a jury composed of native or foreign residents, proposed by the British Consul and accepted by the government of the Sandwich Islands.

ARTICLE IV. The protection of the King of the Sandwich Islands shall be extended to all British vessels, their officers and crews. In case of shipwreck, the chiefs and inhabitants of the different parts of the Sandwich Islands shall succor them and secure them from

plunder. The salvage dues shall be regulated, in case of dispute, by arbitrators chosen by both parties.

ARTICLE V. The desertion of seamen embarked on board of British vessels shall be severely repressed by the local authorities; who shall employ all the means at their disposal to arrest deserters; and all reasonable expenses of capture shall be defrayed by the Captains or owners of said vessels.

ARTICLE VI. British merchandize or goods recognised as coming from the British dominions, shall not be prohibited, nor shall they be subject to an import duty higher than five per cent. *ad valorem*. Wines, brandies, and other spirituous liquors are however excepted from this stipulation, and shall be liable to such reasonable duty as the Hawaiian government may think fit to lay upon them, provided always that the amount of duty shall not be so high as absolutely to prohibit the importation of the said articles.

ARTICLE VII. No tonnage, import, or other duties shall be levied on British vessels, or goods imported in British vessels, beyond what are levied on vessels or goods of the most favored nation.

ARTICLE VIII. The subjects of the King of the Sandwich Islands shall, in their commercial or other relations with Great Britain, be treated on the footing of the most favored nation.

Done at Honolulu, the 26th of March, 1846.

WM. MILLER, H. B. M.'s
Consul General for the Islands in
the Pacific Ocean.

[L. S.]

R. C. WYLLIE, H. H. M.'s
Minister of Foreign Relations.

[L. S.]

IOANE II,
Member of the Treasury Board.
[L. S.]

FRENCH TREATY.

Le temps ayant démontré la convenance de substituer un traité général aux diverses conventions mutuellement consenties jusqu'ici

par la France et les Iles Sandwich, les gouvernements Français et Havaïen sont réciproquement convenus des articles suivants, et les ont signés après avoir reconnu et arrêté que tout autre traité ou convention, actuellement existant entre les parties contractantes, serait désormais considéré comme nul et de nul effet.

ARTICLE I. Il y aura paix et amitié perpétuelles entre S. M. le Roi des Français et le Roi des Iles Sandwich, entre leurs héritiers et successuers.

ARTICLE II. Les sujets de S. M. le Roi des Français demeurant dans les possessions du Roi des Iles Sandwich, jouiront, quant aux droits civils, et pour ce qui regarde leurs personnes et leurs propriétés, de la même protection que s'ils étaient sujets indigènes, et le Roi des Iles Sandwich s'engage à leur accorder les mêmes droits et privilèges, que ceux accordés maintenant, ou qui pourront être accordés plus tard aux sujets de la nation la plus favorisée.

ARTICLE III. Aucun Français accusé d'un crime ou délit quelconque, ne pourra être jugé que par un jury composé de résidens indigènes, ou étrangers proposés par le Consul de France, et agréés par le gouvernement des Iles Sandwich.

ARTICLE IV. Le Roi des Iles Sandwich étendra sa protection sur les navires Français, leurs officiers et équipages: en cas de naufrage les chefs et habitans des différentes parties des Isles Sandwich devront leur porter secours et les garantir de tout pillage.

Les indemnités de sauvetage seront réglées en cas de difficulté, par les arbitres nommé par les deux parties.

ARTICLE V. La désertion des marins embarqués à bord des navires Français sera sévèrement réprimée par les autorités locales, qui devront user de tous les moyens à leur disposition, pour arrêter les déserteurs. Toute dépense faite dans de justes limites pour s'emparer d'eux sera remboursée par les Capitaines ou propriétaires des dits navires.

ARTICLE VI. Les marchandises Françaises ou reconnues comme venant des possessions Françaises, ne pourront être prohibées ou soumises à un droit d'entrée plus élevé que celui de 5 per cent. ad valorem. Les vins, eaux de vie, et autres liqueurs spiritueuses sont exceptés et pourront être soumis à tout droit équitable, dont le gouvernement des Iles Sandwich jugera convenable de les frapper,

mais à condition que ce droit ne sera jamais assez élevé pour devenir un empêchement absolu à l'importation des dits articles.

ARTICLE VII. Les droits de tonnage ou d'importation, ou tout autre droit levé sur des navires Français, ou sur des marchandises importées par des navires Français, ne devront point excéder les droits imposés aux navires, ou aux marchandises de la nation la plus favorisée.

ARTICLE VIII. Les sujets de Roi des Iles Sandwich seront traités sur le pied de la nation la plus favorisée, dans leurs relations commerciales ou autres avec la France.

Fait à Honolulu, le 26 Mars, 1846.

EM. PERRIN, Consul de
France, Chargé d'une Mission
Spéciale aux Iles Sandwich.

[L. S.]

R. C. WYLLIE, His Hawai-
ian Majesty's Minister of Foreign
Relations.

[L. S.]

IOANE II,
Member of the Treasury Board.
[L. S.]

DANISH TREATY.

It being desirable that a general convention, and instrument of mutual agreement, should exist between Denmark and the Hawaiian Islands, the following articles have for that purpose, and to that intent, been mutually agreed upon and signed between the governments of Denmark and the Hawaiian Islands.

ARTICLE I. There shall be perpetual peace and amity between His Majesty the King of Denmark, and His Majesty the King of the Hawaiian Islands, their heirs and successors.

ARTICLE II. The subjects of His Majesty the King of Denmark 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 Danish subjects 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 III. The protection of the King of the Hawaiian Islands shall be extended to all Danish vessels, their officers and crews, within the harbors and roads of his dominions. In time of war, they shall receive all possible protection against the enemies of the King of Denmark. In case of shipwreck the local authorities and officers of the King shall use their utmost exertions to succor them and secure them from plunder.

The salvage dues shall be settled according to the general law of salvage, and, in case of dispute, shall be regulated by arbitrators chosen by both parties.

ARTICLE IV. The desertion of seamen belonging to Danish vessels shall be severely repressed by the local authorities, who shall employ all means at their disposal to arrest and confine deserters, and the lawful expenses shall be defrayed by the captain or owners. In such cases, no unnecessary severity is to be used, and due notice is to be immediately given to the Danish Consul, agreeably to the 6th Article of this Treaty.

ARTICLE V. Danish subjects 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 Danish Consul, whose duty it is not to give any such document to others than *bona fide* subjects of His Majesty, the King of Denmark.

In the case of Danish sailors wishing to remain on the Islands, permission shall be previously obtained of the Government by the Danish Consul.

ARTICLE VI. It is agreed that the Danish Consul shall be instructed to zealously attempt to settle amicably and extra-judicially, all difficulties arising with Danish subjects; and that when any case is brought before the court of foreign causes, the presiding judge shall, with the least possible delay, communicate knowledge thereof to the Danish Consul; also that when Danish sailors or subjects are committed, in consequence of police or other offences, information shall be conveyed to him, forthwith, by the Prefect or other officer of the police.

ARTICLE VI. No Danish productions, or any other goods on

board of, or imported in Danish ships, that can be imported by other foreign ships, shall be prohibited, nor pay more than those duties levied on goods of the most favored nation. Any alteration in the duties levied on goods, shall not take effect nor be enforced, until twelve calendar months after the first public notification of such change.

ARTICLE VIII. Danish merchandise and property, or goods imported in Danish vessels, liable to an entrance duty higher than 5 per cent. *ad valorem*, shall be allowed to be bonded, paying only the usual transit duty.

Until the erection of a building by the Hawaiian government for such warehousing and bonding, such Danish merchandise or property, or goods imported in Danish vessels, shall be allowed to be warehoused and bonded in private warehouses, under the seals and superintendence of the Hawaiian custom-house officers, and the responsibility of the owner of the goods, or the consignee.

ARTICLE IX. All Danish vessels shall have the right and privilege of disposing of their cargoes, or any part thereof, at all or any of the ports of the Hawaiian dominions, now open, or that may hereafter be opened to foreign commerce, and to take in any produce of the Hawaiian Islands which they may receive in payment of such cargoes. But they shall not be allowed to take any goods or merchandise or freight from one Island or port to another, such coasting trade being restricted to bottoms sailing under the Hawaiian flag.

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 Denmark and her possessions, be treated on the footing of the most favored nation.

Done at Honolulu, this 19th day of October, 1846.

R. C. WYLLIE, His Hawaiian Majesty's Minister of Foreign Relations, and member of his Council of State.

STEENBILLE, His D. M.'s Chamberlain, and Post Captain of the R. N.; Knight of Dannebrog, and of the French order "Pour le merite militaire," commanding H. D. M.'s frigate Galathea.

[L. S.]

[L. S]

ADDITIONAL ARTICLE.

This treaty shall not be permanently binding till it receive the ratification of His Majesty the King of Denmark; but in the meanwhile, for the sake of what Danish vessels or subjects may arrive, it is mutually agreed that it shall take effect, provisionally, from the date of its ratification by His Majesty the King of the Hawaiian Islands.

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