

The manner and degree of the execution of your proclamation by the naval force are not related with particularity in a brief telegraphic report just received from Capt. Wiltse. He merely says:

To-day at 9 a. m., in accordance with request of Provisional Government of Hawaii, the United States minister plenipotentiary placed the Government of Hawaii under United States protection during negotiations, not interfering with the execution of public affairs.

It appears from the press reports that the ceremonial for the execution of your orders consisted in the landing of a battalion from the *Boston*, its formation at the Government building in concert with three volunteer companies of the Provisional Government, the reading of your proclamation by Lieut. Rush, and the hoisting of the United States flag over the Government building. The Hawaiian flag on other public buildings in Honolulu is stated not to have been disturbed.

The phraseology of your proclamation in announcing your action in assumption of protection of the Hawaiian Islands in the name of the United States would appear to be tantamount to the assumption of a protectorate over those Islands in behalf of the United States with all the rights and obligations which the term implies. To this extent it goes beyond the necessities of the situation and the instructions heretofore given you.

Your existing instructions, and those under which the commanders of naval vessels of the United States act, were and are ample to provide all legitimate material protection in case of need, either in your discretion or at the request of the duly constituted authorities of the Hawaiian Islands, for the lives and property of American citizens endangered or menaced, or for the prevention of lawless and tumultuous acts of disturbance of the public peace and safety. The accordance of such measures of protection, or the unsolicited taking of the needful precautions to those ends, is, however, not to be confounded with the establishment of a protectorate, which is, in fact, the positive erection of a paramount authority over or in place of the duly constituted local government and the assumption by the protector of the especial responsibilities attaching to such formal protection.

It is not thought probable that the Provisional Government of the Hawaiian Islands, in soliciting protection, contemplated more than the coöperation of the moral and material forces of the United States to strengthen its own authority and power as a recognized sovereign Government for the protection of life and property, as stated in your proclamation. Such a degree of protection you were, as I have said, already fully competent to accord, or to exercise in your discretion in case of need.

Your proclamation expresses no reservation as to confirmation of your action by the Government of the United States. Its provisos are, that the assumed function of protection is to be exercised so far as may be necessary for the specified purpose of protecting life and property, without interference with the administration of public affairs by the Provisional Government, and that the action in question "is taken pending and subject to negotiations at Washington." These qualifications are entirely in the line of my views of the scope and intent of the request made to you by the Provisional Government of the Hawaiian Islands. The omission of reference to the necessary sanction of the Government of the United States is immaterial, for its function of revision and confirmation or disavowal of the acts of its agents is inherent and exercisable at its discretion.