

**STATE OF HAWAII  
IS NOT  
A LEGITIMATE  
OR VALID STATE  
OF  
UNITED STATES OF AMERICA**

**BY**

Eric Richard; eleson<sup>©</sup>, Secured Party \*

**A Constitutional Challenge  
To Newland's Resolution**

---

\* See : "What it means To Be A Sovereign" in "The Official State Office Known As "PERSON" " and  
"Memorandum of Law On The Name."  
Also See *The Sovereign's Library*  
<http://sovereign-library.org.uk/>

## BACKGROUND

Many years ago I discovered the truth about what the gold fringe on the state flags really meant and what it continues to mean. I was researching the fact that I could not obtain a copy of the Hawaii Governor's, and Lt. Governor's oath(s) of office. I forced alleged Governor, John Waihee, to sign his oath of office on July 7, 1989. This was not an inaugural year. I asked the Hawaii archivist for copies of previous Governor's oaths of office, and she certified that there were none. This information is available in exhibits of my habeas corpus filed in the federal district court in Honolulu, CASE NO. CV-20-00179 – LEK – WRP.

I was provided an internet article by professor Williamson Chang of the Richardson School of Law, University of Hawaii, Manoa Campus, that questioned Newland's Resolution. I did more research, and got congressional records from that time period, and filed a legal challenge in the Federal District Court (Same case number as the Habeas Corpus petition above) to the validity, and constitutionality of Newland's Joint resolution. This challenge pursuant to 28 U. S. C. § 2403/Rule 5.1 FRCvP which has NEVER BEEN ADJUDICATED DUE TO THE IMMEDIATE DENIAL OF MY *HABEAS CORPUS* PETITION (cited above). This, in fact, violates the provisions and requirements of 28 U. S. C. § 2403, etc.

It should be noted that my *Habeas Corpus* Petition was denied one week after it was filed, in which the same day that Petitioner's Challenge was filed, and also sent to the U.S. Attorney General's Office (Mr. Jeff Sessions). As previously stated, I still haven't received a response.

[NOTE: It should be noted that it is my opinion that the reason that this document was never properly responded to, or adjudicated was to prevent the illegal narrative of the Obama "Presidency," from being disproved / voided and his claims that his "Presidency," was valid would be nullified].

That this fraud has continued to this day is evidence that we do not live in a Constitutional Republic.

A further point of background is that in 1893 Queen Liliokalani advocated her throne so that her warriors would not be slaughtered by the "Big Five's (Castle and Cooke, Alexander and Baldwin, C. Brewer & Company, American Factors (now Amfac), and Theo H. Davies & Co.). Illegal mercenary takeover force. The reason for this militant action and hostile oligarchy is the subject of another researcher's book, but does not negate the facts in this paper. The United States did not make a declaration of war against the Hawaiian Kingdom. This establishes that only the treaty option of Article 2, Section 2, Clause 2 of the U.S. Constitution was the only legitimate avenue for the United States, to utilize to accomplish it's alleged goal of making the Kingdom of Hawaii part of the United States.

As will be shown later, in 1897 the proposed treaty to annex the Kingdom of Hawaii into the United States **FAILED!** (See EXHIBIT 1). This writer/researcher is very curious as to why this issue has never been questioned or legally challenged till now.

## CONSTITUTIONAL CHALLENGE

While being illegally incarcerated pursuant to the unconstitutional “3-Strikes Law”, this researcher obtained official congressional records which establishes that the alleged joint resolution passed by Congress (i.e. Newland’s Resolution) is a consummate FRAUD! (see EXHIBIT 2). A constitutional challenge pursuant to 28 U.S.C. § 2403/Rule 5.1 of FRCvP, was filed as stated in the case above, challenging the Constitutionality, and validity of said congressional joint resolution.

Since the U.S. Constitution is the Supreme Law of the Land, no act of Congress can be valid that is repugnant to, or contrary to its express provisions. As stated above, the only available option was to annex Hawaii by treaty.<sup>1</sup> Congressman Newland did not even have the authority to introduce the fraudulent joint resolution as it was not a Treaty. (See EXHIBIT 2).

I found the following in *The Diamond Rings* 183 US 176, 46 L. Ed. 138, 22 S. Ct. 59 (1901), “Congress, and the Executive in dealing therewith [a Treaty] are subject to the provisions of the Constitution, and neither can exercise any power over such territory [none, because the Treaty failed!]. . .beyond what the instrument confers. . .” 46 L. Ed. at 139; and “the theory of every government under a written Constitution must be that an Act of the Legislature repugnant to the Constitution is Void.” (citing *Marbury v. Madison*, 1 US (1 Cranch) 137, 178-(176 to 180), 2 L. Ed. 60, at 73-74) *id.* at 140; and lastly, Justice BROWN states, “. . .to be efficacious<sup>2</sup> such Resolution must be considered either, (1) as an Amendment to the Treaty, or (2) as a Legislative Act qualifying, or modifying the [already in place] Treaty. **It is neither.** [brackets & bold added] in short, it seems to me entirely clear that this Resolution cannot be considered a part of the Treaty.” *Id.* 183 US at 184. Therefore, based upon the above, Congress, being subject to the Constitution, had NO AUTHORITY to introduce or entertain H. Res 259 & Sen. Res. (No. 55)(attached),”as it is neither,(1) and Amendment to [an existing] Treaty, or (2) as a Legislative

---

1. 1. “Where form is not observed, a nullity of the act is inferred or follows.” 12 Coke 7.

2. “Where the Law prescribes a form [Art. II § 2, cl. 2], the non-observance of it is fatal to the proceeding, and the whole becomes a nullity.” Best Evidence Intro. 59.

2. Efficacious: adj. “Capable of having the desired result or effect; as a means, measure, remedy, etc.; effectual.” Random House unabridged dictionary, 2<sup>nd</sup> Ed. 1993.

ACT- qualifying, or modifying the [existing] Treaty, and is VOID, id.

The U.S. Government (including the Judiciary), as well as any (alleged) State government, has NO AUTHORITY to maintain a **FRAUD**, or an (Unconstitutional Act). The evidence presented herein: 1) Article II, § 2, Cl. 2 of the U.S. Constitution is the **only** avenue open to the U.S. Government to acquire (via a Treaty) a Nation or Sovereign Kingdom (other than by Conquest/War); 2) There is **No Constitutional** authority to “**use**” a Joint Resolution to **BYPASS** the Constitutional provision. The (alleged) House Resolution NO.259 & Senate Resolution NO.55 **IS VOID**, as it (1) is not an Amendment to the Treaty; &( 2) is not a Legislative Act qualifying or modifying the Treaty [as the Treaty **FAILED!**.” 12 Coke 7; Best Evidence Intro §59); 3) The use of vote-pairing is not a valid device to bypass a Constitutional provision; and 4) Petitioner has Standing to bring this Challenge as he is/was harmed by the Fraudulent VOID Act.

#### **“VOTE PAIRING”**

After this writer/ researcher received the official senate report on SB55 (cong.REC, senate page 6712 in EXHIBIT2) I noticed that it mentioned that certain senators were “paired” with other senators and that they were not allowed to vote on the issue. I obtained a two page article on this unconstitutional and fraudulent practice called “vote pairing” form the internet. Since this was the last occasion of the few times it was used, it became quite apparent that this illegal and nefarious artifice- device was employed for the sole fraudulent purpose of deceiving the American people and achieving the fraudulent agenda of annexing the Hawaiian kingdom into the United States. The above described device was used to make the alleged vote of sr55 to appear to satisfy the requirements of the constitutional provision (ART.II, §2,CL2) of “2/3 of the senators present concurring”. What was conveniently ignored was the necessary word **Present!** “while the vote”42 ayes to 21 nays” readily appears to satisfy the 2/3 requirement, the failure/refusal to count those present as stated on the record, establishes that the constitutional provision was, in fact, **not followed !** The use of this “vote pairing artifice” was necessary as the lack of a 2/3 vote would be quite evident if all the yeas and nays were allowed.



Those senators conceding to have their vote cancelled/ not recorded were, in actuality, violating their oath of office, & committing a grave ethics violation against their constituents. This may be why the “device” has never been used since.

It has been established that there was no declaration of war proclaimed by the U.S. congress against the kingdom of Hawaii & that the treaty of 1897 failed. The powers that be were at wits end on how to mollify the monetary pressures of the “ big five”. There use of this questionable artifice by the U.S. senate to make the vote of the senate to readily appear to satisfy the 2/3 requirement of the constitutional provision apparently worked or they were totally deceived. I was refused a copy of the official Roll Call Vote by the archivist at NARA however the congressional record page and my alphabetical list of senators (in exh.2) establishes that some of these abstentions where actually present and voted nay; proving that the vote pairing artifice was used solely for making the vote appear to be 2/3rds. To conform with thee constitutional provision. IT DID NOT!

### STANDING

The VOID judgments, CR-7165(2), CR-7754(2), & CR-7688(2) (county of Maui), cited in petitioners petition for a Writ in the nature of Habeas corpus filed in the APPELLATE COURT OF HAWAII – (CAAP-18-0000747) are being illegally used by the court(s) of California as a “strike” to sentence petitioner pursuant to the 3-strike law and an 85 to life sentence (cpc§667(b) to (i)).

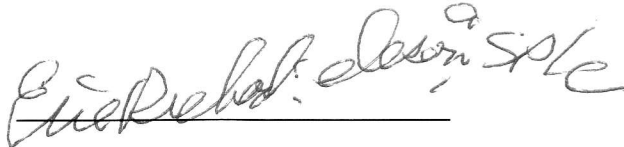
Either way, this newly discovered “Evidence” **absolutely Voids** the convictions cited in petitioners petition to the Hawaii Supreme court, as kingdom/Nation of Hawaii is still a legitimate monarchy ruled by King Kamehameha VI and Queen Akahi Nui, Hawaii is not a valid state let alone the Governor(s) not having signed an oath of office from the alleged state hood act in 1959 until I forced Governor John Waihee to sign his in 1989. Which is proven by the archivists certification as required by law and proven by petitioners Exhibits showing the Governor(s) not being able to “enter” the duties of his office (and Appoint an Attorney General, who could the legally provide power to the County District Attorney to Prosecute the case(s) thereby denying me due process and Equal protection of the Law in violation of the U.S. Constitution ‘s Article in Amendment XIV, and the alleged relevant provisions of the (alleged)

CONSTITUTION OF STATE OF HAWAII, VOIDING the cited Cases. ( see also SCPW-20-0000049, DENIED Feb. 11, 2020).

**CONCLUSION**

Until these issues as presented are adjudicated, I have proven that the STATE OF HAWAII is not a legitimate or valid state of the United States & it's alleged Senators & Representatives should be removed from Congress & Obama's Presidency declared void. The United States should return the Governance of the Kingdom of Hawaii to the King and Queen and pay rent for its military bassets.

JULY 15, 2023 C.E.



Eric Richard; eleson©, Secured Party,

*Tertius Interveniens/* Auth. Rep., ex rel.

ERIC RICHARD ELESON©, Trust (J-59564),

Exemption No. 5598 [REDACTED] (*juris et de jure*)

Holder-in-Due-Course, Record Owner,

Trade-Name Owner,

Sovereign American, Bond No. C-52971371

TREATY OF ANNEXATION OF REPUBLIC OF HAWAI'I, & VOTE

# EXHIBIT

“ 1 ”

TREATY OF ANNEXATION BETWEEN THE REPUBLIC OF HAWAII AND THE UNITED STATES OF AMERICA

The Republic of Hawaii and the United States of America, in view of the natural dependence of the Hawaiian Islands upon the United States, of their geographical proximity thereto, of the preponderant share acquired by the United States and its citizens in the industries and trade of said islands, and of the expressed desire of the Government of the Republic of Hawaii that those islands should be incorporated into the United States as an integral part thereof, and under its sovereignty, have determined to accomplish by treaty an object so important to their mutual and permanent welfare.

To this end the high contracting parties have conferred full powers and authority upon their respectively appointed plenipotentiaries, to wit:

~~The President of the Republic of Hawaii, Francis March Hatch, Lorrin A. Thurston, and William A. Kinney.~~

The President of the United States, John Sherman, Secretary of State of the United States.

ARTICLE I.

The Republic of Hawaii hereby cedes absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies; and it is agreed that all the territory of and appertaining to the Republic of Hawaii is hereby annexed to the United States of America under the name of the Territory of Hawaii.

ARTICLE II.

The Republic of Hawaii also cedes and hereby transfers to the United States the absolute fee and ownership of all public, government, or crown lands, public buildings or edifices, ports, harbors, military equipments, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition. Provided, that all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

ARTICLE III.

Until Congress shall provide for the government of such islands, all civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaty (treaties) so extinguished, and not inconsistent with this treaty, nor contrary to the Constitution of the United States, nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands, the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

#### ARTICLE IV.

The public debt of the Republic of Hawaii, lawfully existing at the date of the exchange of the ratifications of this treaty, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed \$4,000,000. So long, however, as the existing government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided, said Government shall continue to pay the interest on said debt.

#### ARTICLE V.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States, and no Chinese by reason of anything here contained shall be allowed to enter the United States from Hawaiian Islands.

#### ARTICLE VI.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Territory of Hawaii as they shall deem necessary or proper.

#### ARTICLE VII.

This treaty shall be ratified by the President of the Republic of Hawaii, by and with the advice and consent of the Senate, in accordance with the Constitution of the said Republic, on the one part; and by the President of the United States, by and with the advice and consent of the Senate, on the other, and the ratifications hereof shall be exchanged at Washington as soon as possible.

In witness whereof the respective plenipotentiaries have signed the above articles, and have hereunto affixed their seals.

Done in duplicate at the city of Washington this sixteenth day of June, one thousand eight hundred and ninety seven.

"[SEAL] (Sig.) FRANCIS MARCH HATCH.

"[SEAL] (Sig.) LORRIN A. THURSTON.

"[SEAL] (Sig.) WILLIAM A. KINNEY.

"[SEAL] (Sig.) JOHN SHERMAN."

I hereby certify that the foregoing resolution was unanimously adopted at the special session of the Senate of the Republic of Hawaii on the 9th day of September, A. D. 1897.

WILLIAM C. WILDER, President.

Attest:

J. F. CLAY,

Clerk of the Senate.

\_\_\_\_\_  
Pres. of the SENATE

/s/ William McKinley

\_\_\_\_\_  
PRESIDENT OF THE UNITED STATES

TREATY OF ANNEXATION OF HAWAI'I

OFFICIAL SENATE VOTE \*

52	AYES
28	NOES
9	abstentions
89	Total Senators present

$$\frac{52}{89} = \frac{x}{100}$$

58.427
89) 5200.000
445
750
712
380
356
240
178
620
623

This equals to 58.5% of the Senators present. The TREATY FAILS.

\*This Official Vote can be found at:

<http://www.govtrack.us/congress/votes/>

(ALLEGED) JOINT RESOLUTION ADOPTING TREATY OF ANNEXATION OF HAWAII, & VOTE

# EXHIBIT

“ 2 ”

JOINT RESOLUTION OF THE U.S. SENATE AND U.S. HOUSE OF REPRESENTATIVES, SIGNED BY PRESIDENT MCKINLEY, TO ACCEPT THE TREATY OF ANNEXATION OFFERED BY THE REPUBLIC OF HAWAII (also known as the "Newlands Resolution" named after the Congressman who introduced it)

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution to cede absolutely and without reserve to whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, government, or crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of the Hawaiian Islands, together with every ~~right and appurtenance thereunto appertaining:~~ Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: Provided, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all civil, judicial and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have the power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of passage of this joint resolution, ~~including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the~~ Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing government and the present commercial ~~relations of the Hawaiian Islands are continued as hereinbefore provided~~ said government shall continue to pay the interest on said debt.



There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or many hereafter be allowed by the laws of the United States; no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

SERENO E. PAYNE,  
Speaker of the House of Representatives Pro Tempore.

GARRET A. HOBART,  
Vice-President of the United States and President of the Senate.

Approved, July 7th, 1898.  
WILLIAM MCKINLEY

THE (ALLEGED) JOINT RESOLUTION ADOPTING  
THE TREATY OF ANNEXATION OF REPUBLIC OF HAWAI'I  
OFFICIAL SENATE VOTE \*

42	AYES		** (See Page 6712, Cong. Rcd.)
21	NOES		
<u>25</u>	Abstentions	$\frac{42}{70} = \frac{X}{100}$	$\frac{60.0\%}{70)4200}$
88	Senators present		

THIS IS NOT 2/3 of Senators present!!!

$$\frac{42}{88} = \frac{X}{100}$$

```

      47.7272
38)4200.00
   352
   ---
    680
    616
    ---
     640
     616
     ---
      240
      176
      ---
       640...
  
```

= 48%

This Vote does not equal even a simple Majority, let alone a 2/3rd of those present!

ONLY by NOT counting the Abstentions does it appear to be a 2/3rd Vote!

\* This Vote can be found at:

THIS IS FRAUD!

Eric Richard; eleson®, Secured Party  
In Care Of: MULE CREEK-II STATE PRISON  
Fac. D-16-A-103-3 Low [J-59564]  
U.S.P.S. Box 409089  
Ione, California  
Near [PZ: 95640-9089] N. America

July 26th, 2016, c.e.  
(remailed: 9/12/16)  
(remailed: 11/27/2016 to: - - - -

F.O.I.A. Request  
5 USC §552  
OFFICE OF INFORMATION PROGRAMS & SERVICES  
A/GIS/IPS/RL

JOHN KERRY  
SECRETARY OF STATE  
UNITED STATES  
2201 - "C" STREET, N.W.  
WASHINGTON, D.C. 20530

U.S. DEPARTMENT OF STATE, SA-2  
WASHINGTON, D.C. 20522-8100

RE: (Alleged) Joint Resolution of 1897, Adopting the Treaty of Annexation  
of the Republic of Hawai'i.

MR. KERRY:

This is an F.O.I.A. Request for a copy of any and all documents regarding the  
above-cited Joint Resolution allegedly passed by the House of Representatives  
and the Senate; including documents recording the Official Vote in the Senate;  
the list of names of Senators present and Each's Vote, that was filed as "passed"  
in the Office of Secretary of State, and printed by the G.S.A./G.P.O.

In addition, any documents authorizing the repeal of Article 2, Cl. 2, §2, of  
the United States Constitution, allowing the President to utilize the whole  
Congress to "pass" a Treaty.

If there is a fee for these documents, please inform me, and I will submit the  
necessary funds. Thank you.

Respectfully submitted,



Eric Richard; eleson®, Secured Party

cc: File

Eric Richard; eleson<sup>®</sup>, Secured Party  
In Care Of: MULE CREEK-II STATE PRISON  
Fac. D-16-A-203-2 Low [J-59564]  
U.S.P.S. Box 409089  
Ione, California  
Near [PZ: 95640-9089] N. America

August 13th, 2007, c.e.

NATIONAL ARCHIVES & RECORDS ADMINISTRATION  
(FEDERAL REGISTER)  
800 N. CAPITOL STREET, NW, Ste. 700-K  
WASHINGTON, D.C. 20002

RE: Copy of Joint Resolution [#55] of 1898 with names, [signatures] and "Official" Vote of each Senator present (including Abstentions). (F.O.I.A. to Sec. of State).

Dear Sirs:

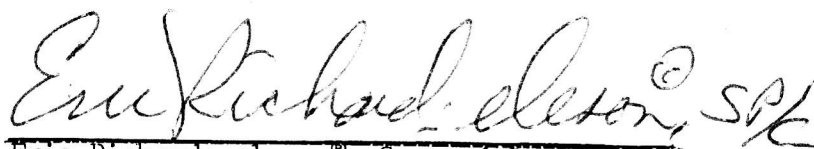
I was informed by ONAONA GUAY at NARA in College Park, MD that the Records I am requesting are located in your Office (Record Group 11) (See: attached E-Mail).

The above address is the only one I could find in Washington, D.C. so I am writing to you. If this Office is not the correct one, please forward this request to the proper location. Thank you.

As stated above, I have a copy of the Statutes at Large, (Treaties, Conventions, Etc., Vol. XXX, Pgs 750-751), however, I need a list of the names of the Senators present and their Votes. I hope that you will be able to assist me in my efforts.

Thank you for your time and assistance in this matter.

Sincerely Yours,

  
Eric Richard; eleson<sup>®</sup>, Secured Party

Encl: F.O.I.A. to SoS, Response,  
E-Mail from NARA

cc: File

S 7.9:30

THE  
STATUTES AT LARGE

OF THE

UNITED STATES OF AMERICA,

FROM

DECEMBER, 1897, TO MARCH, 1899,

AND

RECENT TREATIES, CONVENTIONS, EXECUTIVE PROCLAMATIONS,

AND

THE CONCURRENT RESOLUTIONS OF THE TWO HOUSES OF CONGRESS.

---

EDITED, PRINTED, AND PUBLISHED BY AUTHORITY OF  
CONGRESS, UNDER THE DIRECTION OF  
THE SECRETARY OF STATE.

---

VOL. XXX.



WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1899.

newspapers for any Department shall not apply to the purchase of newspapers for military use by the military information division of the Adjutant General's Office from the appropriations for the support of the Army for the fiscal years herein named.

Approved, June 29, 1898.

July 1, 1898.  
Improvement of San Joaquin River and Stockton and Mormon channels, California.

[No. 54.] Joint Resolution For improvement of San Joaquin River and Stockton and Mormon channels, California.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That the Secretary of War be, and he is hereby, authorized to expend for improvements and surveys of the waterways hereinafter named and their tributaries any sums of money now to the credit of and heretofore appropriated for the improvement of the San Joaquin River and Stockton and Mormon channels, California, as and where, in his discretion, will best improve the commercial capacity of said waterways.

Approved, July 1, 1898.

July 7, 1898.  
Annexation of the Hawaiian Islands. Preamble.

[No. 55.] Joint Resolution To provide for annexing the Hawaiian Islands to the United States.

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore,

Cession of Hawaiian sovereignty, etc., accepted.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

Congress to enact special public land laws.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Proviso: Revenue to be used for local purposes, etc.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government of said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct: and the President shall have power to remove said officers of all the public lands so ceded.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government of said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct: and the President shall have power to remove said officers of all the public lands so ceded.

Existing treaties of the Hawaiian Islands with foreign nations shall continue in force until they are superseded by such treaties as may be made with such foreign nations. The territory of the Hawaiian Islands, to be governed by the fulfillment of the treaties so extinguished.

The existing treaties of the Hawaiian Islands with foreign nations shall continue in force until they are superseded by such treaties as may be made with such foreign nations. The territory of the Hawaiian Islands, to be governed by the fulfillment of the treaties so extinguished.

and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Approved, July 7, 1898.

[No. 56.] Joint Resolution Authorizing the Librarian of Congress to accept the collection of engravings proposed to be donated to the Library of Congress by Mrs. Gertrude M. Hubbard.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Librarian of Congress is hereby empowered and directed to accept the offer of Mrs. Gertrude M. Hubbard, widow of the late Gardiner Greene Hubbard, communicated to him by the following letter, on the terms and conditions therein stated, except that instead of raising the gallery in the Library as therein proposed, the collection shall be known and styled as the Gardiner Greene Hubbard Collection, if not being, in the opinion of Congress, desirable to call parts of the public buildings after the names of individual citizens, and that the least thereof named be accepted and kept in a suitable place to be designated by the Joint Committee on the Library, and to be loaned to Mrs. Hubbard the mutual appreciation of Congress of the public spirit and munificence manifested by and of:

That Mrs. Gertrude M. Hubbard offer to erect a new reading Library, for the benefit of the people of the District of Columbia, a collection of engravings, many of which are her own, the long collection of Chinese characters, and in addition thereto, a new reading room to be kept as a part of the collection.

This collection of engravings, the subject of which was to form the thousandth anniversary celebration of the establishment of the new-

Existing customs laws and regulations

United States customs laws and regulations

Chinese immigration

Commissioners to recommend legislation

Appropriation for carrying resolution

July 7, 1898

Library of Congress



- H. Res. 238—**  
To readmit Nellie Grant Sartoris to the character and privileges of a citizen of the United States.  
Introduced by Mr. Pearson and referred to Committee on Foreign Affairs 4136.—Reported back (H. R. REPORT 1125) and passed House 4161.—Debated and passed Senate 4765.—Examined and signed 4880, 4921.—Approved by President 5417.
- H. Res. 239—**  
Relative to rights of way for railroads through forest reserves.  
Introduced by Mr. Smith of Arizona and referred to Committee on Public Lands 4130.
- H. Res. 240—**  
For the relief of W. P. Roberts, late a consul of the United States at Victoria, British Columbia.  
Introduced by Mr. Pearson and referred to Committee on Claims 4137.
- H. Res. 241—**  
Providing for the printing and distribution of the consular correspondence respecting the condition of the reconcentrados in Cuba, the state of the war in that island, and the prospects of the projected autonomy, for distribution among foreign countries.  
Introduced by Mr. Hawley and referred to Committee on Printing 4201.
- H. Res. 242—**  
Providing for printing maps of Cuba.  
Introduced by Mr. Bromwell and referred to Committee on Printing 4227.
- H. Res. 243—**  
For the relief of ex-Cadet Engineer W. B. Carswell.  
Introduced by Mr. Handy and referred to Committee on Naval Affairs 4227.
- H. Res. 244—**  
Declaring that privateers shall not be commissioned and that merchant ships shall be exempt from capture.  
Introduced by Mr. Gillett of Massachusetts and referred to Committee on Foreign Affairs 4203.
- H. Res. 245—**  
Declaring the lands within the former Mille Lac Indian Reservation, in Minnesota, to be subject to entry under the land laws of the United States.  
Introduced by Committee on Public Lands (H. R. REPORT 1174) as substitute for H. Res. 35, 4262, 4263.—Debated, amended, and passed House 4551.—Referred to Senate Committee on Public Lands 4659.—Reported back (S. REPORT 1007) 4691, debated and passed Senate 4780.—Examined and signed 4880, 4921.—Approved by President 5417.
- H. Res. 246—**  
Declaring a state of war to exist between the United States of America and the Kingdom of Spain, and reciting the reasons therefor.  
Introduced by Mr. Gaines and referred to Committee on Foreign Affairs 4203.
- H. Res. 247—**  
Authorizing the President of the United States to suspend all laws imposing discriminating duties on foreign ships coming to and departing from the ports of the United States (excepting Spain), to continue during war of Spain and United States.  
Introduced by Mr. Lewis of Washington and referred to Committee on Ways and Means 4338.
- H. Res. 248—**  
Providing for the listing of all unpatented lands in the State of Iowa by the Department of the Interior.  
Introduced by Mr. Hull and referred to Committee on Public Lands 4338.
- H. Res. 249—**  
Authorizing the employment of trained women nurses in the hospitals of the United States during war.  
Introduced by Mr. Shafroth and referred to Committee on Military Affairs 4419.
- H. Res. 250—**  
Providing for the restoration to the Navy of William Edgar Wirt.  
Introduced by Mr. Burton and referred to Committee on Naval Affairs 4463.
- H. Res. 251—**  
Relating to the purchase of law books, books of reference, periodicals, and newspapers for the military information division, Adjutant-General's Office.  
Introduced by Mr. Hull and referred to Committee on Military Affairs 4463.—Debated and passed House 4535.—Referred to Senate Committee on Appropriations 4560.—Reported back with amendments and passed Senate 4960.—House concurs in Senate amendments 5201, 5238.—Examined and signed 4273, 4294.—Approved by President 5800.
- H. Res. 252—**  
Tendering the thanks of Congress to Commodore George Dewey, United States Navy, for his victory over the Spanish fleet at Manila.  
Introduced by Mr. Livingston and referred to Committee on Foreign Affairs 4524.
- H. Res. 253—**  
Tendering the thanks of Congress to Commodore George Dewey and the officers and men of the Asiatic Squadron.  
Introduced by Mr. Grout and referred to Committee on Foreign Affairs 4524.
- H. Res. 254—**  
Of inquiry, directed to the Secretary of War, requesting information regarding the rates paid the railroads for transportation of troops and Government supplies; whether competition exists, and how the public welfare is affected by the appointment of a railroad president and other railroad officials to assume official control of Government transportation.  
Introduced by Mr. Todd and referred to Committee on Military Affairs 4504, 4524.
- H. Res. 255—**  
Authorizing the promotion of Commodore George Dewey to the rank of admiral.  
Introduced by Mr. Grout and referred to Committee on Naval Affairs 4557.
- H. Res. 256—**  
Providing for the families of enlisted men during their absence from their military posts.  
Introduced by Mr. Slayden and referred to Committee on Military Affairs 4537.
- H. Res. 257—**  
Providing for the organization and enrollment of the United States auxiliary naval force.  
Introduced by Mr. Boutelle of Maine and referred to Committee on Naval Affairs 4557.—Reported back (H. R. REPORT 1262) 4600.—Debated, amended, and passed House 4895.—Referred to Senate Committee on Coast Defenses 4925.—Reported back with amendments and passed Senate 5001.—House concurs in Senate amendments 5159.—Examined and signed 5170, 5194.—Approved by President 5417.
- H. Res. 258—**  
To create a commission to examine into the subject of immigration.  
Introduced by Mr. Bartholdt and referred to Committee on Immigration and Naturalization 4600.
- H. Res. 259—**  
To provide for annexing the Hawaiian Islands to the United States.  
Introduced by Mr. Newlands and referred to Committee on Foreign Affairs 4600.—Reported back (H. R. REPORT 1355) 4889.—Made special order 5765.—Debated and amended 5770, 5782, 5828, 5872, 5905, 5910, 5967, 5973.—Passed House 6019.—Referred to Senate Committee on Foreign Relations 6022.—Reported back 6062.—Debated 6140, 6188, 6225, 6229, 6250, 6258, 6300, 6308, 6328, 6341, 6341, 6350, 6357, 6364, 6409, 6465, 6517, 6569, 6582, 6601, 6601, 6605, 6607, 6634, 6660, 6667, 6693.—Passed Senate 6712.—Examined and signed 6734, 6785.—Approved by President 6800.
- H. Res. 260—**  
Tendering the thanks of Congress to Commodore George Dewey, United States Navy, and to the officers and men of the squadron under his command.  
Introduced by Committee on Naval Affairs and passed House 4723.—Passed Senate 4703.—Examined and signed 4753, 4775.—Approved by President 4827.
- H. Res. 261—**  
To restore the status of the Nebraska Territorial Militia who served during the years 1864 and 1865.  
Introduced by Mr. Maxwell and referred to Committee on Invalid Pensions 4747.
- H. Res. 262—**  
To authorize and direct the Secretary of the Treasury to refund and return to the Chicago, Milwaukee and St. Paul Railway Company \$15,335.76, in accordance with the decision of the Secretary of the Interior dated March 3, 1898.  
Introduced by Mr. Henderson and referred to Committee on Judiciary 4747.—Reported back (H. R. REPORT 1310) 4919.—Laid on table (see S. R. 108) 6202.
- H. Res. 263—**  
For the neutralization of the Sandwich Islands.  
Introduced by Mr. Johnson of Indiana and referred to Committee on Foreign Affairs 4747.

JUL 7 1898

55th CONGRESS, 1st Session, H. RES. 259.

**JOINT RESOLUTION**

To provide for annexing the Hawaiian Islands to the United States.

*Proposed*

*for all*

*RESOLVED*

In the Senate of the United States,

July 6, 1898.

Resolved, That this joint resolution pass.

Attest:

Wm. R. Lewis

Secretary.



H. Res. 259.

*Public Resolution No 57*

Fifty-fifth Congress of the United States of America;

At the Second Session,

Begun and held at the City of Washington on Monday, the sixth day of December, one thousand eight hundred and ninety-seven.

JOINT RESOLUTION

To provide for annexing the Hawaiian Islands to the United States.

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided,* That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

*Fraud!*

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

*Sp. E. Bayne*

Speaker of the House of Representatives.

*Pro Tempore*

Approved  
July 7<sup>th</sup> 1898

*Garret A. Hobart*

Vice-President of the United States and  
President of the Senate.

*William H. Taft*

*[Signature]*

FRAND

# HEINONLINE

Citation: 31 Cong. Rec. 6712 1898



Content downloaded/printed from *HeinOnline*

Fri Aug 11 14:16:04 2017

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <http://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.



Eric Richard; eleson®, Secured Party  
In Care Of: MULE CREEK-II STATE PRISON  
Fac. D-16-A-203-2 Low [J-59564]  
U.S.P.S. Box 409089  
Ione, California  
Near [PZ: 95640-9089] N. America  
Authorized Representative for & via  
ERIC RICHARD ELESON®, Trust, (J-59564)

August 2nd, 2017, c.e.

NOTICE OF NON-RESPONSE  
NOTICE OF DEFAULT

MR. DOUG CHIN  
ATTORNEY GENERAL  
(alleged) STATE OF HAWAII  
425 QUEEN STREET  
HONOLULU, HI 96813

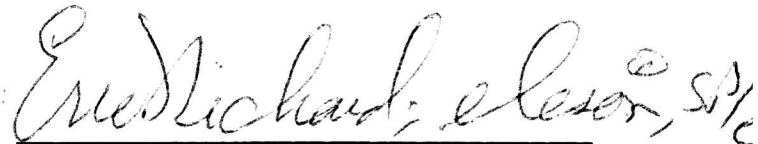
RE: DEMAND FOR PROOF(s) OF CLAIM, #ERe®-001

MR. CHIN:

The above-cited DEMAND, #ERe®-001, was sent to you on June 29th, 2017, c.e., via "Legal Mail" from MULE CREEK-II STATE PRISON. You were provided 20 days, plus three (3) days mailing to respond. As of August 2nd, 2017, c.e., NO RESPONSE has been received from you or your Office.

Therefore, it is established that MR. DOUG CHIN, ATTORNEY GENERAL, (ALLEGED) STATE OF HAWAII, refused or failed to respond to Eric Richard; eleson®, Secured Party's Private Conditional Acceptance For Value for Proof(s) of Claim in the Nature of Request for Discovery within the time stipulated; and establishment is made that MR. DOUG CHIN is in Default & Dishonor.

Dated this 2<sup>nd</sup> Day of August, 2017, c.e.

  
Eric Richard; eleson®, Secured Party

cc: File

The VICE-PRESIDENT. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. At the end of line 20, on page 8, it is proposed to insert:

And it is hereby agreed that the silver money coined by the Government of Hawaii shall be maintained at parity with gold the same as the silver coined in the United States.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Iowa [Mr. GEAR].

The amendment was rejected.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, and read the third time.

The VICE-PRESIDENT. The joint resolution having been read three times, the question is, Shall it pass?

Mr. ALLEN, Mr. FAULKNER, and others called for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GALLINGER (when Mr. CHANDLER's name was called). I desire to announce that on this vote my colleague [Mr. CHANDLER] is paired with the Senator from Missouri [Mr. VEST].

Mr. COCKRELL (when his name was called). The senior Senator from New York [Mr. MURPHY] is necessarily detained from the Chamber, and I agreed to pair with him on this vote.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY].

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from Texas [Mr. MILLS], but that pair has been transferred to the Senator from Nevada [Mr. STEWART].

Mr. GEAR (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. SMITH], and therefore withhold my vote.

Mr. BAKER (when Mr. HARRIS's name was called). I wish to announce that my colleague [Mr. HARRIS] is necessarily absent.

Mr. SHOUP (when Mr. HEITFELD's name was called). My colleague [Mr. HEITFELD] is temporarily absent from the Chamber.

Mr. JONES of Arkansas (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. LINDSAY (when his name was called). Under the arrangement with the junior Senator from Pennsylvania [Mr. PENROSE] I am at liberty to vote, and I vote "nay."

Mr. BURROWS (when Mr. McMILLAN's name was called). My colleague [Mr. McMILLAN] is necessarily absent and paired.

Mr. CARTER (when Mr. MANTLE's name was called). My colleague [Mr. MANTLE] is unavoidably absent. He would, if present, vote "yea."

Mr. MARTIN (when his name was called). I am paired with the senior Senator from Montana [Mr. MANTLE].

Mr. PENROSE (when Mr. QUAY's name was called). My colleague [Mr. QUAY] is necessarily absent. He is paired with the Senator from Delaware [Mr. GRAY].

Mr. SPOONER (when his name was called). On this question I am paired with the Senator from New York [Mr. PLATT], who is unavoidably absent.

Mr. THURSTON (when his name was called). On the pending question, I am paired with the Senator from Washington [Mr. TURNER].

Mr. McLAURIN (when Mr. TILLMAN's name was called). My colleague [Mr. TILLMAN] is unavoidably absent.

Mr. WELLINGTON (when his name was called). I have a general pair with the Senator from North Carolina [Mr. BUTLER].

Mr. WETMORE. I wish to announce that my colleague [Mr. ALDRICH] is unavoidably absent.

The roll call having been concluded, the result was announced-- yeas 42, nays 21; as follows:

Table with 4 columns of names under the heading 'YEAS-42'. Names include Allison, Baker, Burrows, Cannon, Carter, Clark, Cullom, Davis, Deboe, Eikins, Fairbanks, Foraker, Frye, Gallinger, Gorman, Hale, Hanna, Hansbrough, Hawley, Hoar, Kyo, Lodge, McBrido, McLaurin, Money, Morgan, Nelson, Penrose, Perkins, Potter, Platt, Conn., Pritchard, Proctor, Sowell, Shoup, Sullivan, Toller, Warren, Wellington, Wetmore, Wilson, Wolcott.

Table with 4 columns of names under the heading 'NAYS-21'. Names include Allen, Bacon, Bato, Berry, Caffery, Chilton, Clay, Daniel, Faulkner, Jones, Nov., Lindsay, McNary, Mallory, Mitchell, Morrill, Pasco, Pottigrow, Ronch, Turley, Turpie, Whitco.

Table with 4 columns of names under the heading 'NOT VOTING-20'. Names include Aldrich, Butler, Chandler, Cookroll, Gear, Gray, Harris, Heitfeld, Jones, Ark., Keonoy, McMillan, Mantle, Martie, Mason, Mills, Murphy, Platt, N. Y., Quay, Rawlins, Smith, Spooner, Stewart, Thurston, Cullman, Turner, Vest.

89 Senators  
-- 19 Absent  
= 70 Present

So the joint resolution was passed. The preamble was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 4710) to amend an act entitled "An act providing for the construction of a bridge across the Yalobusha River, between Leflore and Carroll counties, in the State of Mississippi," approved April 20, 1898; and

A bill (S. 4847) to provide an American register for the steamer Titania.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10501) to increase the force of the Ordnance Department.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10091) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, recodes from its disagreement to the amendment of the Senate numbered 30, and agrees to the same with an amendment in which it requested the concurrence of the Senate.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask the Chair to lay before the Senate the action of the House of Representatives on the general deficiency bill.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives receding from its disagreement to the amendment of the Senate numbered 30 to the bill (H. R. 10091) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for other purposes, and agreeing to the same with an amendment as follows:

Add, at the end of said amendment, the following: Provided further, That unless the settlement herein authorized be perfected within one year after the passage of this act the President shall at once proceed to foreclose all liens now held by the United States against said railroad companies and to collect the indebtedness herein sought to be settled, and nothing in this act contained shall be held to waive or release any right, lien, or cause of action already held by the United States.

Mr. HALE. I move that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate. The motion was agreed to.

HOOR OF MEETING.

Mr. HALE. I move that when the Senate adjourn to-day it be to meet to-morrow at 12 o'clock, as the order now is continuing for meeting at 11 o'clock, and this will give Senators more time.

Mr. COCKRELL. And hereafter.

Mr. MORGAN. That means hereafter.

Mr. HALE. I will change the form of the motion. I move that hereafter and until otherwise ordered the hour of meeting shall be 12 o'clock.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. HOAR. I move that the Senate proceed to the consideration of the bill (S. 1401) to enable volunteer soldiers during the war with Spain to vote at Congressional elections.

Several SENATORS. Oh, no.

Mr. CARTER. Pending that motion, I wish to present a conference report.

FRAUD!

	<u>NAME</u>	<u>Present</u> <u>Absent</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSTAIN</u>
1.	Aldrich,	A			A
2.	Allen,	P		N	
3.	Allison,	P	Y		
4.	Bacon,	P		N	
5.	Baker,	P	Y		
6.	Bate,	P		N	
7.	Berry,	P		N	
8.	Burrows,	P	Y		
9.	Butler,	A			A
10.	Caffery,	P		N	
11.	Cannon,	P	Y		
12.	Carter,	P	Y		
13.	Chandler,	A			A
14.	Chilton,	P		N	
15.	Clark,	P	Y		
16.	Clay,	P		N	
17.	Cockrell,	P		N	(in A)
18.	Cullom,	P	Y		
19.	Daniel,	P		N	
20.	Davis,	P	Y		
21.	Deboe,	P	Y		
22.	Elkins,	P	Y		
23.	Fairbanks,	P	Y		
24.	Faulkner,	P		N	
25.	Foraker,	P	Y		
26.	Frye,	P	Y		
27.	Gallinger,	P	Y		
28.	Gear,	P			A
29.	Gorman,	P	Y		
30.	Gray,	A			A
31.	Hale,	P	Y		
32.	Hanna,	P	Y		
33.	Hansbrough,	P	Y		
34.	Harris,	A			A
35.	Hawley,	P	Y		
36.	Heitfield,	A			A
37.	Hoar,	P	Y		
38.	Jones, (Ark.)	P		N	(in A)
39.	Jones, (Nev.)	P		N	
40.	Kenney,	P			A
41.	Kyle,	P	Y		
42.	Lindsay,	P		N	
43.	Lodge,	P	Y		
44.	McBride,	P	Y		
45.	McEnergy,	P		N	
		<hr/>			
		6 Absent	23	14	10

42 Ayes  
26 Nays = 5 Fraudulent Votes  
26 Abstentions  


---

94 ??????  
- 5  


---

89 Votes

	<u>NAME</u>	<u>Present</u> <u>Absent</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSTAIN</u>
46.	McLaurin,	P	Y		
47.	McMillan,	A			A
48.	Mallory,	P		N	
49.	Mantle,	A			A
50.	Martin,	P		N	(in A)
51.	Mason,	A			A
52.	Mills,	A			A
53.	Mitchell,	P		N	
54.	Money,	P	Y		
55.	Morgan,	P	Y		
56.	Morrill,	P		N	
57.	Murphy,	A			A
58.	Nelson,	P	Y		
59.	Pasco,	P		N	
60.	Penrose,	P	Y		
61.	Perkins,	P	Y		
62.	Pettigrew,	P		N	
63.	Pettus,	P	Y		
64.	Platt, (Conn.)	P	Y		
65.	Platt, (N.Y.)	A			A
66.	Prichard,	P	Y		
67.	Proctor,	P	Y		
68.	Quay,	A			A
69.	Rawlins,	A			A
70.	Roach,	P		N	
71.	Sewell,	P	Y		
72.	Shoup,	P	Y		
73.	Smith,	A			A
74.	Spooner,	P		N	(in A)
75.	Stewart,	A			A
76.	Sullivan,	P	Y		
77.	Teller,	P	Y		
78.	Thurston,	P		N	(in A)
79.	Tillman,	A			A
80.	Turley,	P		N	
81.	Turner,	A			A
82.	Turpin,	P		N	
83.	Vest,	A			A
84.	Warren,	P	Y		
85.	Wellington,	P	Y		
86.	Wetmore,	P	Y		
87.	White,	P		N	
88.	Wilson,	P	Y		
89.	Wolcott,	P	Y		
90.	?	?	19	12	16
		<hr/>			
		13 Absent		89	
		+ 6 Absent		- 19	
		= 19 Absent		= 70	Senators Present

$$\frac{42}{70} = \frac{X}{100} \quad \frac{60.0\%}{70)4200}$$

NOT 2/3rds of Senators Present!!!

**CERTIFICATE OF SERVICE BY MAIL**

I, the Undersigned, hereby declare that I am over the age of 18 years, and I am ( ) a party to the foregoing action, and that on the 28<sup>th</sup> day of April, 2020, c.e., I placed the below-listed legal document(s) in the U.S. Mail, postage prepaid.

JUDICIAL NOTICE & CONSTITUTIONAL CHALLENGE TO STATUTE (FRCvP Rule 5.1/28 USC §2403)(NEWLAND'S RESOLUTION OF 1898); EXHIBITS "1" & "2".

which were addressed to the below-named persons.

- |  |   |
|--|---|
| 1. CLERK OF THE COURT<br>district court of the united States<br>District of Hawai'i<br>300 ALA MOANA BLVD., C-338<br>HONOLULU, HI 96850-0338   | 2. MS. CIARE E. CONNERS<br>ATTORNEY GENERAL<br>(ALLEGED) STATE OF HAWAII<br>425 QUEEN STREET<br>HONOLULU, HI 96813  |
| 3. File ✓  | 4. MR. WILLIAMSON CHANG<br>PROFESSOR OF LAW<br>RICHARDSON SCHOOL OF LAW<br>C/o UNIVERSITY IF HAWAII AT MANOA<br>2515 DOLE STREET<br>HONOLULU, HI 96822<br>(Courtesy Copy) |
| On 5/21/2020:<br>5. MR. WILLIAM BARR<br>U.S. ATTORNEY GENERAL<br>DEPT. OF JUSTICE BLDG.<br>950 PENNSYLVANIA AVE., NW<br>WASHINGTON, D.C. 20530 | On 5/27/2020:<br>6. MR. RUSH LIMBAUGH<br>C/o The Limbaugh Letter<br>U.S.P.S. BOX 420098<br>PALM COAST, FL 32142-0098  |

I, Eric Richard; eleson, hereby declare under pain and penalty of "thou shalt not bear false witness" (Exodus 20:16). and the laws of the united States of America and the Original Organic Jurisdiction of California Republic. that the foregoing is true, correct and complete. so help me GOD.

*Eric Richard, eleson, S/P/c*

Declarant

CERTIFICATE OF SERVICE BY MAIL

I, the undersigned, hereby declare that I am over the age of eighteen (18) years, and I [am] ~~am not~~ a party to the foregoing cause of action, and that on this 28<sup>th</sup> day of June, 2020, I placed the below-titled legal documents in the U.S. Mail.

POINTS & AUTHORITIES IN SUPPORT OF ISSUANCE OF C.O.A.

CONSTITUTIONAL CHALLENGE TO NEWLAND'S RESOLUTION of 1898

(FRCvP Rule 5.1/28 USC §2403)

which were addressed to the below-named persons:

1. CLERK OF THE COURT  
9th CIRCUIT COURT OF APPEALS  
95 - SEVENTH STREET  
SAN FRANCISCO, CA 94102

2. MR. TOM FITTON, C.E.O./President  
JUDICIAL WATCH, Inc.  
425 THIRD STREET, SW, Ste. 800  
WASHINGTON, D.C. 20024

3. File ✓

4. CLERK OF THE COURT  
district court of the United States  
District of Hawaii  
300 ALA MOANA BLVD, C-338  
HONOLULU, HI 96850-0338

5.

6.

I, Eric Richard; elson ©, hereby declare under pain and penalty of "thou shalt not bear false witness" (Exodus 20:16), and the laws of the united States of America and the Original Organic Jurisdiction of California Republic, that the foregoing is true, correct and complete, so help me GOD

Eric Richard, elson ©/c  
Declarant



SP's copy

Eric Richard; eleson®, Secured Party  
In Care Of: MULE CREEK-II STATE PRISON  
Fac. D-16-A-203-2 Low [J-59564]  
U.S.P.S. Box 409089  
Tone, California  
Near [PZ: 95640-9089] N. America  
Authorized Representative for  
ERIC RICHARD ELESON®, Trust, J-59564  
In Propria Persona

RECEIVED  
MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS  
JUL 02 2020

FILED  
JUL 02 2020

MOLLY C. DWYER  
CLERK, U.S. COURT OF APPEALS

FILED \_\_\_\_\_  
DOCKETED \_\_\_\_\_  
DATE \_\_\_\_\_ INITIAL \_\_\_\_\_

U.S. COURT OF APPEALS  
FOR THE NINTH CIRCUIT

Eric Richard; eleson®, Secured Party,	)	Case No. <u>20-16106</u>
Tertius Interveniens/Auth. Rep., ex rel.,	)	
ERIC RICHARD ELESON®, Trust, J-59564	)	district court No. 1:20-CV-00179-LEK-WRP
	)	
Petitioner,	)	PETITIONER'S EX-PARTE POINTS AND
	)	AUTHORITIES IN SUPPORT OF ISSUANCE
vs:	)	OF C.O.A.; FRCvP Rule 5.1/28 USC §2403
	)	CHALLENGE TO THE CONSTITUTIONALITY OF
(Alleged) STATE OF HAWAII,	)	"JOINT RESOLUTION" (NEWLAND'S RESO-
	)	LUTION) of 1898 w/Exhibits 1 & 2);
Respondent.	)	CERTIFICATE OF SERVICE BY MAIL.
	)	

Judicial Notice Required: Fed. Rules of Evid. Rule 201(d)

COMES NOW, Eric Richard; eleson®, Secured Party/Petitioner herein, and submits his Points & Authorities in Support of the Issuance of a C.O.A., for the following reasons, to wit:

This Court should Grant the C.O.A. because:

1. An alleged "Procedural Bar" (ie Time-Bar in a different jurisdiction) cannot be utilized by the district court to Dismiss a Constitutional violation. (Supremacy Clause, Article VI, §2, U.S. Constitution).
2. The lower Court erred in Denying/Dismissing the Habeas Corpus Petition as Petitioner has a Constitutional and inherent Right to challenge the Constitutionality of an alleged prior conviction/judgment in the jurisdiction of that prior conviction (which he did!). (Article I. §9, & Amendment I, U.S. Constitution). Petitioner filed the 28 USC §2254 within 60 days of the Denial by the Supreme Court of the alleged STATE OF HAWAII, and is NOT "procedurally barred." (28 USC §2254(d)(2)).

3. The lower Court's description of Petitioner's pleadings is erroneous and fails to acknowledge that at NO TIME did Respondents rebut Petitioner's Proof of Claim(s) and Affidavits and follow the established Rules of Habeas Corpus; thereby abridging the Writ of Habeas Corpus. ( Article I, §9, U.S. Constitution).
4. The lower Court's Denial/Dismissal is erroneous as Petitioner presented in both State & Federal Courts, un rebutted PROOF that the alleged STATE OF HAWAII's Governor, MR. GEORGE ARIYOSHI's failure to 'subscribe' to his Oath of Office as required by Article 16, §4 of the alleged Constitution of STATE OF HAWAII & a few alleged Statutes, violated said Constitution & Statutes, and prevented him from entering upon the powers & duties of said Office and "appoint" an Attorney General to delegate power to Prosecutors of the alleged Counties to prosecute crimes; thereby establishing the cited Trials lacked "Subject Matter" & "Personam" jurisdiction which made them "Nullities" & VOID! and can NEVER BE "TIME-BARRED!" as FRAUD vitiates everything! U.S. v. Throckmorton, 98 US 61, 65, 25 L.Ed. 93 (1878).
5. The lower Court's Denial/Dismissal is erroneous as this Petitioner has/is presented un rebutted Evidence that there is NO Constitutional authority to use an alleged "Joint Resolution" (Newland's Resolution) in 1898 to BYPASS Article II, §2, Cl. 2 of the U.S. Constitution. Supremacy Clause, Article VI, §2; The Diamond Rings, 183 US 176, 46 L.Ed.138, 22 S. Ct. 59 (1901); & Marbury v. Madison, 1 US (1 Cranch) 137, 178 (176 - 180), 2 L.Ed. 60 @73-74 & 140; & Petitioner's filed Constitutional Challenge (Docket #6 filed 05/04/20) FRCvP Rule 5.1/28 USC §2403, attached hereto.
6. There is NO AUTHORITY or vested Interest of the alleged STATE OF HAWAII or UNITED STATES OF AMERICA in maintaining the FRAUD(S) EXPOSED HERE! To deny Petitioner relief and maintain these FRAUDS, establishes that TRUTH IS MEANINGLESS & ALL PREVIOUS U.S. SUPREME COURT DECISIONS ARE FOR NAUGHT, AND THE PEOPLE'S CONSTITUTIONS HAVE NO MORE VALIDITY THAN SATAN'S PROMISES!

Respectfully Submitted,



Eric Richard; eleson<sup>®</sup>, Secured Party/Creditor  
Exemption No. 559828464 (*juris et de jure*)  
Holder-In-Due-Course, Record Owner  
Trade Name Owner, Sovereign/American  
Bond No. C-52971371