in the place of the phrase actually used. As such date was not and could not be known, an appropriate phrase was used signifying that the Government should continue to exist until the object was accomplished. A government was established not absolutely but conditionally. If the wording of the proclamation had been “to exist until the Government of the United States refuses to agree to annexation,” a refusal would then have constituted a condition the happening of which, in and of itself, would have terminated the Provisional Government.

There was, however, but one condition named in the proclamation, the happening of which should terminate the existence of the Government thereby created, viz, “Union with the United States of America.” There is no other terminating condition. Unless and until that condition happens the Government continues in existence. If the happening of the condition is postponed for one, two, or ten years, or for an indefinite period, the Government continues to exist for a like period. The fact that annexation has not yet taken place does not negative the possibility of its happening in the future. So long as the terminating condition has not happened, but may happen, so long does the Government continue to exist, unless changed or terminated by its own act or the act of the people of Hawaii.

I further submit that if the reasoning last above set forth is incorrect, and the failure to have yet secured annexation does logically terminate the existence of the Provisional Government, such fact does not confer jurisdiction upon the United States to construe such instrument, but that the construction and interpretation of the wording of such proclamation is purely a matter of domestic concern to be settled by the parties in interest in Hawaii in such manner as the Government and laws of that country may provide.

Third. While neither admitting nor questioning the correctness of the allegations of fact reported by Mr. Blount, I purposely omit discussion or criticism thereof, for the reasons, first, that the Hawaiian Government has not been a party to such investigation, and therefore can not be bound by same; and, second, if it be true that the representatives of the United States exceeded their powers, as alleged, such fact does not vest any jurisdiction in the Government of the United States to now infringe upon Hawaiian sovereignty.

It is an axiom of law that no man may take advantage of his own wrong. The fact that the United States minister, with or without the authority of his Government, may have trespassed upon the international rights of Hawaii, does not thereby confer jurisdiction upon the Government of the United States to now again, and deliberately, trespass upon such rights.

If the United States minister or naval officers have exceeded their authority or violated their instructions they are responsible to their Government therefor. The Hawaiian Government had no control over them. It is not responsible for what they did, and is not and can not be held answerable to the Government of the United States for their acts, nor to have forfeited any of its attributes of independent sovereignty by reason of their actions whether the same were right or wrong, authorized or unauthorized.

In like manner, if the allegation is true, that the ex-Queen abdicated under the belief that the Provisional Government would submit the question to the United States Government, such fact does not vest in the Government of the United States any jurisdiction over the subject-matter. If the ex-Queen was warranted in such belief and an agreement was made between her and the Provisional Government, which I