tried only by a jury composed of native residents, or of foreigners proposed by the consul of France, and accepted by the Government of the Sandwich Islands.

Art. 4. The King of the Sandwich Islands will extend his protection to French vessels, their officers and crews. In case of shipwreck, the chiefs and inhabitants of the various parts of the Sandwich Islands must lend them assistance and protect them from all pillage.

The salvage dues will be settled, in case of difficulty, by umpires appointed by both parties.

Art. 5. Desertion of sailors employed on board French vessels, will be severely repressed by the local authorities, who must use every means at their command to arrest the deserters. All expenses, within just limits, incurred in their recapture, will be refunded by the captain or owners of the said vessels.

Art. 6. French goods, or those recognized as coming from French possessions, can not be prohibited nor subjected to a higher import duty than five per cent ad valorem. Wines, brandies, and other spirituous liquors are excepted, and may be subjected to any just duties which the Government of the Sandwich Islands may think proper to impose upon them, but on condition that such duty shall never be high enough to become an absolute obstacle to the importation of the said articles.

Art. 7. Tonnage and import duties and all other duties imposed upon French vessels, or upon merchandise imported in French vessels, must not exceed the duties imposed upon the vessels or merchandise of the most favored nation.

Art. 8. The subjects of the King of the Sandwich Islands will be treated upon the footing of the most favored nation in their commercial or other relations with France.

Made at Honolulu, March 26, 1846.

[Signatures]

Mr. Buchanan to Mr. Ten Eyck, August 23, 1848.

[Extracts]

Mr. Calhoun, in a note addressed to Messrs. Richards and Haalilio, the Hawaiian commissioners, dated on the 6th July, 1844, informed them that "the President regarded his message to Congress of the 31st December, 1842, the proceedings of the House of Representatives thereon, and the appropriation made for the compensation of a commissioner of the United States, who was subsequently appointed to reside in the islands, as a full recognition on the part of the United States of the independence of the Hawaiian Government." Besides, the letter of President Polk to the King which you bore with you, dated on the 10th September, 1845, treated him as an independent sovereign.

This Government, having thus pledged itself to accord to that of the Hawaiian Islands the rights and privileges of a sovereign state, can not in honor or justice demand from it anything which, under like circumstances, it would not demand from the most powerful nations.