He thereby renounced for himself and his successors the power to alienate any of the crown lands, in consideration of the payment by the Legislature of the debts with which the estate had become encumbered, and of the settlement of a permanent annuity upon Queen Emma in lieu of her claim of dower in the royal domain.

By the same act he concurred with the Legislature and the court in constituting them a class of national lands, set apart for the successors to the throne, instead of being governed by the general laws of inheritance.

The correctness of the foregoing settlement has been contested by some of our best lawyers. They have denied that it carried out the intention of Kamehameha III, and have even held it to have been unconstitutional, and that an action in equity might be brought in behalf of the heirs of the estate of Kamehameha III.

On the death of Kamehameha V his half-sister, Ruth Keelikolani, inherited his private lands, but the Crown Lands were held by the commissioners for the benefit of his successors.

Col. Claus Spreckels, being desirous of obtaining a fee-simple title for the Hawaiian Commercial Company to the lands of Waialua, Mani, and having taken legal advice, purchased from Ruth Keelikolani, the sister and heir of Kamehameha V, all her interest or claim in and to the Crown Lands for the sum of $10,000. The conveyance is dated September 13, 1880, and is recorded in Vol. 64.

After due investigation, the Gibson cabinet agreed to compromise this claim without taking it before the Courts, and an act was carried through the Legislature of 1882, and approved July 21, 1882, by which the commissioners of crown lands were authorized to convey to Claus Spreckels “the Ahupuaa of Waialua, Mani, with the ills therein or thereunto belonging, which were estimated to contain 24,000 acres, or thereabouts.”

Accordingly, on the 11th of August, 1882, Mr. Spreckels executed a deed, releasing to the Commissioners of Crown Lands all of the undivided interest claimed by him in said lands by virtue of the conveyance made to himself by Ruth Keelikolani.

At the same time a royal patent, viz, No. 3343, for the Ahupuaa of Waialua, was signed by the King and delivered to Claus Spreckels.

This transaction satisfied any claim on the crown lands that could be raised by any heirs of Kamehameha III, and no further claim on them has been raised since that time.

They have remained, as was settled in 1865, National Lands, to be administered for the benefit of the occupant of the throne, who is entitled to receive the revenues of said lands only by virtue of his or her official position as chief magistrate.

The Kalakula dynasty had no claim on them whatever by the general law of inheritance. In fact no claim of that kind exists at present.

In the Legislative Session of 1880 it was suggested that the vested rights of the reigning Sovereign in the crown lands should be provided for by issuing bonds, the interest upon which should be equal to his annual receipts from said land, and which should expire at his death.

The object of this proposal was to enable the Government to build up a class of industrious and thrifty farmers, owning their lands in fee simple. Such a class is the mainstay of every free country.

I remain, yours, respectfully,

W. D. Alexander,
Surveyor-General.