

NELSON S. ALEXANDER

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PREFACE TO THE LAWS OF 1842.

The following is a translation of the Constitution of the Hawaiian Government, and of all the laws which have been enacted or revised since its adoption so far as they are known to the translator. The translation is not designed to be a perfectly literal one, but wherever there is a variation from the letter of the original it is always made with the design of giving the sense more clearly. For these variations the translator is responsible. The original will of course be the basis of all judicial proceedings.

The foreign reader may be interested to know something of the history of these laws. A particular account of the origin of that part which relates to taxation, and indeed most of the civil code, may be found in the Hawaiian Spectator, Vol. II, Page 345.

The laws as they now appear are most of them of quite recent date. Some of them were enacted as far back as 1833, and others had their origin as early as 1823.

But all the laws which were enacted previous to the former period, and some of a later period have undergone such modifications and changes, that they now appear with a date much later than the original.

At these Islands, as well as in more civilized countries, there is something like a system of common law, independent of special statutes. It consists partly in their ancient taboos, and partly in the practices of the celebrated chiefs as the history of them has been handed down by tradition, and at the present period the principles of the Bible are fully adopted. The established customs of civilized nations have also in most cases the force of law in these Islands provided that custom is known.