

nal, with the yeas and nays taken thereon, and referred to the next Legislature; which proposed amendment or amendments shall be published for three months previous to the next election of Representatives and Nobles; and if in the next Legislature such proposed amendment or amendments shall be agreed to by two-thirds of all the members of the Legislature, such amendment or amendments shall become part of the Constitution of this Kingdom.

KALAKAUA REX.

By the King:

W. L. GREEN, Minister of Finance.

HONOLULU, }
OAHU. } ss.

I, KALAKAUA, King of the Hawaiian Islands, in the presence of Almighty God, do solemnly swear to maintain this Constitution whole and inviolate, and to govern in conformity therewith.

KALAKAUA REX.

Subscribed and sworn to before me this sixth day of July, A. D. 1887.

A. F. JUDD,

Chief Justice of the Supreme Court, and Chancellor of the Kingdom.

Proclamation and Orders.

INCIDENT TO THE CHANGE FROM THE MONARCHY TO THE PROVISIONAL GOVERNMENT.

PROCLAMATION OF THE COMMITTEE OF SAFETY, JANUARY 17, 1893.

In its earlier history Hawaii possessed a Constitutional Government honestly and economically administered in the public interest.

The Crown called to its assistance as advisers able, honest and conservative men whose integrity was unquestioned even by their political opponents.

The stability of the Government was assured; armed resistance and revolution unthought of, popular rights were respected, and the privileges of the subject from time to time increased and the prerogatives of the Sovereign diminished by the voluntary acts of the successive Kings.

With very few exceptions this state of affairs continued until the expiration of the first few years of the reign of His late Majesty Kalakaua. At this time a change was discernible in the spirit animating the chief executive and in the influences surrounding the Throne. A steadily increasing disposition was manifested on the part of the King, to extend the Royal prerogatives; to favor adventurers and persons of no character or standing in the community; to encroach upon the rights and privileges of the people by steadily increasing corruption of electors, and by means of the power and influence of office holders and other corrupt means to illegitimately influence the elections, resulting in the final absolute control of not only the executive and legislative; but to a certain extent the judicial departments of the government, in the interest of absolutism.

This finally resulted in the revulsion of feeling and popular uprising of 1887, which wrested from the King a large portion of his ill-gotten powers.

The leaders of this movement were not seeking personal aggrandizement, political power or the suppression of the native government. If this had been their object it could easily have been accomplished, for they had the absolute control of the situation.

Their object was to secure responsible government through a representative Cabinet, supported by and responsible to the people's elected representatives. A clause to this effect was inserted in the Constitution and subsequently enacted by law by the Legislature, specifically covering the ground that, in all matters concerning the State the Sovereign was to act by and with the advice of the Cabinet and only by and with such advice.

The King willingly agreed to such proposition, expressed regret for the past, and volunteered promises for the future.

Almost from the date of such agreement and promises, up to the time of his death, the history of the Government has been a continual struggle between the King on the one hand and the Cabinet and the Legislature on the other, the former constantly endeavoring by every available form of influence and evasion to ignore his promises and agreements and regain his lost powers.

This conflict upon several occasions came to a crisis, followed each time by submission on the part of His Majesty, by renewed expressions of regret and promises to abide by the constitutional and legal restrictions in the future. In each instance such promise was kept until a further opportunity presented itself, when the conflict was renewed in defiance and regardless of all previous pledges.

Upon the accession of Her Majesty Liliuokalani, for a brief period the hope prevailed that a new policy would be adopted. This hope was soon blasted by her immediately entering into conflict with the existing Cabinet, who held office with the approval of a large majority of the Legislature, resulting in the triumph of the Queen and the removal of the Cabinet. The appointment of a new Cabinet subservient to her wishes and their continuance in office until a recent date gave no opportunity for further indication of the policy which would be pursued by Her Majesty until the opening of the Legislature in May of 1892.

The recent history of that session has shown a stubborn determination on the part of Her Majesty to follow the tactics of her late brother, and in all possible ways to secure an extension of the royal prerogatives and an abridgment of popular rights.

During the latter part of the session, the Legislature was replete with corruption; bribery and other illegitimate influences were openly utilized to secure the desired end, resulting in the final complete overthrow of all opposition and the inauguration of a Cabinet arbitrarily selected by Her Majesty in complete

defiance of constitutional principles and popular representation.

Notwithstanding such result, the defeated party peacefully submitted to the situation.

Not content with her victory, Her Majesty proceeded on the last day of the session to arbitrarily arrogate to herself the right to promulgate a new Constitution, which proposed among other things to disfranchise over one-fourth of the voters and the owners of nine-tenths of the private property of the Kingdom, to abolish the elected upper House of the Legislature and to substitute in place thereof an appointive one to be appointed by the Sovereign.

The detailed history of this attempt and the succeeding events in connection therewith is given in the report of the Committee of Public Safety to the citizens of Honolulu, and the Resolution adopted at the Mass Meeting held on the 16th inst., the correctness of which report and the propriety of which resolution are hereby specifically affirmed.

The constitutional evolution indicated has slowly and steadily, though reluctantly, and regretfully, convinced an overwhelming majority of the conservative and responsible members of the community that independent, constitutional, representative and responsible government, able to protect itself from revolutionary uprisings and royal aggression is no longer possible in Hawaii under the existing system of Government.

Five uprisings or conspiracies against the Government have occurred within five years and seven months. It is firmly believed that the culminating revolutionary attempt of last Saturday will, unless radical measures are taken, wreck our already damaged credit abroad and precipitate to final ruin our already overstrained financial condition; and the guarantees of protection to life, liberty and property will steadily decrease and the political situation rapidly grow worse.

In this belief, and also in the firm belief that the action hereby taken is, and will be for the best personal, political and property interests of every citizen of the land;

We, citizens and residents of the Hawaiian Islands, organized and acting for the public safety and the common good, hereby proclaim as follows:

1. The Hawaiian Monarchical system of Government is hereby abrogated.
2. A Provisional Government for the control and management of public affairs and the protection of the public peace is

hereby established, to exist until terms of union with the United States of America have been negotiated and agreed upon.

3. Such Provisional Government shall consist of an Executive Council of Four Members, who are hereby declared to be

S. B. DOLE,
J. A. KING,
P. C. JONES,
W. O. SMITH,

Who shall administer the Executive Departments of the Government, the first named acting as President and Chairman of such Council and administering the Department of Foreign Affairs, and the others severally administering the Department of Interior, Finance and Attorney-General, respectively, in the order in which they are above enumerated, according to existing Hawaiian Law as far as may be consistent with this Proclamation; and also of an Advisory Council, which shall consist of fourteen members, who are hereby declared to be

S. M. DAMON,
A. BROWN,
L. A. THURSTON,
J. F. MORGAN,
J. EMMELUTH,
H. WATERHOUSE,
J. A. McCANDLESS,
E. D. TENNEY,
F. W. McCHESNEY,
F. WILHELM,
W. R. CASTLE,
W. G. ASHLEY,
W. C. WILDER,
C. BOLTE.

Such Advisory Council shall also have general legislative authority.

Such Executive and Advisory Councils shall, acting jointly, have power to remove any member of either Council and to fill such or any other vacancy.

4. All officers under the existing Government are hereby requested to continue to exercise their functions and perform the duties of their respective offices, with the exception of the following named persons:

QUEEN LILIUOKALANI,
CHARLES B. WILSON, Marshal,

SAMUEL PARKER, Minister of Foreign Affairs,
W. H. CORNWELL, Minister of Finance,
JOHN F. COLBURN, Minister of the Interior,
ARTHUR P. PETERSON, Attorney-General,

who are hereby removed from office.

5. All Hawaiian Laws and Constitutional principles not inconsistent herewith shall continue in force until further order of the Executive and Advisory Councils.

(Signed) HENRY E. COOPER, Chairman,
ANDREW BROWN,
THEODORE F. LANSING,
JOHN EMMELUTH,
C. BOLTE,
ED SUHR,
HENRY WATERHOUSE,
W. C. WILDER,
F. W. McCHESNEY,
WM. O. SMITH,
LORRIN A. THURSTON,
WM. R. CASTLE,
J. A. McCANDLESS,

Committee of Safety.

HONOLULU, H. I., January 17th, 1893.

HONOLULU, H. I., Jan. 17, 1893.

PROVISIONAL GOVERNMENT OF THE HAWAIIAN
ISLANDS.

[Order No. 1.]

All persons favorable to the Provisional Government of the Hawaiian Islands are hereby requested to forthwith report to the Government at the Government Building to furnish the Government such arms and ammunition as they may have in their possession or control, as soon as possible, in order that efficient and complete protection to life and property and the public peace may immediately and efficiently be put into operation.

(Signed) SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
W. O. SMITH,

Executive Council of the Provisional Government of the Hawaiian Islands.

JOHN EMMELUTH,
ANDREW BROWN,
C. BOLTE,
JAMES F. MORGAN,
HENRY WATERHOUSE,
S. M. DAMON,
W. G. ASHLEY,
E. D. TENNEY,
F. W. McCHESNEY,
W. C. WILDER,
J. A. McCANDLESS,
W. R. CASTLE,
LORRIN A. THURSTON,
F. J. WILHELM,

Advisory Council of the Provisional Government of the Hawaiian Islands.

HONOLULU, H. I., Jan. 17, 1893.

PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS.

[Order No. 2.]

It is hereby ordered and decreed that until further ordered, the right of the writ of habeas corpus is hereby suspended, and martial law is hereby declared to exist throughout the Island of Oahu.

SANFORD B. DOLE,
Minister of Foreign Affairs.
J. A. KING,
Minister of the Interior.
P. C. JONES,
Minister of Finance.
WILLIAM O. SMITH,
Attorney-General.

Executive Council of the Provisional Government of the Hawaiian Islands.

Constitution of the Republic of Hawaii.

ADOPTED BY CONSTITUTIONAL CONVENTION, JULY 3RD, 1894.

RIGHTS OF PERSON AND PROPERTY.

ARTICLE 1.—RIGHTS OF THE PERSON.

SECTION 1. God hath endowed all men with certain inalienable Rights, among which are Life, Liberty and the Right of acquiring, possessing and protecting Property, and of pursuing and obtaining Happiness.

SECTION 2. The Government is conducted for the common good, and not for the profit, honor or private interest of any one man, family or class of men.

SECTION 3. The Legislature may provide by law, however, for the supervision, registration, control and identification of all persons, or any class or nationality of persons; and may also by law restrict and limit the term of residence, and the business or employment of all persons or of any class or nationality of persons coming into the Republic.

ARTICLE 2.—RELIGIOUS FREEDOM.

All men are free to worship God according to the dictates of their own consciences; but this privilege shall not be so construed as to justify acts of licentiousness or practices inconsistent with the peace or safety of the Republic.

ARTICLE 3.—FREEDOM OF SPEECH AND OF THE PRESS.

All men may freely speak, write and publish their sentiments on all subjects; and no law shall be enacted to restrain the liberty of speech or of the press; but all persons shall be responsible for the abuse of such right. Provided, however, that the Legislature may enact such laws as may be necessary, to restrain and prevent the publication or public utterance of indecent or seditious language.