for the chief, and so long as they did that they had the right to stay where they were, and that has always been recognized. It is even now. There were three days a month of labor. He had no land that he could dispose of.

Q. Was not that true as to all the common class of natives?
A. Yes, that was the title they all had. There would be a family—a number living together. The head of the family would put in a claim for the land which he had occupied and cultivated. Then he had grown-up sons who would want land, and this sale of land to natives gave them an opportunity to become land owners—and gave an opportunity to those who had not been constant occupiers and cultivators of land to buy land for themselves.

Q. Up to that time they had no land?
A. They had no land.

Q. Can you give me some idea of what proportion of the people were not occupiers of land at the time of this sale of lands—1839?
A. That would be difficult; I don't know that I can.

Q. I do not expect a definite, mathematical answer.
A. But I can not do it. The natives never would have put in these claims and followed them up, if they had not been advised and urged to it mainly by American missionaries and other friends. They were pretty well satisfied to live on in that old-fashioned way. They were slow in sending in these claims and time was extended more than once to give them opportunity to make their claims. I should say that a very large proportion of the heads of families got land either by putting in their claims, or by purchasing small holdings.

Q. Please let me invite your attention to this question. You have alluded to a class of persons who were occupiers of land and those who were not occupiers of land. What was the mode of life of the persons who were not occupiers of land? Were they migratory?
A. More or less so. A good many of them were a sort of servants—attaches of some chief, and there were a considerable number of them sailors. Some were mechanics and fishermen. Some were educated and employed as teachers.

Q. What per cent would you say were not located on lands?
A. There were a good many people who lived about with one another. The natives were very free with each other's calabashes. A good many lived together—one man having the land and the others living with him. They were exceedingly liberal with each other. One man had plenty of food and the other hadn't any. The man who had any shared with the man who had none. It was as with the Indians—so long as there was food in camp they all had some. There was a class who spent a large part of their time in fishing, and I do not think that these were cultivators of land, not many of them. The people in the early times before my time became cultivators and fishermen. Those who were fishermen did not do much cultivating.

Q. What was the theory upon which these lands were divided between the King, chiefs, and people—in what proportion?
A. I do not know as to proportion.

Q. About what amount of land was there in a kuleana?
A. All the way from half an acre to ten acres. Some of them perhaps more than ten acres.

Q. What would you say the average was?
A. I should say the average would be between two and three acres.

Q. Was this division in which the native got his first title brought