THE POLYNESIAN.

SATURDAY, APRIL 28, 1855.

The Wheat crop on Maui.

By a note from a gentleman on Maui we learn that it is safe to reckon the present wheat crop at 1,000 acres, after deducting all probable losses by caterpillars, &c. Some of it is very forward, being now in blossom, and this will be ready for harvest by the middle of May. To all appearances the crop will be good, and if good weather occurs during harvest, it will make flour much superior to any hitherto manufactured at these islands.

We have also received a few heads of the wheat itself, from the field of Mr. Cummings of Makawao, which look unusually promising; and from which he anticipates 40 bushels to the acre. We hope his expectations will be realized, as well as those of all the wheat growers on the islands. We surely need agricultural produce to keep our heads above water.

Look out for Counterfeits.

Two-dollars-and-a-half-pieces of the baseet kind of counterfeit coin have recently been passed in Sacramento, California. Two men by the names of Samuel Swan and Samuel Derriman were arrested, and over three hundred dollars of this spurious coin found on their persons.

Appointment.

Hon. J. Kekaulahao has been appointed circuit Judge of the first Judicial district,—the island of Oahu, in the place of Hon. J. Kalili, deceased.

☞ We express our obligations to the new Pacific Express Company, to Wells Fargo & Co., to J. W. Sullivan, and to G. B. Post & Co., for late papers from California and the Atlantic States.

Page, Bacon & Co.

As anticipated, the above house re-opened on the 29th of March, on which occasion they issued the following CARD.

BANKING HOUSE OF PAGE, BACON & CO., San Francisco, March 29th, 1855.

We are happy to announce that our arrangements for the re-opening of our house being completed, we have this day resumed the regular business of our office.

In making this announcement, we should do injustice to our deep sense of obligation, did we not embrace the opportunity it affords of bearing public testimony to the kind consideration and generous sympathy so uniformly extended to us since our suspension on the 21st of last month. We are not insensible to either the fact or its significance, that, during the entire term of our suspension, we have been annoyed by no manifestation of uneasy solicitude, or disaffection on the part of our friends; but have the rather been cheered and encouraged by their many proofs of unabated confidence. We have no disposition, at the present time, to recur to the immediate cause of our misfortune. The principal facts have already been laid before the public in the journals of New York and San Francisco, and we are content that the same public without further statement or comment on our part, should pronounce upon their character.

PAGE, BACON & CO.

Naval.

H. B. M.'s Frigate PIQUE arrived on the 22d, 16 days from S. F., all well.

The following is a list of her officers:—

Sir. F. W. E. Nicholson, Bart., Captain.

Alleyne Bland, George H. Mansell, Edward S. Grove, George Robinson, Lieutenants; George L. Carr, Master; Ed. G. McCallum, 1st Lieut. Marines; Wm. H. Clements, Lieut. Marines; Thomas Davis, Chaplain; Thomas Nelson, M. D., Surgeon; James B. Hay, Paymaster; Louis Chichester, Mate; W. H. Cruice, Asst. Surgeon; Jas. B. McAvoy, Clerk; Wm. H. Staunton, G. G. R. Rattray, Chas. R. Forrest, J. G. I. Hanmer, Midshipmen; Jno. R. Warren, Master's Assistant.

Ships, Shipping, &c.

The Schooner VAQUERO, of the popular Despatch Line, sailed on the 23rd inst. for S. F. with the U. S. mail.

— The Schooner RESTLESS, of the same line arrived from S. F. on the evening of the 23d, in 16 days. She brought California dates to the 7th, but nothing later from the Atlantic States or from Europe.

— On the 20th inst. the clipper Ship DON QUIXOTE, Nott, arrived from S. F. in 14 days. Sailed same day for Hong Kong. When this ship left S. F. the Frances Palmer had been out 23 days from this port, but had not yet arrived there.

— The fine new clipper bark YANKEE, is the next regular packet for San Francisco. She will sail on Saturday, May 5th, and affords very superior accommodations for passengers.

— The RESTLESS is up for Melbourne, if sufficient inducement offers.

— The U. S. Steam Frigate SUSQUEHANNA, Capt. Buchanan, arrived at Philadelphia on the 10th of March, from the Pacific. She had been absent about three years and ten months, during which period she has circumnavigated the globe, and touched at all the important points in the Indian and Pacific Oceans.

— Serious fears are still entertained in the United States for the safety of the Sloop-of-war Decatur, Capt. Sterett, which has been for several weeks safely at anchor in our harbor.

— The clipper ship SPIT-FIRE, with passengers from San Francisco, is now due at this port. Also, the bark ELVIRA HARBECK, which has on board for this port, a part of the cargo of the Science, from China.

A new chart of Honolulu Harbor.

We have received from Mr. Paul Emmert, a copy of a new chart of Honolulu Harbor, just lithographed and published by Mr. E. It purports to have been "enlarged by T. S. Phelps, U. S. N.," and is doubtless correct. It is a very creditable piece of workmanship to Mr. Emmert, and we trust he will meet a pecuniary reward for his skill, commensurate with the labor bestowed upon a chart which all sea-faring people should possess.

Shipment of Treasure.

By the John L. Stephens April 1st. $1,013,560.

DISCONTINUANCE OF THE WEEKLY CALIFORNIA STEAMER.—It is stated that the Nicaragua steamer would leave New York on the 20th of March, instead of waiting till the 28th. It is said likewise that from that time forward the Nicaragua steamers would sail on the same day with the Panama steamers—the 6th and 20th of every month.—[N. Y. Tribune, March 12th.

THE GRAIN PORTS OF THE WORLD.—The Chicago Daily Press, of the 14th inst., says that a thorough investigation establishes the supremacy of Chicago as a grain port over all other ports of the world. According to the calculation of the Daily Press, the grain exports of Chicago exceed those of New York by 4,296,393 bushels, those of St. Louis by more than 250 per cent, those of Milwaukie nearly 400 per cent. Turning to the great granaries of Europe, Chicago nearly doubles St. Petersburg the largest, and exceeds Galatz and Ibraila combined 5,406,727 bushels.

Later dates from New York.

By the clipper ship Don Quixote, we have received, through J. C. Bullions, Esq., New York and Boston papers to the 12th of March, but no later European intelligence than we had by the last mail. The steamer Pacific was several days behind her time, which accounts for the lack of European news.

There is very little news of importance by this arrival from the United States. Local matters fill the papers, with few exceptions. The following affair caused some excitement, of course, as such a transaction could not fail to do.

The U. S. Mail Steamer fired into a by Spanish Frigate.

We learn from the New Orleans Delta that the United States Mail steamer El Dorado, Captain Gray, from Aspinwall bound to Havana, was fired at off Cape San Antonio on the night of the 6th. After the first shot, which fell about twenty yards short of the steamer's port bow, Capt. Gray slackened his speed and ran down to speak her. When within about three hundred yards, a second shot came, which passed close over the port paddle box aft. The steamer was immediately stopped, and in answer to the frigate's hail, informed them that it was the El Dorado, from Aspinwall. The reply was "We will send a boat aboard." The boat came alongside, and the Lieutenant, after carefully examining the papers, told Capt. Gray he might proceed on his voyage. Capt Gray, of the El Dorado, in a letter to M. O. Roberts, President of the California Steamship Company, says:

"When the officer came on board, he asked to see the ship's papers. I showed him the clearence of the U. S. Consul at Aspinwall; and also the bill of health. After reading them, he told me I could proceed when his boat got clear of the steamer. We were detained about forty-five minutes. I would remark that during the night, and when she was boarded, our signal lanterns were burning bright, and I was pursuing my usual course at a distance of from eight to ten miles from any land.

Yours, &c., CAPT. GRAY.

M. O. ROBERTS, New York.

The Daniel Webster also fired into.

We cull the following, in relation to another piece of Spanish audacity, from the letter of our Nicaragua correspondent.—S. F. Herald.

Great excitement exists here regarding the recent outrage committed by a Spanish vessel-of-war off Cuba by firing into two of our steamers. The first case was that of the El Dorado, the particulars of which you will glean from the New Orleans papers of the latest date. Two shots were fired into her wheel-house, and the steamer was stopped, boarded and searched. The other relates to the steamship Daniel Webster, all the passengers by which are now here and bound to your State tomorrow in the Sierra Nevada. The particulars, as I have gathered them from several gentlemen who were on board, are these: The Daniel Webster sailed from New Orleans on her usual day for San Juan de Nicaragua, and when off the western point of Cuba, in her accustomed route, a large Spanish war brig came in sight ahead, and bearing down upon the Webster, fired a shot across her bows and made signals to heave to. Capt. Lucas the late commander, was not on board this trip, the steamer being under the command of Captain Bragdon. The capt. not willing to risk the lives of his passengers, obeyed the order, when the brig lowered a boat with eight men, and pulling alongside the steamer, the officer of the boat came on board and demanded to see the ship's papers. These were produced by Capt. Bragdon, who asked by what authority the search was made, to which the officer replied, "By the command of the Queen of Spain." Capt. Bragdon displayed his papers under protest, and some few words passed between the officers. Those who were near describe the scene as a most interesting one. The officer being evidently aware of the nature of the outrage he was forced to commit, and his hands trembled with nervousness as he read the documents. The brig was managed in a lubberly manner, and nearly ran afoul of the Webster while backing and filling around her.

[For the Polynesian.]

MR EDITOR:—The subject of our schools has become of much interest and discussion of late. Well it may, for it is second to none in importance.

The report of the Minister of Public Instruction has laid out a mass of facts and reasoning worthy of great consideration; but what has awakened a deeper interest in the breast of one at least, is the school celebration which we had the unexpected pleasure of attending to-day. There is nothing like seeing for one's self, and getting at facts in regard to any matters of great public interest.—The mere opinions of editors or newspaper scribblers, in regard to our schools, founded it may be on mere rumor, or town gossip, or distorted by prejudice or sectarian animosity, are worth but little. It matters not to us who is at the head of the schools, or at the tail, or whether they have head or tail, or not, if they only prosper; answer their end; and fill the land with intelligent and virtuous men and women. Are our schools accomplishing this end? This is the question. With a desire to find a solution of this question, we attended the school anniversary to-day, and propose to give a simple sketch of what we saw and heard.

At the hour of twelve we entered the spacious church of the Rev. L. Smith, and found it full as it could pack with people, mostly children. There were twenty-six schools present, and we were told not far from a thousand scholars. Among the most important were the "Royal School," the students of the incipient college at Punahou, the town school, and the two English schools for natives. We observed, and with pleasure, the pure white, the pure native, and the half caste, all occupying the same seat, belonging to the same class, and mingling in the same animating song, without distinction or prejudice; and the spectacle was beautiful to look upon, particularly as all were in high spirits, neatly dressed, and well arranged, with banners flying over them, bearing significant and well chosen mottoes, such as "Kamehameha IV and the schools," "Cold water army," &c.

His Majesty, attended by his suite, H. R. H. Princess Victoria Kamamalu, the Kuhina nui, Prince Kamehameha and other chiefs, entered a little after twelve. The whole assembly arose and stood until the King was seated; a short prayer by Rev. L. Smith followed, then an anthem sung in good time and with great spirit by President Beckwith and his scholars. Several native boys well dressed, came forward, without the least embarrassment, and declaimed in the presence of the King, chiefs and the large assembly, in a very creditable manner. All but one spoke in English, and proved most conclusively the success, so far as they are concerned, of the laudable efforts now being made to teach English to the natives. Their enunciation was loud, clear, and pretty distinct, and they were most heartily cheered by the audience.

His Majesty then arose to address the assembly but there was so much anxiety to hear him, that some confusion took place for a moment, which was soon quieted. He declared himself quite unprepared to make a speech, as he was not expecting to do so, but expressed his high gratification at seeing so many children, and youth, with their teachers and parents, uniting in this celebration, all pursuing the same great object, mental and moral culture. His Majesty assured them that no subject lay nearer his heart, than the education of his people, and to every proper measure for its promotion he pledged his entire support. The address seemed to be entirely extempore, but was much to the point, delivered with great animation and agreeableness of manner, and was received with hearty cheers by his youthful and delighted audience. His Majesty has evidently had the right sort of training on the subject of education, has got hold of the right lever, and if blessed with wise counselors, he cannot fail to bring up his people to a high degree of intelligence and civilization.

Prince Kamehameha followed his Royal Brother in a few brief remarks of the same character, expressing his great gratification at seeing so many schools assembled for such an object, and seconded all that had just fallen from the lips of His Majesty. Short, but animated and eloquent addresses were also made by Governor Kekuanaoa, father of the King and Prince; and by J. Ii, and Messrs. Austin and Davis of the House of Representatives, all of which were well received, none more so than the patriotic and humorous remarks of the venerable old Governor. He was in favor of schools; they are the life and everything; but not of abandoning the native language for your barbarous English. He loved his mother tongue, and exhorted his young hearers to cling to it. English is a jargon he could not understand. His remarks flowed from the feelings of his heart, were most natural, and show how impossible it would be, to supersede the native language at once, or in a very short time, by the English. You might as well attempt to supersede poi by introducing corn meal, a much better article but not so agreeable to the native palate.

John Ii regarded schools as the foundation of every thing. Upon them depended the prosperity of agriculture, commerce, manufactures, and every branch of civilization. All good objects will go ahead if we have good schools; we shall come to nothing without them. He closed with an eloquent tribute to the missionaries who had done so much for the education of the people.

The large assembly of youth was most agreeably surprised and delighted, in the midst of the exercises, with a song from Mr. and Mrs. Hamm, and their little son, professional singers from the U. States, who being present, volunteered to sing once for the gratification of the assembly of children; and if appearances indicate any thing, they were greatly pleased.

These exercises over, the several schools passed in double file before His Majesty, presenting their respects, and then marched to the old Royal School where kind parents had prepared a pic nic for them. It was pleasing to see His Majesty and chiefs among this crowd of youth, enjoying their innocent pleasures, and partaking of their refreshments. May he so reign as to be "King of hearts," as well as people and territories, and come to a good old age, after a long life of usefulness to his people, like a full shock of corn gathered in its season. Certainly he has a fair opportunity to do so.

After witnessing what we have done to-day, Mr. Editor, we have come to the conclusion, that popular education is held in about the same high estimation here, as in the good land whence we came. From a gentleman who attended the examinations during the week, we were informed that in the elementary branches of reading, writing and arithmetic, in the free schools, he has seldom seen children appear better. The higher schools, and English schools for natives are prospering. A nation of 70,000 that can present an array of schools embracing some 12,000 children and youth, with the King himself, in fact, at their head, and enjoying the countenance and support of the nobles and best people of the land, is not far from the right road to prosperity and happiness. No wonder the march of the Hawaiian people in the line of civilization has been rapid, and reforms have been effected within thirty years, without a drop of bloodshed, that have been brought about in other countries by long and severe political struggles and bloody wars. The reason is the mental and moral culture of the people has gone on in advance; reforms have followed. We congratulate His Majesty and the nation on the bright prospects of education before them, and would only suggest, that for the great work to be done, the means provided are too small, taking the estimates in the Minister's report as correct. Fifty dollars a year is too little for each public school. With such a sum it is not possible to keep a house in decent order, and pay a suitable teacher 25 cts. per day, for 200 days in the year; and less than this for the schools to be in session, is too little.

We cheerfully adopt the motto inscribed on the banner of our young friends to-day, "Kamehameha IV, and the schools." A VISITOR.

HONOLULU, April 13, 1855.

[For the Polynesian.]

PAPEETE, Tahiti, Society Islands, 15th February, 1855.

To the Editor of the Polynesian:

SIR:—Captain Bryant's version of the "John Land" case, given to the world in your No. 38 of the 27th ult., is a very specious attempt to poison the public mind and prejudice the claims of my owners, myself and crew, for abandoning our business upon the whaling ground, in the best season, to rescue four and twenty lives from destruction and save from total loss about three hundred thousand dollars worth of other people's property. Do you not think it would be much more commendable, when communications like his come from unknown sources, to hold the parties' commentaries in abeyance, until his facts are properly verified? The liberal proffer of your columns for a reply, seems to me a scanty indemnification, for the prejudice you have helped to engender; and you will scarcely disagree with me in saying, that a newspaper controversy, in matters of private right, would only tend to gratify the idle curiosity of your readers, who have little to lose or gain, and whose subscription money is sufficiently earned by facts. I do not dispute the utility of facts. They are all that a candid Journalist has to do with; but I reprobate in this instance, the fiction and false coloring by which they have been enveloped, by an interested, mercenary and, I am happy to add, disappointed speculator, like Captain Bryant of the whale ship "Gideon Howland."

It would have been quite enough for your readers, to have been informed, that on the 5th of December 1854, at 5 o'clock P. M., the ship "John Land" of Boston, Captain Nathaniel Percival, had entered Nukahiva, laden with a valuable cargo and in a frightfully leaky condition—and that on the 17th of November 1854, she had been rescued from total loss in about latitude 06° 30' South, and longitude 104° 11' West, by the whaling bark "D M. Hall" of Fall River, Captain Spencer Pratt.

Such a notice, without note or comment, would have conveyed the truth and done honor to your "Marine Journal." Every thinking reader would have gathered from it, that my bark must have been at the time, not on a wrecking expedition seeking whom we could succour for profit, but upon much frequented sperm whaling ground, at the most profitable season, doing our best to fill up oil casks;—and would have justly inferred that no deviation from the legitimate pursuits intended by my owners, could either be required of or made by me, without great sacrifice to themselves, to me and a crew enlisted upon lays. The log books of the two vessels, and the testimony of the two crews, would have done the rest, before the tribunal of public opinion, but of the United States at San Francisco; to which, I am referred for indemnification by our Consul here.

To convince you how much credit is due Captain Bryant, I will simply say, that there was no investigation of the "John Land's" condition at Nukahiva as he pretends; and that since she has been hove out here, competent surveyors have reported her leak to be, not "under her forefoot," but "in the garboard streak on the port side" immediately under the main-mast. Respecting the volume of leakage, surveyors from the U. S. Sloop-of-War "Portsmouth," reported "four thousand eight hundred strokes per hour and that her leak is thirty-nine inches per hour," instead of the seven or eight thousand strokes per hour of your correspondent. Moreover, as twenty-three of the officers and crews of both vessels have been elaborately examined, upon sixty-two interrogatories, there can hardly be a doubt, that at the proper time and place, with the aid of learned counsel, properly feed by claimants and respondents, the public appetite will be appeased, without the foregone conclusions and reprehensions of your pen. You are surely, a very useful class of people, you gentlemen Editors, personating and consolidating public rumor—aggregating the elements of public clamor, strife, discord and malignity, and of private falsehood, into your Pandora's boxes—the newspapers—to be let loose upon society. Your columns are then open to the unhappy parties whom you have just misrepresented, that they may retaliate and keep up the commotion, truthfully or falsely—all the same to you—so the readers are amused.

I have no falsehoods to offset against Captain Bryant's. But, if truths can serve your readers any purpose, I would avail myself of your liberty to state for their edification, that Captain Bryant was disappointed at Nukahiva in being prevented by the "John Land's" mutinous crew, from loading his vessel with a cargo to be conveyed to San Francisco at a freight of ten thousand dollars;—that I opposed no obstacle to this project, and could it have been effected, would cheerfully have lightened the vessel of a similar load to the same destination. But I knew the stubborn and disorderly characters with whom I had to contend in her crew, and would not take the risk of insisting upon such a measure.

I concur with you Mr. Editor, in consigning to universal indignation any Captain or crew who could refuse to aid at sea, a vessel in such imminent peril as that of the "John Land," even though it were at the cost of abandoning their whole season's prospects in the best whaling locality with schools of spouters in sight. But, having made such a sacrifice, what should universal scorn and contempt do for the ingrate, who could afterwards, seek to shuffle out of making just amends? I had no sooner got Captain Percival safely into Nukahiva, than he began to devise ways and means to yankee me out of the salvage allowed by law; and Captain Bryant arriving at that juncture, made himself extremely thick with Percival, in the hope of getting a good freight for the "Gideon Howland";—which failing, Captain Percival presented him with a new double-barrelled fowling piece, in compensation for writing you the falsely colored article which embellishes your "Marine Journal."

Never travel out of the facts Mr. Editor, never travel out of the facts. They are stubborn things, and in this case, will vindicate themselves by the oaths of numerous witnesses, and the full and lengthy pages of two log books kept concurrently by the different mates of both vessels, from the time of their encounter, until they moored in Papeete Harbor. There are properly speaking no authorities at Nukahiva; and the attempt to make out a case of bribery and corruption against the handful of gens d'armes stationed there, is unjust in the extreme; as the French Government never contemplated it as a port of resort for foreign commerce, and has established no machinery there. The efforts made however by those few stationed soldiers, to avert the necessity of force in their own acknowledged feebleness, by taking no more action in the matter than could be helped, is meanly and falsely imputed to connivance and collusion by the dishonest imagination of your correspondent. But as full reports from Nukahiva have been officially communicated to our Consul here, there is no danger that they will be withheld from those whose interests they involve.

By publishing this statement, with these views and sentiments, you will render an act of sheer justice to

Sir, your obedient servant,

SPENCER PRATT,

Master Bark "D. M. Hall" of Fall River, (Mass.)

HAWAIIAN LEGISLATURE.

House of Nobles.

Friday, April 20.

Notice was received from the other house that Messrs. D. Kaauwai, Rooke, Kalama and Kalaaukane were appointed on the joint committee to consider the observance of the late King's birth-day.

The house went into committee of the whole on the act to provide for the publication of a list of awards made by the land commissioners, which was laid on the table till the budget be presented.

Prince Kamehameha introduced an act to alter the law in relation to the bureau of public works, which was read a first and second time, and referred to a committee consisting of Prince Kamehameha, Mr. Allen and Kekuanaoa.

The act regulating the interest of money was read a third time and passed.

A resolution was passed, in relation to the original laws deposited in the office of the Minister of the Interior, requesting said minister to report on the subject to this house. Adjourned.

Monday, April 23.

The Secretary was ordered to draw on the Minister of Finance, for $130 to meet the expenses of the house.

A message was received from the other house transmitting an act to provide for the employment of prisoners on the island of Oahu. Also, a joint resolution, for paying the necessary expenses of the Fort of Honolulu.

The joint resolution was passed through its three several readings.

The act to provide for the employment of prisoners, &c. was read a first and second time and referred to a committee of three, Messrs. Kekuanaoa, Paki and Armstrong.

Prince Kamehameha asked permission to postpone the second reading of his bill to alter the law relating to the bureau of public works till to-morrow. Granted.

Prince Kamehameha read for the first time an act supplementary to Art. 5, Chap 4, Part 1, of an act to organize the executive Departments of the Hawaiian Islands. The rules were suspended and the act was read a second time and referred to a committee of three, Messrs. Wyllie, Allen and Kekuanaoa.

Mr. Armstrong read the first time an act relating to the census. The rules were suspended and the act was read a second time and referred to a committee, Messrs. Piikoi and Nahaolelua. Adjourned.

Tuesday, April 24.

The committee on the act to provide for the employment of prisoners on the island of Oahu; the committee on the petition of Haalelea and Kanaina, attorneys for the queen dowager; the committee on alterations in the bureau of public works; the committee on the late King's birthday, severally made their reports, which were accepted.

The house went into committee of the whole on the military act, the first three sections of which were passed. Pending the discussion of the fourth section, the committee rose and the house adjourned.

Wednesday, April 25.

The house went into committee of the whole on the military act, the discussion being on the 4th section when the committee last sat. The several sections of the bill were discussed, and all finally passed, when the committee rose, and the act passed the house on its second reading. The rules were suspended and the act passed its third reading.

The bill to alter the law relating to the bureau of public works, was taken up on its second reading in committee of the whole. After some discussion, the committee rose and reported, and the house adjourned.

Thursday, April 26.

A communication was received from the House of Representatives, transmitting an act for the suppression of prostitution, and an act to repeal the dog tax; also an act to remodel the department of Public Instruction, passed by that house.

The house went into Committee of the Whole on the bureau of Public Improvements, which was, after discussion, passed. The committee rose, and the act passed its second and third readings.

The act relating to the Census was taken up and discussed, and finally passed its second and third readings.

Haalelea introduced an act altering the laws in regard to the water lots of Waikahalulu, which was read a first time.

The act to repeal the dog tax was read for the first time. The rules were suspended, and on its second reading, the house went into committee of the whole, when the act was discussed at length, pending which the committee rose and the House adjourned.

House of Representatives.

Friday, April 20.

PETITIONS.

A number, on important subjects, were received and referred.

REPORTS OF COMMITTEES.

Mr. Fuller from committee on Internal Improvements, reported in favor of the following public works; road from Kau to Kona; do. from Kailua to Kawaihae; do. from Waimea to Hilo; and for a wharf or landing place in Hamakua,—all on Hawaii. Adopted.

RESOLUTIONS.

By Mr. Thurston that the Minister of Finance be requested to furnish the House with information as to the source from which he obtained the sum of $26,000 for expenses of His late Majesty's funeral. Adopted.

By Mr. Fuller, that a joint committee of conference be appointed to confer with a similar committee of the Nobles on the meaning of the 23d article of the Constitution, and that further debate on said article be postponed until such committee shall report. Lost.

By Mr. Kaumaea, that the discussion of the 23d art. of the constitution be postponed until the 30th day of May next.

After some debate, the resolution was withdrawn.

COMMITTEE OF THE WHOLE.

The bill providing for expenses of the Fort passed a final reading.

The House resumed the consideration in com. of the whole of the 23d article of the constitution. Debated until 4½ o'clock when the subject was indefinitely postponed, (neither Judge Ii nor Judge Robertson voting,) 19 to 5. Adjourned.

Saturday, April 21.

A communication was received from the Collector General of Customs, stating the number of registered vessels under the Hawaiian Flag. Their united tonnage amounted to 9300 tons.

ORDER OF THE DAY.

The bill respecting the employment of prisoners on Oahu was ordered to a 3d reading to-day.

The bill to amend the law of elections was ordered to a 2d reading on Monday.

The bill to remodel the Dept of Pub. Instruction had a 2d reading and was ordered for discussion on Tuesday.

The subject of the loss of $1841 50 by the Dept. of Pub. Instruction was taken up and debated at length in committee of the whole, Messrs. Austin, Robertson, Ii and Fuller, advocating the release of the Minister from responsibility, and Messrs. Kalama, Robinson and Davis arguing on the opposite side.

Mr. Thurston moved a resolution to the effect, that, while the House relieves the Minister from responsibility in this matter, it declares its intention in future to hold all government officers strictly accountable for government funds in their charge, unless in cases beyond their control.

Adopted, 24 to 3, when the committee rose and the House adjourned.

Monday, April 23.

PETITIONS.

A large number on various subjects were received and referred.

REPORTS OF COMMITTEES.

By Mr. Ii from committee on Judiciary against amending the laws respecting jurors, and against returning fees charged by the clerk of the market. Adopted.

By Mr. Whitney from the committee on elections reported in favor of laying on the table the petitions against Messrs. Davis and Ii. Both cases involving constitutional questions, which the House had declared itself incapable of deciding. Adopted, and ordered to be printed.

The committee on elections to whom were referred the resolution to inquire into the legality of Hon. R. C. Davis sitting in this House, and also the petition against the Hon. John Ii would respectfully report:

That it appears to them of very little use to investigate the questions referred to them, as the House has by its action in the case of the member from Waialua, declared that a member illegally elected can retain his seat, in another case, that they have no authority to decide constitutional questions relating to the House or its members and as both the resolution of inquiry in regard to the Hon. R. C. Davis and the petition from the Committee of Honolulu in regard to Hon. John Ii, your committee respectfully suggest, as the shortest way to dispose of them, to lay the same on the table, and should any further questions arise as to the legality of our elections, or the propriety or right of any of the members of this House holding seats, that the same also be laid on the table without any discussion.

Your committe however, have to regret the action of the House in the questions alluded to, as they believe that in the purity of our elections, and the constitutional rights of our makaainana, rests the foundation of our free government, and that if illegal or unconstitutional proceedings are sanctioned by the highest tribunal in our land, the time is not distant when tyranny and injustice will creep into every department of our government.

Respectfully submitted,

(Signed) H. M. WHITNEY.
D. K. KAAUWAI.
S. M. KAMAKAU.
S. KIPI.

By Mr. Davis that the new tariff bill be read a second time to-day. Adopted.

By Mr. D. Kaauwai that the report of the committee on elections on the 23d article of the constitution be printed. Adopted.

The Committee on Elections to whom was referred the Resolution making an inquiry into the legality of the election of Judges of the Supreme Court as representatives of the people, beg to report:

That so far as they have examined, there is nothing contained in the laws of this kingdom, excepting only the 23d article of the new constitution, which in any degree qualifies the eligibility of judges of the supreme court holding seats in the House of Representatives. That Section reads as follows:

"The supreme power of the kingdom, in its exercise is divided into the executive, legislative and judicial, *these are to be preserved distinct*; the two last powers cannot be united in any one individual or body."

Some doubt has been expressed as to the meaning of the latter clause of this article. The Hawaiian Constitution was framed after the state constitutions of some of the United States, so far as they could be made available. The principle that no member of the judicial branch of the government can participate in the legislative branch, is acknowledged as a fundamental principle in the U. States Government, and also in that of the several state governments of that Republic, and perhaps in other constitutional governments.

The 6th section of the first article of the constitution of the United States declares that "no person holding any office under the United States shall be a member of either House during his continuance in office."

And the 3d article of the constitution of the State of California declares that "no person charged with the exercise of powers properly belonging to one of these departments (the Legislative, Executive and Judicial) shall exercise any functions appertaining to either of the others, except in the cases herein after expressly directed or permitted."

There can be no doubt that it was intended by the framers of the Hawaiian constitution to incorporate this principle into our system of government. The fact that the principle involved has never here been maintained or carried out in practice cannot alter the fact that it is a part of our constitution. If it is deemed unconstitutional in the United States, for a member of the judicial branch of the government to participate in the framing of the laws which he is called upon to execute as a judge, the same unconstitutionality exists here, and judges of the supreme court cannot legally sit in the legislature. Their eligibility for elections as Representatives is not questioned, and by resigning their judicial office they can sit constitutionally in the House, but so long as the constitution remains as it now is, they cannot legally fill both offices at the same time.

The question is one of considerable importance, and your committee regret the absence from the kingdom, of Chief Justice Lee, whose opinion on the subject would have had great weight.

Respectfully submitted.

(Signed) H. M. WHITNEY.
S. M. KMAKAU.
D. K. KAAUWAI.
S. KIPI.

The above report, after having been discussed on two days, was finally laid on the table, and Messrs. Robertson and Ii, allowed to retain their seats in the House.

The Nobles informed that they had concurred in the bill to provide for the expenses of the Fort.

The bill to permit natives to visit foreign lands without special permission, and the hog and goat bill, were ordered to a second reading to-morrow.

Resolution by Dr Rooke that a committee of 5 be appointed to revise the constitution and report thereon. Adopted.

The following bills were ordered for to-morrow: to take jurisdiction in native cases from police magistrates; to make Kalepolepo and Kahului ports of entry; to make Koloa, a port of entry; and the bill respecting stallions.

ORDER OF THE DAY.

The tariff bill was read a 2d time and ordered to be printed.

The bill to suppress prostitution passed a 2d and was ordered to a 3d reading to-morrow.

The committee report declaring the seat of the member from Kau to be vacated was discussed at length in committee of the whole and laid on the table, 14 to 9.

On motion of Mr. Robertson the committee on elections was ordered to address a circular letter to inspectors of elections throughout the islands instructing them in their duty. Adjourned.

Tuesday, April 24

A number of petitons received and referred.

The bill removing restrictions on the sale and use of awa was ordered for committee of the whole to-morrow.

The committee on Internal Improvements reported in favor of appropriating $5,500 for Lahaina water works Adopted.

The subject of the Queen Dowager's claim was made an order for Thursday.

The joint committee of conference on the subject of the celebration of His late Majesty's birth day, reported adversely to legislating thereon, but recommended the erection of a monument by private subscription.—Adopted.

Mr. Kaumaea's bill respecting District Courts was ordered for Friday.

The bills to prohibit the sale of beer; for the relief of landless people; and for the cleaning of the streets, were are all ordered to a second reading to-morrow.

The bill to amend the brankrupt act was ordered for to-morrow.

On motion of Mr. Maikai the subject of the improvement of the harbor of Puuloa was referred to the committee on Internal Improvements.

Resolution by Mr. Robinson that a committee be appointed to inquire as to private unlicensed boarding houses. Adopted.

The bill to regulate the pay of tax collectors (by a per centage) was ordered for Saturday.

ORDER OF THE DAY.

The act to suppress prostitution passed a final reading, as did the act to repeal the dog tax.

The new rule of the House, "the previous question," was discussed at length in committee of the whole, and passed with a slight amendment.

The wine bill came up in committee of the whole was debated and referred to a select committee. Adjourned.

Wednesday, April 25.

A number of petitions presented and referred, among which was one praying government to purchase the steamer Sea Bird.

REPORTS OF COMMITTEES.

Mr. Fuller from Committee on the memorial of Page, Bacon, & Co. for a banking charter, reported favorably to the same, with amendments. Bill ordered for Monday.

The committee on internal improvements reported the inexpediency in their opinion of expending any money at present on the harbor of Kalaeloa, Molokai. Adopted

Mr. Robinson from committee to inquire as to the fact of the existence in Honolulu of unlicensed boarding houses, reported in favor of the law being enforced. Adopted.

On motion of Mr Davis the new tariff bill was made a special order for to-morrow.

ORDER OF THE DAY.

The bill to amend the law of descent was read a second time and referred to a committee.

The bill to regulate the rate of interest was read a first time, and ordered for to-morrow.

The bill to amend the law of elections had a second reading and was ordered for Monday.

The new land claims bill was read a second time, and ordered for Tuesday.

The bill to remodel the Department of Public Instruction came up in committee of the whole on its second reading.

After a lengthy debate, the bill passed, section by section, when the committee rose, and the bill was read a third time. Adjourned.

Thursday, April 26.

PETITIONS.

From Honolulu, for appropriations for roads and streets, etc., etc.

REPORTS OF COMMITTEES.

Mr. Widemann, from select committee to inquire as to the exemptions from duty of goods of missionaries, reported as follows:

Your Committee, directed to inquire into the circumstances relating to the bill proposed by the member for Kolanpoko, repealing certain laws exempting certain societies from the payment of duties, have ascertained that the goods entered duty free for the missionaries, are, as far as the American and French missions are concerned, *bona fide gifts* by the *Boards in the respective countries, for the support* of the missionaries residing here *and other benevolent purposes.*

Your committee are of opinion, that to impose duties on these goods, would be equivalent to asking for *more* where much is already given; as, in the end, the Board would have to pay the duties as well as the goods; and therefore recommend to lay the said bill on the table.

Your Committee would add, that they are aware that in instances this privilege is abused, in as far as some of the goods thus imported duty free, are used by some of the missionaries for purposes of trade, and that they think this an act of injustice towards all merchants.

Signed,

H. A. WIDEMANN,
J. W. E MAIKAI,
S. KIPI.
Z. P. KAUMAEA,
T. C. B. ROOKE.

Mr. Davis, from select committee on the memorial of Dr. G. A. Lathrop, reported in favor of paying that gentleman the sum of $1,437 50, which was the mean of the different sums named by the members of the committee. Ordered for to-morrow.

A communication was received from the Minister of Finance, transmitting his supplemental report. To be printed.

Resolution by Mr. Austin, that $5,000 be appropriated for building a market house at Lahaina. Referred.

On motion of Mr. Thurston, the committee on the Judiciary were instructed to bring in a bill to enable appeals to be taken from the decisions of Land Commission.

The new Tariff Act was taken up in Committee of the whole, debated at length, and the first 6 sections passed. Adjourned.

Passengers.

By Brig Grecian, for S. F.—H. F. Poor, Mr. Hines.

By Sch. Restless, from S F.—Messrs. Mills, Closing, Nye, Cinlan.

By Sch. Vaquero, for S. F.—W. Green, W. F. Dow, S. Green, Akong, J. Treat, E. McDonald.

By Ship Don Quixote, from S. F.—J. C. Bullions, lady and servant.

MARINE JOURNAL.

PORT OF HONOLULU.

Arrived.

April 23—Am. wh. sh. Bart. Gosnold, Fisher, 5 1-2 m, 114 sp.
Bk. Bell, Handy, 28 mos, 400 sp, 600 cocoanuts.
H. B. M.'s Frigate Pique, Nicholson, 56 gunn, 16 days from S. F.
24—Am sch. Restless, Sawyer, 15 days from S. F.
26—Am. ship Don Quixote, Nott, 16 days from S. F.

Cleared.

April 21—Brig Grecian, Kissam, S. F.
Am. bk. Black Eagle, Edwards, Kodiac.
23—Bart. Gosnold, Fisher, cruise.
Am. sch. Vaquero, Harris, S. F.
24—" " Kaluna, Candage, Puget's Sound.
25—Fr. sh. Asia, Morin, cruise.
Am bk. Alice, Penny, cruise.
" Brig Æolean, Bryand, Hongkong.
26—" Ship Mogul, Clark, cruise.
" " Don Quixote, Nott, Hongkong.
" " Ocean Pearl, Sears, do.

PORT OF LAHAINA.

Arrived.

April 18—Sh. Henry, Bunker, Nantucket, 18 mos, 85 sp, 8 w.
20—Herald, Allen, Fairhaven, from Honolulu.
23—Europa, Pease, Edgartown, 19 mos, 180 sp, 60 w.

Cleared.

April 11—Marcia, Wing, cruise.
13—Com. Preble, Prentiss, cruise.
17—Joseph Meigs, Coffin, Ochotsk.
Fr. sh. Nil, Labaste, cruise.
18—California, Manchester, Ochotsk.
19—L. C. Richmond, Cochran, do.
Bart. Gosnold, Fisher, Honolulu and Ochotsk.
Gazelle, Eastern, Coast of California.
Henry, Bunker, cruise.
20—Bk. Arab, Copeland, Kodiak,
21—Bk. Italy, Weld, cruise.
Sh Herald, Allen, Ochotsk.

PORT OF HILO.

Arrived.

April 5—Am. bark St. Mary's, Martin, 20 days from San Francisco, bound to Sydney, put in for water, 16 passengers.
19—Am. wh. ship South Boston, Randolph, Fairhaven, 5 1-2 mos., 140 bbls. sperm oil.

The S. B. was the only ship in port, April 20th.

Memoranda.

The Clipper ship Spitfire at S. F. reports having spoken on the 28th of January, near Cape Horn, the schooner Blackstone of Hartford, 51 days from New York, bound to the