HE OLELO KUIKAHI. 1831

ARTICLES of arrangement made and concluded at Oahu, between THOMAS AP CATESBY JONES, appointed by the United States, of the one part, and KAUIKEAOULI, King of the Sandwich Islands and his Guardians, on the other part.

ARTICLE I.

The peace and friendship subsisting between the United States and their Majesties, the Queen Regent and Kauikeaouli, King of the Sandwich Islands, and their subjects and people, are hereby confirmed and declared to be perpetual.

ARTICLE II.

The ships and vessels of the United States (as well as their Consuls and all other citizens,) within the territorial jurisdiction of the Sandwich Islands, together with all their property, shall be inviolably protected against *all* enemies of the United States in time of war.

ARTICLE III.

The contracting parties, being desirous to avail themselves of the bounties of Divine Providence, by promoting the commercial intercourse and friendship subsisting between the respective nations; for the better security of these desirable objects, their Majesties bind themselves to receive into their ports and harbours all ships and vessels of the United States, and to protect to the uttermost of their capacity, all such ships and vessels, their cargoes, officers and crews, so long as they shall behave themselves peacefully, and not infringe the established laws of the land; the citizens of the United States being permitted to trade freely with the people of the Sandwich Islands.

ARTICLE IV.

Their Majesties do further agree to extend the fullest protection within their control to all ships and vessels of the United States, which may be wrecked on their shores, and to render every assistance in their power to save the wreck and her apparel and cargo; and as a reward for the assistance and protection which the people of the Sandwich Islands shall afford to all such distressed vessels of the United States, they shall be entitled to a salvage or a portion of the property so saved; but such salvage shall in no case exceed one third of the value saved, which valuation is to be fixed by a commission of disinterested persons, who shall be chosen equally by the parties.

ARTICLE V.

Citizens of the United States whether resident or transient, engaged in commerce or trading to the Sandwich Islands, shall be inviolably protected in their lawful pursuits; and shall be allowed to sue for and recover by judgement, all claims against the subjects of his Majesty, the King, according to strict principles of equity and the acknowledged practice of civilized nations.

ARTICLE VI.

Their Majesties do further agree, and bind themselves, to discountenance and use all practicable means to prevent desertion from all American ships which visit the Sandwich Islands; and to that end, it shall be made the duty of all governors, magistrates, chiefs of districts and all others in authority, to apprehend all deserters, and deliver them over to the master of the vessel from which they have deserted; and for the apprehension of every such deserter, who shall be delivered over as aforesaid, the master, owner or agent shall pay to the person or persons apprehending such deserter, the sum of six dollars, if taken on the side of the island near which the vessel is anchored; but if taken on the opposite side of the island, the sum shall be twelve dollars; and if taken on any other island, the reward shall be twenty-four dollars, and shall be a just charge against the wages of every such deserter.

ARTICLE VII.

No tonnage dues or impost shall be exacted of any citizen of the United States, which is not paid by the citizens or subjects of the nation most favoured in commerce with the Sandwich Islands; and the citizens or subjects of the Sandwich Islands shall be allowed to trade with the United States and her Territories, upon principles of equal advantage with the most favoured nation.

Done in Council at Honolulu, Island of Oahu, this 23 day of December, in the year of our Lord 1826.

THOS. AP CATESBY JONES.

NA olelo keia i hooponoponoia'i a i hoopaia'i i Oahu nei e THOMAS AP CATESBY JONES kekahi, ko Amerika luna i hoounaia mai nei mai ka United States mai, a me ke alii o ko Hawaii nei pae aina o KAUIKEAOULI o laua me ona kaku kekahi.

PAUKU I.

Eia kekahi olelo; ke olelo pu nei kakou e hoopaa loa i ke kuikahi pu ana a me ke aloha pu ana o ko Amerika a me ko Hawaii kahu alii wahine a me ke alii nui o Hawaii nei o KAUIKEAOULI, a me ko laua poe kanaka a me na makaainana a pau loa; eia ka hoailona o mau loa'i ua kuikahi nei.

PAUKU II.

Eia hou neia, a o ko Amerika poe moku mai a me ko laila Kanikele, a me ko laila kanaka na keia pae aina a me ko lakou waiwai, a i biki i ka wa kaua, e pau ia mau mea i ka malama pono ia e ko Hawaii nei i ko Amerika enemi a pau loa.

PAUKU III.

Eia hou neia, e makemake ana keia mau poe e loaa mai ia lakou ka waiwai a ke Akua i haawi mai ai, i ka hookuai pu ana a me ke aloha pu ana o na aina o ka poe nana keia olelo, no laila hoi no ka paa pono ana o keia mau mea mahalo, e ae mai ua mau alii o Hawaii nei. e pono ia laua e komo no iloko o ko laua awa a me ko laua mau wahi e ku ai ka moku, o na moku Amerika a pau, a e malama nui aku i ua mau moku la a me na ukana maluna a me na alii a me na kanaka o na mau moku la oi hana pono mai lakou a i haki ole ia lakou na kanawai o keia aina i kau ai. e kuai no hoi ko Amerika, me ko Hawaii nei poe kanaka.

PAUKU IV.

Eia hou neia; ke olelo io nei ua mau alii nei, e malama nui laua i ko Amerika poe moku ke ili mai ma ko laua pae aina, e hooikaika pono aku laua i pakele ai ka moku ili a me kana mau mea a pau a me kona ukana. He pono no e loaa mai i ko Hawaii nei poe ka uku no ko lakou hooikaika ana i pakele ai ua moku ili la a i malama pono ia ai ka mau mea ana.—Eia ka uku, he mau kala paha, a i ole ia, o kekahi puu o ka waiwai i hoopakele ia ai, ka uku. Ina ekolu puu waiwai ua like, hookahi puu paha ka uku, aka aole loa e nui aku ko lakou uku i kekahi o na puu waiwai akolu la.

A o ka mea nona ka moku a o ka poe i hoopakeleia ai ka waiwai, e kuhikuhi pu lakou i kekahi mau kanaka e aole no lakou ka waiwai na lakou hoi e hoike mai i ka nui o ka waiwai i malamaia ai.

PAUKU V.

A o ko Amerika poe kanaka o kuai ana ma ko Hawaii nei pae aina, ka poe e noho ana a me ka poe e holoholo ana, e pau lakou i ka malama ponoia i ka lakou hana ana i ka mea i ku i ke kanawai.

A he pono no lakou e hoopaa i ka poe lawehala ma ke kanawai, a ma ka ahaolelo e loaa mai ai ia lakou ka uku e pau ai ka aie pono a pau a na kanaka o ko Hawaii nei alii e like ai me ke kanawai pololei a me ka oihana o ka aina nauao i ikea ai.

PAUKU VI.

Eia hou neia, ke olelo io nei ke alii nui laua o kona kahu ka olelo i paa ai laua i ka hooikaika aku laua e pau ai ka mahuka ana mai o na kanaka o ko Amerika mau moku e hiki mai ana i ko Hawaii nei pae aina, e alai aku no i ka mahuka ana mai.

No ia mea, he pono no na'lii malama aina. a me na kilo, a me na kiaaina, a me na kaualii a pau e hopu aku a paa ka poe mahuka a pau, a e hoihoi aku i ka mea nona ka moku i haalele ia aku ai.

A e ukuia mai ke onei poe i hopu aku, o ka mea nona ka moku. Ina ma ka aoao o ka aina e ku ai ka moku e paa ai ka mea i mahuka, eono kala ka uku. A ina ma keia aoao o ka aina e paa ai umi a me kumamalua kala ka uku, a ina ma ka aina e i moku i ke kai e paa ai a i hoihoi i kona moku, iwakalua kala a me kumamaha ka uku no loko pono keia uku o ka waiwai a ka mea mahuka i hoolimalimaia'i, malaila e kau ponoia'i.

PAUKU VII.

Eia hou neia; aole oi aku ka uku mai no ke awa o ko Amerika poe kanaka i ko ka aina punahele kanaka e kuai ana ma ko Hawaii pae aina, aole kii hou ia aku ka uku nui ae o ko Amerika kanaka.

A e kuai no ko Hawaii nei poe kanaka me ko Amerika, e like ka oihana a me ka pono e pono ai ko ka aina punahele loa i ke kuai pu ana mai me ko Hawaii nei pae aina.

Ua hoopaaia i ka ahaolelo ma Honolulu, i ka aina Oahu nei, i keia la 23 o Detemaba, i ka makahiki o ko kakou Haku 1826.

ELISABETA KAAHUMANU,
KARAIMOKU,
BOKI,
HOAPILI,
LIDIA NAMAHANA,
THOS. AP CATESBY JONES.

Printed for Gov. J. Adams Kuakini. 1831.