I have great pleasure in assuring you of the lively personal interest that I take in the just and equitable solution of all questions, and in renewing to you, &c.

☞ The following is the Proclamation, to which allusion is made in the preceding despatch, and without date:

TO THE INHABITANTS OF HONOLULU.

A misunderstanding connected with the non-execution of a Treaty having existed, for some time, between France and the Hawaiian Islands, the undersigned, rear Admiral de Tromelin came to Honolulu in the hope of settling it amicably and pacifically. With this view, he sought an interview with the King in Council, offering to hear their reasons and discuss the question, with them, in a conciliatory spirit.—The advisers of the King, against whose arbitrary and unconstitutional conduct, the Representatives of the great Powers, France, United States and the Great Britain, had already protested in a collective address, on the 13 Dec. 1848, thereby binding their respective governments; refused to grant the conference demanded. It became therefore a part of the duty of the undersigned to forward to them an ultimatum which they have also rejected. In consequence thereof, the fort of Honolulu has been disarmed by the French forces, now in the harbour, but the Hawaiian flag still waves and will continue to wave over it. The undersigned, who neither aims at an occupation nor a Protectorate, for France, will hasten to withdraw with the forces under his command, the moment his just reclamations are attended to. In the mean time, it is his fixed resolve to respect, alike the interests of all Foreigners no matter what their creed or country. As far as France is concerned, the convention signed in 1839 by Captain Laplace will form the basis of her relations with these Islands.—According to this Treaty French merchandize of all kinds will be admitted at the uniform duty of 5 per cent.

LEGOARANT DE TROMELIN,
Rear Admiral.

Admiral de Tromelin, to H. H. M. Min. For. Relations.

Steam Corvette Gassendi,
27th August 1849, at 2, P. M.

Mr. the Minister,—I have just received the answer with which you have honored me to-day, and by which you make known to me that the special Commissioners nominated by His Majesty King Kamehameha III., are Messieurs Gerrit Parmile Judd, Esq., Minister of Finance, William Little Lee, Chief Justice, and Mr. Chas. Gordon Hopkins, Esq., for their Secretary.

I wish to make known to you that I fully agree to those two Commissioners, with whom I will treat alone and directly. Mr. the Consul Dillon will be present at the conference; he will have there a consulting voice, but not a deliberative one.

In consequence of your precited answer of to-day at mid-day, my letter written at the same hour becomes without an object.

To-morrow, I will be on board the Gassendi, at 11 o'clock, precisely.

Receive, Mr. the Minister, &c. &c.

H. H. M. Min. For. Relations, to Admiral de Tromelin.

Delivered by the King's Commissioners to the Admiral, Aug. 28th, 1849.

Palace, 28th Aug., 1849, 9, A. M.

Sir,—I hope you will not consider it a discourtesy, in me, not to do more than acknowledge the receipt of your two despatches of yesterday, and express my sincere pleasure that you are fully satisfied with the selection that the King has made of Special Commissioners to confer with you this day.

I take the liberty of referring you to my Nos. 6, 7, and 8 to Mr. Consul Dillon; and I earnestly beg both you and him to infer no disrespect to either of you, personally, in my absence, as Minister of Foreign Relations, from those conferences with you, in consultation with M. Dillon, which I am fain to hope will be conducted in a spirit of equal justice, equity and respect, and will end in the restoration of that harmony and good understanding which we all surpass each other in desiring.

Receive, &c. &c.

☞ On Tuesday, the 28th, at 11 o'clock A. M., the Commissioners appointed by His Majesty, accompanied by their honorary Secretary, repaired on board the war steamer "Gassendi," and after a conference of three hours, in which the Admiral stated that he did not charge the Hawaiian Government with any violation of the Treaty, but merely with placing a wrong interpretation upon its 6th article, relating to the duty to be laid upon brandy and other spirituous liquors of French origin, and in which the King's Commissioners stated their regret at the misunderstanding which had arisen in reference to the audience, which it was not the intention of the King to refuse, returned on shore, reported to His Majesty in Privy Council, asked and received further instructions. At six o'clock, they returned to the "Gassendi," and after another conference of four hours, came on shore without having been able to come to a satisfactory arrangement. The minutes of what transpired at these conferences, taken down in short hand, will be added, in the Appendix, if copied out in time. Meanwhile, the following document, duly authenticated by both parties, is printed.

Points of disagreement in the Conference of 28th Aug. 1849, between Rear Admiral de Tromelin, and Gerrit P. Judd and Wm. L. Lee, the King's Special Commissioners.

Admiral de Tromelin proposes to the Hawaiian Government to reduce the duty on brandy, and other spirituous liquors, to some per centage to be agreed upon by the conferees, naming as a fair duty eighty per cent.

The commissioners offer to refer the question of duty on brandy and other spirituous liquors to the arrangement of France and the King's Special Commissioner in France, the Hawaiian Government giving a satisfactory guarantee that they will abide by the decision resulting from such reference, and also to abide by the decision of some neutral power upon all questions upon which France and the Special Commissioners cannot agree.

The Admiral answers that he is willing to refer to France the question of the duty on brandy, but to her alone, recognising no neutral power as an umpire. That if the government will give a guarantee in specie, say twenty thousand dollars, that all duty over the amount France may decide as just, he will wait one year or sixteen months from this day, the Hawaiian Government agreeing, in case the duty is not fixed by France at the expiration of that time, to consider the duty of 80 per cent. as the lawful one from this date, and refund the difference between that per centage and the duty collected, with interest from the time of collection.

The King's Commissioners object to the limit of time, and to leaving the whole thing to the decision of France alone. They state their desire for some umpire upon questions which cannot be settled by France and the Special Commissioner, to be named by France and the Commissioner.

The Admiral states that he cannot consent to the umpirage of a third Power, in any event whatever.

But the Admiral adds that he will recommend a reference to some umpire, upon questions which France and the King's Special Commissioner cannot agree upon.

The Admiral further adds that he cannot proceed to discuss or arrange any of the other demands, unless the question relating to the duty on brandy and other spirituous liquors be first settled.

G. P. JUDD, } Commissioners.
W. L. LEE, }

Read and approved, as exact.
LEGOARANT DE TROMELIN.

☞ During these negotiations, the work of dismantling the Fort was progressing, and continued up to the 30th instant, a little past midday.

The Consul of France, to H. H. Min. Foreign Relations.

Steam Corvette "the Gassendi,"
Port of Honolulu, Aug. 29, 1949.
(received at ½ past 1, P. M., of the 30th.)

Mr. the Minister,—I have the honor of advising you that I have this morning withdrawn the two guardians which I had believed it my duty to leave, so long as it was permitted for me to hope for the re-establishment of the good relations which the Hawaiian Government, in my said house of "Beauregard," valley of Nuuanu. I shall hold in consequence, agreeably to the official notice transmitted under the date of the 25th of this month, the Hawaiian Government responsible for all the damages which may happen to the said house, and to the furniture which it contains, from the precited date.

Please to receive, &c. &c.

The receipt of the above was acknowledged by Mr. Wyllie, on the 30th, at half-past 2, P. M.

From the Min. of Finance, to the Collector General.

Palace, 29th Aug. 1849.

Sir,—By command of the King in Privy Council, I hereby instruct you to grant certificates of ownership to any owner of cargo, or agent of any Hawaiian vessel, now seized and in the custody of Rear Admiral Tromelin.

This order is granted upon the promise of Real Admiral Tromelin that upon such certificate being presented, the property on board Hawaiian vessels, seized by his orders, shall be released.

Your obedient servant, &c. &c.

From the Collector General, to the Min. of Finance.

Honolulu, Aug. 29, 1849.

Sir,—Agreeably with your written instructions of this day, I gave Mr. Bartow a certificate of ownership of a quantity of molasses and other cargo on board the schooners Louisa and Martha, which he informs me he presented to Rear Admiral de Tromelin, with a request to be permitted to land the said property belonging to Dr. Wood, an American citizen, and that the Admiral refused to allow him to land the same.

Most respectfully, &c. &c.

H. H. M. Min. For. Relations to Admiral de Tromelin.

Palace, Aug. 29, 1849, ¼ to 12, Noon.

Sir,—I am commanded by the King to request of you the extension of time till three o'clock, this day, for a final reply to your last proposals to His Majesty's Commissioners.*

You may depend upon a final reply by the hour named.

I renew the assurance, &c. &c.

Admiral de Tromelin, to H. H. M. Min. Foreign Relations.

Steam Corvette, Gassendi,
Aug. 29, 1849, at mid-day.
(received at ½ past 1, P. M.)

Mr. the Minister,—I have this instant received the letter in which you request of me, in the name of the King, a prolongation of the delay until three o'clock in the afternoon, to-day, to make known to me the definitive answer of the Hawaiian Government to my proposals to the Commissioners of His Majesty.

I am pleased to grant this new delay, which I only grant with the view of exhausting the means of conciliation, so that if I be brought to employ force, I may say that I only did so after having tried all other means of good accord.

Receive, Mr. the Minister, &c. &c.

H. H. M. Min. Foreign Relations to Admiral de Tromelin.

Palace, Aug. 29, 1849, at ½ past 2, P. M.

Sir,—I am directed by the King and Council to pass to you, officially, in the most respectful manner, copies of the enclosed Resolutions, fully sanctioned by the King and Council, for your acceptance, and to state His Majesty's belief that after this solemn offer all just occasion for war, or even reprisals, is completely removed, and the honor of France and your own fully covered, under the law of nations.

Hoping that you will take this view, I renew, &c. &c.

☞ The following are the Resolutions of the King and Privy Council, alluded to in Mr. Wyllie's preceding note:

Resolved, That the King and Government duly appreciate the disposition of Rear Admiral de Tromelin to settle the existing difficulties with His Majesty's Commissioners sent on board the Gassendi. And that while the King and Government repeat their determination to adhere to the Treaty of the 26th of March, 1846, as it may be interpreted by the joint parties to its formation, until it be modified or superseded by a new treaty to which France shall consent, they deplore the necessity under which the Admiral considers himself placed of pressing the King and Government to an immediate decision in regard to the sense to be given to that Treaty, and they hereby empower the Minister of Foreign Relations to make to the Admiral the following propositions:

FIRST. That all pending difficulties be referred to the decision of the Government of France in concert with the King's special plenipotentiary; and, in case of non-agreement upon any point, to the final award of any friendly Power, to be named by France herself; the Hawaiian Government pledging the King's faith and the national revenues, and, if required, the further guarantee of some friendly power to abide by and carry out all the provisions of such decision and award.

SECONDLY. That if the Admiral agree to this, a contract to the above effect be drawn up and signed by him and the King's Commissioners.

THIRDLY. That having made these proposals, the King of the Hawaiian Islands solemnly declares that he has done all in his power and all that under the law of Nations, and existing engagements with France, can be justly required of him as necessary to satisfy the honor of France and of the Admiral; and that after this offer, securing and guaranteeing the most ample reparation upon all points, as France herself, or the umpire of her own choice, may pronounce just, the King believes that all just cause for war or even reprisals, under the law of Nations, is entirely removed.

(Signed,) KAMEHAMEHA. [L. S.]
KEONI ANA.

By the King and the Premier.
R. C. WYLLIE,
Min. For. Relations.

Admiral de Tromelin, to H. H. M. Min. Foreign Relations.
(Translation corrected by Admiral de Tromelin.)

"La Poursuivante," 30th Aug. 1849.

Mr. the Minister,—In answer to the communication with which you have honored me to-day, and by which are terminated the conferences at which the useless Commissioners nominated by the King Kamehameha III. came to assist, I address you herewith a definitive declaration, according to which it only remains to me to give an account to the Government of the French Republic of my measures, and of the obstinacy of your Government.

As you will see in the note annexed, the schr. "Kamehameha" only will be seized, and the owners of other vessels provisionally detained, may resume possession of them from this date, without any obstacle. It appears to me just not to attach, except to the really culpable, the responsibility and the punishment of acts, to the accomplishment of which, neither foreign commerce, nor Hawaiian individuals have contributed.

I express to you, here, Mr. the Minister, the regret which I experience in seeing, contrary to my hopes, the question that divides us so painfully resolved, to the discontent of both parties, and I renew, here, the assurance, &c. &c.

Admiral de Tromelin, to H. H. M. Min. Foreign Relations.
(Translation corrected by Admiral de Tromelin.)

"La Poursuivante," 30th Aug. 1849.

The undersigned, Rear Admiral, Commander-in-Chief of the Naval Forces of the French Republic, in the Pacific Ocean, has received, yesterday at three o'clock, the resolution of the Hawaiian Government, taken in Council and signed by the hand of King Kamehameha III., and relative to the differences which exist on the subject of the interpretation and execution of the Treaty of the 26th of March, 1846.

The propositions made by the Hawaiian Government not being acceptable, for the reason that it persists in wishing to submit France to the arbitration of a third power, whilst previously, in analogous circumstances, it has not persisted in such a pretension towards England, the undersigned, agreeably to the orders of the French Government, notifies to the Hawaiian Government, that counting from this day, the thirtieth of August, eighteen hundred and forty-nine, at midday, the Treaty of the 26th of March, 1846, not being loyally executed by it, is declared null and void, and that, from this day, the two nations, French and Hawaiian, return, respectively, under the empire of the Convention concluded the 12th and 17th July, 1839, between Capt. Laplace and King Kamehameha III.

And, considering that in consequence of the erroneous interpretation that the Hawaiian Government persists in giving to the treaty of the 26th of March, 1846, it has exercised against the citizens and the commerce of France, exactions which have been protested against, to no effect, by competent official parties, and because it persists in the same courses, the undersigned, by way of reprisals and in order to have some guarantees of indemnity and reparation of damages occasioned to France, notifies here to the Hawaiian Government that he will cause to be seized and captured all the properties of this government, which shall fall into his power, respecting always the property of private individuals, because the undersigned does not wish to make Hawaiian subjects responsible for the faults of the counsellors of their King.

It is for this reason that he confines himself, to-day, to disarm the Fort at Honolulu, and to seize, definitively, the schooner "Kamehameha," the only one of the vessels actually under detention which belongs to the Hawaiian Government.

The undersigned declares this government responsible, (*solidairement*) and personally, for all damages which may be occasioned to French citizens present in the Hawaiian Archipelago, whether in their persons or their property; and he reserves besides to the French Government to pursue, by the means which it shall judge proper, the complete reparation of all their grievances.

H. H. M. Min. For. Relations to H. B. M's. Consul General.

Foreign Office, Aug. 25, 1849, passed at 2, P. M.

(Separate and urgent.)

Sir,—The King, my master, commands me to convey to you for your information and for that or your government, as a joint party to the solemn engagement of the 28th Nov., 1843, and to the Treaty of the 26th March, 1846, the enclosed copies of the peremptory demands made on the 22d instant by the admiral and Consul of France, and of the replies to the same, which I have sent in by His Majesty's command.

It is not believed that any consequences can justly ensue endangering the lives and properties of British subjects, which His Majesty will protect so long as His Sovereign Authority and the empire of his laws are respected. When that period ceases, His Majesty's power to protect will cease also, and it will be for you as the representative of Her Britannic Majesty, to act as you may consider to be necessary.

It may be of importance to you to know that by command of the King, I addressed on the 23d instant, by the James Munroe, a request in His Majesty's name, through His Commissioner in London, for the friendly mediation of the British Govenment with that of France, in regard to all demands made, or that may be made upon this Government by the Consul and Admiral of the French Republic; and to obtain this favor, the King commands me to request your good offices.

With the highest respect and consideration, I have the honor to be, Sir, your most obedient and humble servant.

R. C. WYLLIE.

Wm. Miller, Esq, H. B. M's. Consul General.

N. B.—In case the mediation of the British Government should be objected to, or should be declined by them, a similar note with a similar intent is now passed to the Consul of the United States. The King engages to ratify and abide by the award of the British Government, or of the President of the United States, acting either solely or jointly, on all points that may not be agreed upon between the French Government and the King's Special Commissioner, James Jackson Jarves, Esq.

A similar letter was addressed to Joel Turrill, Esq., Consul of the United States, with the same enclosures.

H. H. M. Min. For. Relations, to Admiral de Tromelin.

Foreign Office, Aug. 31, 1849, ½ past 11, A. M.

Sir,—I am directed to apprise you that notwithstanding official notifications, by Mr. Consul Dillon, under dates 25th and 29th inst., professing to throw upon this Government the responsibility of the safeguard, from the former date, of his house and furniture in Nuuanu valley, and Chancellerie, in Honolulu, but without offering either inventory, or survey, or appraisement, or even the keys, it has just been made known to the King in Council, that M. Dillon, personally, and through his agents, has re-entered upon and resumed possession of both of the premises above mentioned.

I am however, authorized, fully by the King and Council, to declare to you that so far as His Majesty's now crippled means will allow, the persons and properties of every French citizen, and all French vessels and citizens arriving at any of his ports, will remain just as safe, and be as carefully protected as they were before the REPRISALS that you have resorted to, and as the persons and properties of the subjects and citizens of the most favored nations now are.

I renew the assurance, &c. &c.

Admiral de Tromelin, to H. H. M. Min. Foreign Relations.

"La Poursuivante,"
Aug. 31, 1849, ½ past 3, P. M.

Mr. the Minister,—I have the honor of acknowledging receipt of thre despatches which you have addressed to me to-day, and of the four enclosures which they contained.

As the question now stands, I consider it useless to re-enter here and hereafter in a discussion the results of which can never replace us in our respective situations where we were before these last affairs. To the French Government alone it belongs now to discuss and to decide.

I renew here, &c. &c.

H. B. M's. Consul General, to H. H. M. Min. For. Rel.

H. B. Majesty's Consulate General;
Honolulu, Aug. 27, 1849.

Sir,—I have to acknowledge the receipt of your despatch of the 25th instant, in which, by order of the King, you enclosed to me, for my information, and that of the British Government as a joint party to the declaration signed in London the 28th of Nov., 1843, and to the Treaty of the 26th of March, 1846, copies of the peremptory demands made on the 22d inst. by the Rear Admiral and Consul of France, and of the reply to the same by His Majesty's command.

You, at the same time, inform me that the Hawaiian Commissioner in London had been instructed to solicit the friendly mediation of the British Government with that of France, in regard to all demands made, or that may be made upon this Government by the Admiral and Consul of the French Republic; and that in case the mediation of the British Government should be objected to or declined, a note has been passed to the Consul of the United States with a view to obtain a similar friendly mediation of the American Government; and, ultimately, that the King engaged to ratify and abide by the award of the British Government, or of the President of the United States, acting either solely or jointly, on all points that may not be agreed upon between the French Government and the Hawaiian Special Commissioner now on his way to Paris.

In reply, I have the honor to state, for the information of the King and his Government, that, having received a notification from Admiral de Tromelin, dated the 23d inst., that it was his intention to resort to coercive measures unless he obtained a satisfactory answer to his demands, the precise nature of which I was already aware of, I considered it, under all the existing circumstances, expedient and proper in my reply, to manifest the view I entertained as to the course usually adopted in the event of any infraction of a Treaty, namely, that the resident Consul, or diplomatic agent, of the party aggrieved first remonstrated, and if that was not enough, he then protested against the evil complained of, referring the question to his government for their determination.

Actuated by a sincere desire to co-operate all in my power to bring the points in dispute to a peaceable termination, I, as the British Representative here, offered to guarantee, if required, the execution by this Government of the decision which might be come to in Paris.

Detachments of French armed seamen having, however, taken and kept possession of the Fort and Government offices of Honolulu, I have considered it further my duty to protest, and I have this day formally protested, to the French Admiral against the occupation of the Fort and Government offices by the forces under his command, as a violation of the Mutual Agreement of the 28th Nov. 1843, by which the British and French Governments, reciprocally, pledged themselves never to take possession, neither directly or under the title of Protectorate, or under any other form, of any part of the Territory of the Sandwich Islands.

I have, moreover, addressed, and forwarded with the protest, a letter to Admiral de Tromelin in which I have given at some length, the view I have been constrained to take with respect to his hostile proceedings, and to the nature of his demands, especially of those which insist upon the reduction of the duty upon spirituous liquors to 50 per cent. *ad valorem*, and the adoption of the French language in business intercourse between the Custom House and other Hawaiian Government offices and French citizens: and I cannot persuade myself that the view which I have thus taken and conveyed in a friendly manner to Admiral de Tromelin, will fail to have some weight in conducing to an amicable termination of the existing differences.

With assurances of high consideration, &c.

The Consul of the U. S., to H. H. M. Min. For. Relations.

United States Consulate,
Honolulu, Aug. 25, 1849.

Sir,—I have the honor of acknowledging the receipt of your despatch, bearing even date herewith, enclosing copies of the peremptory demands, made on the 22nd inst., by the Admiral and the Consul of France, and of the replies to the same, and informing me that you had, by command of the King, on the 23d of this month, addressed a request, in his Majesty's name, through his Special Commissioner, Jas. Jackson Jarves, Esq., for the friendly mediation of His Excellency the President of the United States with the Government of France, in regard to all demands, made, or that may be made, upon this Government, by the Consul and Admiral of the French Republic, and to obtain this favor, the King commands you to request my "good offices." You also inform me that a similar note had been addressed by you, to H. B. M's. Consul General soliciting the mediation of England, stating that the King engages to ratify and abide by the award of the President of the United States, or of the British Government, acting solely, or jointly on all points that may not be agreed upon between the French Government and the King's Special Commissioner. You may assure His Majesty the King, that I will cheerfully do any thing in my power to aid in bringing about an amicable adjustment of existing difficulties, and for that purpose, shall lose no time in sending to the President of the United States a copy of your despatch, accompanied with such remarks as I may deem necessary.

I received a letter from Rear Admiral Legoarant de Tromelin, on the 24th instant, bearing date the 23d, in which he states that "the Hawaiian Government, especially, in latter times, violated the treaty concluded between France and the Sandwich Islands, in a manner which required a prompt and complete reparation, which divers acts, of which some French citizens have been the victims, render still indispensable."

And the Admiral advised me among other things, that unless the Hawaiian Government should comply with the ultimatum, sent by him, in concert with the Consul of France, by three o'clock, P. M., this day, that force would be used.

Believing, that the Admiral had been misinformed, in relation to the violation of the treaty, and knowing that the use of force for the purpose, and in the manner indicated by him, would greatly injure American Commerce in the Pacific Ocean, I expressed in decided terms in my answer to the Admiral's letter, bearing date the 24th inst., the opinion, that neither the letter nor the spirt of the treaty had been violated by the Hawaiian Government, and I protested against the enforcing of the demands in the manner indicated by the Admiral.

I shall lose no time in making the President of the United States fully acquainted with the course I have taken in relation to the proceedings of the Admiral and the Consul of France.

I have the honor to be, &c. &c.

WHENUA NO KO NAAINA E.

PROTEST,

BY COMMAND OF THE KING OF THE HAWAIIAN ISLANDS.

BY ORDER OF HIS MAJESTY, KAMEHAMEHA III., KING OF THE HAWAIIAN ISLANDS, given to the undersigned on Thursday, the thirtieth day of August, 1849, after receipt of a despatch dated same day, and addressed to the undersigned, from Rear Admiral Legoarant de Tromelin, Commander-in-Chief of the Naval Forces of the French Republic, in the Pacific Ocean, in which, rejecting the offer made by His Majesty's command, to refer all differences of opinion about the true meaning and interpretation of the Treaty of the 26th of March, 1846, jointly to France and Great Britain, who jointly framed it and proposed it to His Majesty (agreeably to the express understanding between the undersigned and the Commissioner of France, and the Consul General of Her Britannic Majesty,) and rejecting the offer of indubitable security and guaranty for the full amount of all indemnity and reparation, in all cases, claims and grievances whatsoever, that France herself might pronounce to be just, after fully hearing and amicable concert with His Majesty's Special Plenipotentiary, or that a friendly nation of her own choice, might declare to be just, as umpire, in regard to points whereon France and His Majesty's Plenipotentiary might not be able to agree, he the said Admiral subjects His Majesty's weak and unresisting Kingdom to the harsh law of reprisals, the undersigned, Minister of Foreign Relations, in His Majesty's name, and on His Majesty's behalf, most solemnly *appeals* to the good faith and justice of France, under *Her Engagement* of the 28th of November, 1843, and PROTESTS against the infringement of that Engagement, by the said Admiral, in landing a Military Force, in hostile array, and taking military possession of the Fort, Government offices, and Custom-house of Honolulu, and of those portions of the territory of His Majesty's Domain on which these edifices stand, on the afternoon of Saturday, the twenty-fifth of August, 1849, immediately after the receipt of a despatch from the undersigned, by His Majesty's command, rendering all such hostile measures absolutely unnecessary; the undersigned further PROTESTS against the attempt of the said Admiral to justify these proceedings upon the ground that His Majesty had violated the Treaty of the 26th of March, 1846, which His Majesty declares he has not violated, but which the Consul of France, in despite of its ratification by the late King of the French, did violate both in word and spirit, as was shown in His Hawaiian Majesty's PROTEST, through the undersigned, of the 28th February, 1848, in regard to Wines, and which the Admiral himself attempted again to violate, in letter and spirit, in regard to spirituous liquors, which violations, if approved by France, (which His Majesty does not believe they can be,) under the Law of Nations would abrogate said Treaty altogether; the undersigned further PROTESTS against the said Admiral, for an assumption of His Majesty's Sovereignty, in printing and posting up in the streets of His Majesty's Capital, on the morning of Sunday, the 26th of August, 1849, a *Proclamation*, in contempt of His Majesty's laws and Royal Authority, pretending to cancel the said Treaty of the 26th of March, 1846, and to revive the Convention of Laplace, which never was a Treaty because France never ratified it, and was wholly annulled by the Preamble to the said Treaty of the 26th of March, 1846, although His Majesty, at the Admiral's own suggestion, on the 25th of August, 1849, had nominated Special Commissioners, for the express purpose of making an amicable adjustment with the said Admiral, on principles reconciling the honor and dignity of France with the Rights of His Majesty as guaranteed by herself; the undersigned further PROTESTS against the said Admiral for the hostile and unnecessary act of beginning to throw down the guns and dismantle His Majesty's Fort, in the forenoon of Tuesday, the twenty-eighth day of August, 1849, at the very time when His Majesty's Commissioners were engaged on board the war steamer Gassendi in *Conference* with the Admiral, with the view stated; the undersigned further PROTESTS against the said Admiral for the exclusion of the King's Ministers from their offices, at the very time, when in the execution of their duty to the King, they most needed free access to all their papers for the defence of His Majesty's rights unjustly invaded, and for the protection due to neutral interests, the undersigned further PROTESTS against all and every one of the *Demands* jointly made on His Majesty's Government on the twenty second day of August, 1849, by the aforesaid Admiral, and M. Dillon, the Consul of France, as altogether unrighteous and unjust in themselves, untenable under the Law of Nations, and urged upon His Majesty by the beforenamed, with a destination, cogency, and limitation as to time, as if His Majesty's Kingdom had been a beleaguered Fortress, and not a friendly independent State under the *Special Protection* of the joint declaration of France and Great Britain, of the 28th November, 1843, copy of which is hereto appended; the undersigned further PROTESTS against the rejection by the aforesaid Admiral of the security for every just reparation and indemnity offered by His Majesty, through the undersigned, on Wednesday, the twenty-ninth day of August, 1849, and against the *Reprisals* after that offer resorted to by the said Admiral, weakening His Majesty's authority, and by the wanton destruction of his Military Stores, disabling His Majesty from suppressing intestine disorders, repelling Pirates, and extending that protection to the persons and properties of French citizens, the responsibility of which, the said Admiral, nevertheless, scruples not to throw stringently upon His Majesty; the undersigned further PROTESTS against the seizure and confiscation by the said Admiral of the King's Yacht, indispensable to keep up the communications between His Majesty's Islands, and to enable His Majesty to make those progresses throughout his Islands which are necessary to their good government; the undersigned further PROTESTS against the seizure and detention by orders of the said Admiral of all other vessels under the Hawaiian or any other flag, and against the damages thereby done to his subjects and to Foreign Residents whom, and all Foreigners within his Waters, His Majesty is bound to protect as much as his own subjects; the undersigned further PROTESTS against the printed *Proclamation* by the Admiral, posted up on the thirtieth day of August, 1849, for the reasons aforessid, and because it is a flagrant outrage on His Majesty's rights, guaranteed by France, herself, in the joint declaration herein before mentioned, and under the Treaty of the 26th of March, 1846, copy of which also is hereunto appended; the undersigned further PROTESTS against the ground taken by the Admiral in his aforesaid Proclamation and in other documents, that His Majesty's Government have made an erroneous interpretation of either the letter or spirit of any part of that Treaty, and in virtue thereof, made any unjust or unlawful exactions whatever, either of French citizens, or other Foreigners, and against the right arrogated by him and by the Consul of France to pronounce their own interpretation to be the correct one, and to subject His Majesty to War and Reprisals on a mere difference of opinion, and because His Majesty refuses to adopt their interpretation, until after such difference shall have been clearly and fairly decided by amicable reference, as international Law provides for in such cases, and as, in this case, was expressly provided for between the undersigned, as His Majesty's Plenipotentiary, and the Commissioner of France, and Consul General of Great Britain as aforesaid; the undersigned further PROTESTS against the pretension of said Admiral and Consul to interfere either with the Religion or Education of His Majesty's subjects, or with the appropriation of the funds contributed by his subjects for those purposes; the undersigned further PROTESTS against their interference with or opposition to the laws of this Kingdom, and to the jurisdiction of His Majesty's Courts of Justice as established by law, and against their extraordinary pretension to claim damages and indemnity of the Hawaiian Government on their own view of cases, before such cases have ever been before the Hawaiian Tribunals, or ever been heard of by the Hawaiian Government; the undersigned further PROTESTS against the Admiral's imputation of obstinacy to the King's Commissioners, in resisting Demands which, under their duty to their God, to the King, and to their own consciences, they could not fail to resist the undersigned further PROTESTS against the voluntary hauling down of the French Consular flag, and the voluntary abandonment of the said Consul's private house, and of his public office, under values enormously exaggerated for which values he sought to make the King's Government responsible on the 25th of August, 1849; and the undersigned PROTESTS against, and throws the responsibility upon said Admiral for all damages, injuries, captures, detentions, confiscations, or detriments of any kind whatsoever, to all persons or things, that have ensued from the measures adopted by him since the twenty-second day of August, 1849, or that he may hereafter adopt, in pursuance of the unjust and unlawful demands then made.

And, finally, the undersigned, in the King's name, and on His Majesty's behalf, is commanded to PROTEST that the King does not consider himself at war with France—that he entertains for France the utmost respect, and that notwithstanding all he has unjustly suffered from the Admiral and the Consul before named, His Majesty has given the strictest orders that the persons and properties of all citizens of France, now on these Islands, or that may hereafter arrive, be as much respected and as carefully protected as if said Admiral had inflicted upon His Majesty and upon his subjects no injuries whatever.

Done in presence of the King and Council, under my hand and the Great Seal of the Kingdom, at the Palace of Honolulu, this third day of September, in the year of our Lord one thousand eight hundred and forty-nine.

The Great Seal of the Hawaiian Kingdom

R. C. WYLLIE.

For copy of the joint declaration of France and Great Britain, and the treaty of 26th March, 1846, appended, under seal, to the foregoing Protest, see the last page of this paper.

H. H. M. Min. For. Relations, to Admiral de Tromelin.

FOREIGN OFFICE, 3d September, 1849.
(passed at 12, noon, from the Palace.)

Sir,—By command of the King and Council, I have to pass to you the enclosed Protest, in reply to your despatch, and its enclosure, of the 30th of August, 1849.

It will be for France and the world to judge, whether, in the measures protested against, the counsellors of the King are to be censured and punished for their resistance to the demands which afforded you a pretext for the perpetration of those measures, or whether you have acted under hasty impressions and, perhaps, impassioned advice.

On behalf of my colleagues, and of myself, I assure you, in the most emphatic manner, that there is not one of us who can find the smallest shadow of justice in any one of the demands made by you and the Consul of France, on the 22d of August, 1849, (excepting only the first, and the latter clause of the third, already faithfully carried out by this Government,) or the smallest necessity or utility in any of the harsh proceedings subsequently adopted by you. In saying so, you are not to consider us as actuated either by private feelings, or any national bias. As public men we disclaim all such; the policy of our King is one of perfect equality and impartiality towards all nations and all men: and I assure you, had the American Commodore, or the British Admiral, backed by the whole navy of the United States, in the one case, and by the whole navy of Great Britain, in the other case, insisted upon such demands as those referred to, they would have been dealt with in, precisely, the same manner.

Upon one other point, I must disabuse you. You insinuate that, in the proposal of a reference to a third power, to be named by France, on such points as she and the King's Plenipotentiary might not be able to agree, there is something lividiously disrespectful to France, as compared with the course previously pursued towards England, in analogous circumstances. Had it pleased you to allow me to explain to you, on all points, and on all complaints, as I offered to do to you, on the 14th of August, I could easily have shown that England has never, in any one case, sought to relieve herself from the strict letter of any Conventional Agreement with this Government. No analagous case, therefore, with England, has ever occurred. Had malt liquors and cider been named in the Treaty, as wine and spirits were and are, I would have met the remonstrance of the British Consul General, (if he had remonstrated under such circumstances,) by declaring that the law of nations does not allow any nation, being a party to a solemn Treaty, to free itself from the obligations arising out of the literal wording of such Treaty, and especially where that wording was her own, and, supposing that he had threatened the King's Government upon such ground, I would, with the King's permission, have at once suggested and insisted on a reference to France, as the natural and necessary arbiter, in such a supposed case, according to the express understanding between me, on behalf of the King, and M. Perrin, on behalf of France, and Consul General Miller, on behalf of Great Britain, previous to the acceptance by the King of the said Treaty, of the 26th of March, 1846.

Nor are numerous precedents wanting, even in regard to Great Britain, where this government earnestly sought the advice and good offices of the government of France, as is well known to M Dudoit, well known to M. Perrin, well known to M. Dillon himself, and as must abundantly appear in the archives of the Foreign Office in Paris. The King's Counsellors never thought of concealing such references to France, from the British Government, or from British officers, upon any supposition that the national susceptibilities of Great Britain, or of the British, could be roused, in prejudice to this Government, from any such application, in arduous circumstances, made to so enlightened and friendly a nation as France.

What the King's Government does to one, it does to all, under the same circumstances; and, in all cases, its policy quadrates with the holy maxims of doing unto others what you wish others to do to you, of not recompensing evil for evil, and of being more ready to forgive than to resent.

With such a spirit, and under such sentiments towards you, and all men, I renew the assurance, &c., &c.

Admiral de Tromelin, to H. H. M. Min. For Relations.

September 4, 1849.

Mr. the Minister,—I received yesterday at one o'clock, P.M. the letter with which you honored me, that day, with the Protest made by you, against the acts done by my orders, those two new documents, like those that preceded them, will be submitted by me, to the appreciation of the French Government.

Receive, Mr. the Minister, the assurance of my high consideration, &c. &c.

M. Dillon, to H. H. M. Min. Foreign Relations.
(received at 12, noon.)

Mr. the Minister,—I have the honor of informing you that I have the intention of confiding to the Commissioner of the United States, the mission of watching over our commercial interests, during the interruption of the amicable relations between France and the Hawaiian Islands.

In the absence of this last, Mr. Reynolds, Consul of Bremen, is charged to fill the same mission. In concert with Mr. Wirt, a French citizen to whom you will be pleased to send all the letters and communications to my address.

I have equally the honor of informing you that I have caused to be withdrawn from my house situated in the valley of Nuuanu, my furniture representing a value of $4,000, and that my house, in the said valley alone remains, under the responsibility of the Hawaiian Government.

Please to receive, &c. &c.

H. H. M. Min. For. Relations, to M. Dillon,

Palace, Honolulu, Sept. 4, 1849, at 12 o'clock.

Sir,—I had the honor to receive, at 12 noon, during a meeting of the King in Council, your note of this day, and proceed as I am for time, I hope that you will be pleased to accept without any feeling of discourtesy, on my part, the enclosed copy of the three resolutions of that body, upon all the points embraced in your said note.

And assuring you that the strict orders of the King unanimously acquiesced in by all His Majesty's Ministers were alone have sufficed for the most friendly protection, to the utmost extent of all the military means left, of all French citizens present and arriving, with their properties.

I have pleasure in renewing the assurance, &c. &c.

The following are the Resolutions referred to in the preceding note.

Resolved, That the Minister of Foreign Relations be instructed to reply to M. Dillon's letter of 4th Sept. 1849.

1. That the Commissioner of the United States, will not be recognized as authorized to correspond with the Hawaiian Government in relation to the commercial interests of France.

2. That, should Mr. Reynolds, the Consul of Bremen, in concert with Mr. Wirt, be charged with watching over the commercial interests of France, in this kingdom, either or both of them will be acceptable to this government.

3. That this government will abide by the determination heretofore communicated to M. Dillon, in relation to the property he has voluntarily abandoned.

Passed 4th Sept 1849

THE POLYNESIAN.

HONOLULU, SATURDAY, SEPT. 8.

☞ In giving an account of the late transactions of the French Admiral at these Islands, a publication of the official correspondence seems absolutely necessary, that the public may judge of their exact nature. This is due to His Majesty's Government, the more particularly as the case is one of those where right has had to submit to might; and in the most perfect spirit of non-resistance to stand up *in the face of* the world and boldly assert its inalienable rights however disastrous the consequences, while its public property was being destroyed, and the sovereignty of His Majesty, guaranteed by France herself, was being trampled under foot by a military force, armed as against a belligerent opponent.

One of the first principles of the laws of nations, is, that independent States are on a perfect equality in the matter of sovereignty. Its language is, "Power or weakness does not in this respect produce any difference." This fact should never be lost sight of, when reading the official account, and the demands made by the French Admiral upon the government of these islands. France, by the law of nations has no right to demand of this kingdom a jot or tittle more than she would have a right to demand of the most powerful kingdom upon the face of the earth.

In this light how do the ten specific demands appear? Would France have made them of any of the great powers of the earth, or would France have allowed any of those powers to have made such demands of her? Never, for an instant.

That France has no *just* cause of complaint against the Hawaiian government, is perfectly apparent to any one who will take the trouble to read the joint recognition of Hawaiian Independence by England and France, the Treaty of 1846, ratified under the broad seal and signature of the King of the French, and the official correspondence which we publish this day. No violation of Treaty is charged;—none could be charged, for none has taken place.

The whole thing in few words is just this, and nothing more. A difference existed in regard to the interpretation of the 6th article of the Treaty of 1846; this difference could not be reconciled by the arguments of either party, and to compel the Hawaiian Government to adopt the French interpretation, military