that there was a double mahele—first of all amongst themselves, and second, of each with the general treasury.

This last was the trying point with the chiefs. It required no little effort to bring about its accomplishment, and no little self-denial and resolution on the part of those who thus gave up what they regarded as their lands. The scenes in the meeting of the council for this purpose have been described by eyewitnesses as thrillingly interesting. Almost everyone of those who took part in this peaceful but patriotic revolution has gone from the presence, we hope not from the remembrance, of this community. Among the ranks of these noble dead are Kamamalu Hei, and Kekuanaoa, Paki, Kekuanao, John II, who was most active in bringing about the change, and a host of lesser chiefs. Messrs. Richards, Judd, Ricord, and afterwards Lee, were the leading spirits in inducing the chiefs to see the benefits of the new policy and system.

There were two great sacrifices made by the chiefs. The division with the Government we have noticed. Far be it from anyone to misappropriate these Government lands, thus conscientiously given up by the old Hawaiian chiefs for the national good. The other sacrifice was that of the kuleana, or land of the small tenant. These small tenants were permitted to acquire a full title to the lands which they had been improving for their own use. In the true view of the case, this was perfectly a measure of justice, for it was the labor of these people and of their ancestors that had made the land what it was. This subject will lead us to consider the land commission.

No. 5.

The lands having been divided, as we have seen in the last article, it became necessary in order to establish the real estate business of the Kingdom on a practical basis to give some formal evidence of title sanctioned by the law of the land. The mahele was an anomaly. The land commission, appointed to carry out the principles of the mahele, was another. Both were eminently practical and just in their idea.

Five gentlemen, John Ricord, William Richards, Z. Kaawwal, James Young Kanheho and John II, were appointed by the King in February, 1846, to hear testimony upon the claims of individuals, and to issue awards to the claimants for the land claimed by metes and bounds. These commissioners drew up a careful statement of principles to guide their conduct in making the awards.

This statement was approved by act of Legislature and made law. It was further ordained that no claim should be valid unless approved by them, and unless presented before a certain time. The only appeal was to the supreme court. The commissioners took the oath of office and held their first meeting for regular business in March, 1846. The first claim upon and award signed was to James Voss, on the lot at the south corner of Hotel and Alakea streets. The taking of testimony was an herculean task, when we consider that the number of claimants were over 10,000. It was found that the taking of testimony, the surveying of boundaries, and the making final award would each have to be separate stages of work. Accordingly, while the first volume of land commission records contain lengthy masses of testimony, attached to each award, in the second volume awards only are given, the testimony being thereafter by itself in another series of separate volumes. The commissioners worked with most commendable energy, going to every part of the islands to meet the people and prepare for awarding the kuleanas.

Kuleana means, originally, a property or business interest in anything. The common people were in former times assigned certain portions of the chief’s lands, to occupy at the will of the chief. Generally speaking, there was a good degree of permanence in this occupancy, provided that service was duly paid to the superior. In 1839 a law was promulgated that no one should be deprived of his land without due cause, which law was a preliminary step to the subsequent one of giving to all those common people who would come forward, present their claim, their testimony, and pay the expenses of settling the whole matter a fee simple title in their improved lands. In the town of Honolulu all lots were to be subject to a commutation fee of one-fourth of their unimproved value to the Government. Elsewhere the award was in fee simple, without commutation. These awarded claims came to be known by the term “kuleana.”

After the testimony in regard to their existence was taken the next step was to scatter a horde of surveyors all over the Kingdom, with memoranda of claims, to survey each separate one by itself, and send in the survey to the office, generally on a sheet of foolscap paper. At the office they were copied in huge, unwieldy volumes—numbers, however, ten in number, of infinite value to the real-estate interests of this little Kingdom. Of the surveys, more hereafter. They were generally paid for by the piece, at the cheap rate of $2 to $3 per kuleana. The total expenses for the land commission expenses were all borne by the claimants, and amounted to from $6 to $12 to each kuleana. Cheap enough; yet the poor natives were often a long