cessful in London in securing, on the 28th of November, 1843, a convention between France and Great Britain, engaging them "reciprocally to consider the Sandwich Islands as an independent state, and never to take possession, either directly or under title of protectorate, or under any other form, of any part of the territory of which they are composed." (Appendix.)

This convention did not, however, guarantee the autonomy of the islands as against any third power, nor did it contain any expression of opinion on that point similar in spirit to Mr. Webster's declaration of the preceding December. Its intention seems to have been simply reciprocally to bind those two powers to do one thing—that is, "to consider the Sandwich Islands as an independent state"—and to refrain from doing another thing—that is, "never to take possession," under any pretext, "of any part of the territory of which they are composed."

In consequence of the recommendation contained in the message of President Tyler, of December 30, 1842, Congress made an appropriation for the compensation of a diplomatic officer from this Government to the Sandwich Islands, and on March 3, 1843, Mr. George Brown, of Massachusetts, was appointed commissioner. Mr. Brown arrived at Honolulu in October following, and, on the 30th of that month, presented his credentials, with an address to the King, in which he asked in behalf of the citizens of the United States favorable and impartial treatment, at the same time assuring the monarch that this Government had no wish to secure for itself or its citizens any exclusive privileges. The King, answering, said upon this point:

You may assure your Government that I shall always consider the citizens of the United States as entitled to equal privileges with those of the most favored nation. (Appendix.)

Unfortunately, soon after Mr. Brown's arrival—by the latter part of the following August—a cause of serious difference arose between him and the King's Government in the case of John Wiley, an American citizen, who had been arrested charged with the commission of a crime or misdemeanor, and to whom trial by jury had been denied by the local governor.

The treaty with France, above alluded to as secured by Capt. Laplace at the mouth of his guns, contained a stipulation (Article VI) that—

No Frenchman accused of any crime whatever shall be judged otherwise than by a jury composed of foreign residents, proposed by the consul of France and accepted by the Government of the Sandwich Islands.

On the 12th of February, 1844, a convention with Great Britain had been entered into by the King's Government which contained (Article III) the same provision in identical phrase, _mutatis mutandis_. This treaty had been secured very much after the fashion observed by Laplace. Within less than one year before its signature the islands had been seized by Great Britain and had been adequately advised of the power of England. The King's embassy was still absent, and the newly arrived British consul-general had communicated the fact that he was without discretion to alter terms. The treaty was itself, in still other respects, objectionable to the American commissioner by reason of apparent discrimination in favor of England and against the United States, and it had already been the subject of an earnest protest on his part. And now, there being no treaty with the United States, the King's promise made in his speech to that commissioner, as he understood it, had been ignored by advice of the attorney-general—an American citizen—a lawyer of New York, of the name of John Ricord, who had been invited to