sibility of government upon the cabinet; they, therefore, have the authority. With this in view, we are unanimously of opinion that the principles formulated by you and presented to His Majesty, above set forth, are in accordance with and in pursuance of the constitution.

We wish to say, further, that on the occasion of His Majesty's considering the propriety of his approval of an act of the legislature of 1887 (which is now chap. 25 of the acts of 1887) the justices of the supreme court, at his request, sent him an opinion upon the proposed act. Its title is "An act to provide for and declare the construction to be placed upon the words 'the king' or 'the sovereign' in certain cases."

The opinion was as follows:

"We see no conflict of this act with article 16 or 48 of the constitution. This act is consistent with article 78 of the constitution, the principle of which is hereby applied in terms to statutes also.

"And we understand that it has always been the true intent of statutes that the acts of the King are done upon the responsibility of his cabinet unless it appears from express words or by the very nature of the case that the act is of a personal character."

We remain yours, respectfully,

A. F. Judd,
Laurence McCully,
Edward Preston,
Richd. F. Bickerton,
Sanford B. Dole.

At 12 o'clock Monday, August 5, the cabinet met His Majesty at the palace and submitted to him the opinion of the supreme court, and again requested his assent to the principle involved. His Majesty replied that he accepted the decision of the court, and assented to the proposition submitted by the cabinet, and requested that his assent be entered on the minutes of the council.

Upon presentation of the commission of Col. Ashford for signature, His Majesty stated that since last Saturday he had read the military law and was convinced that the position taken by him was incorrect.

He therefore signed the commission.

In pursuance of the power given to the minister of foreign affairs he has, with the consent of the cabinet, removed Capt. Kahalewai, commander of the King's Guards, for complicity in the late insurrection, the command thereby devolving upon Lieut. Robert Parker.

Orders were issued for the immediate transfer of all arms, ammunition, and munitions of war, except those arms and ammunition individually in use by the King's Guards, from the palace and barracks to the station house. These orders were carried out by the marshal yesterday afternoon, with the assistance of the police and special officers; and among other material transferred were three beautiful brass fieldpieces of 3-inch bore, ordered by the King from Austria.

His Majesty has now conformed to the provisions of the constitution in the matters above related; and the anxiety manifested before he did so is now allayed and confidence in future peace restored.

Mr. Moore to Mr. Merrill.

No. 136.]

DEPARTMENT OF STATE,
Washington, August 12, 1889.

SIR: I have to acknowledge the receipt of your telegram of the 2d instant, touching an attempt made on the 30th of July last, to subvert the existing Government of the Hawaiian Islands and the landing of men from the U. S. S. Adams to protect lives and property.

I transmit for your files a copy* of the telegram as deciphered and have to express the satisfaction of the Government that the insurrection was suppressed with no greater losses than you report.

I am, etc.,

J. B. Moore,
Acting Secretary.

* See under date of August 2.