THE POLYNESIAN.

SATURDAY, APRIL 2, 1859.

☞ The *Advertiser* of this week continues its discussion of the liquor question—if discussion that can be called which is false in facts, wrong in induction, and perverse in application. It accuses us and the Ministry of being so "deaf to reason and lost to the feelings of humanity" as to "force Rum down the throats of the people, and hasten the extinction of a once noble and numerous race."

How does it prove its charges? It does not prove them, it simply asserts, and, having stultified itself, it is sufficiently stupid to think that other people must do so too. We contend for the unconstitutionality of distinguishing between the native and the naturalized subject, what article one may and the other may not purchase and possess. Does the *Advertiser* prove that we are wrong—that the Constitution acknowledges explicitly, or even by the most hair-drawn judicial construction, that "all men are (*not*) equal before the law"? If former Ministers and interpreters of the law connived at the violation of the Constitution, or, in softer words, failed to perceive that a wrong committed, even for a good object, never fails of balancing itself by the production of another wrong,—by what moral obligation, by what principle of manhood are the present Ministers expected to continue the violation, to support an exposed fraud—in short, "do evil that good may come"?

The constitutionality of our position being too plain to be kicked against with any hope of success, the *Advertiser* endeavored to envelope that question in the fog of its own intellect. But the Constitution of this country—whether right or wrong in its application to the inhabitants—is too bright to be thus snuffed out; and the *Advertiser*, like other silly moths of smaller calibre, has extinguished itself by quoting Mr. Gregg's incontrovertible exposition of the unconstitutionality of giving to one class of men rights to acquire and possess property which are not given to another class.

But even were this class-legislation, this distinction of one man from another before the law, constitutionally right, we still contend that it has been proven perfectly useless for the very purpose, and the only purpose, on behalf of which its continuation is now invoked; that it is ruinous in its actual working, and dangerous in its tendencies.

Has the *Advertiser* shown us to be wrong in either of these positions? Will it show us a native in Honolulu or Lahaina, who, with a hankering after liquor and the money to pay for it, cannot obtain it under the present recognized class-legislation and in defiance of the law, which through the constant, gradual progress of public opinion, has become a dead letter, except in so far as disorder or licentiousness accompany the purchase? Will it show us that with the inclination and the money the native is not now obtaining from most of the public houses, or manufacturing for himself, that infamous Honolulu beer, and drinking it *ad libitum*, compared with which the worst liquor of the public bars is pure and harmless? Will it show us that the native (or, for the matter of that, any number of natives) out of Honolulu, when he takes the notion, may not get up a regular drunk on fermented melons or potatoes, without the intervention of a license or the obstruction of bonds, and, wiping his mouth on the statute law, is drinking himself into dropsy, or palsy, or some horrible cutaneous disease? Will it show us that under the present prohibitory policy the natives both on Oahu and Hawaii, and no doubt elsewhere, do not manufacture a steadily increasing amount of distilled spirits from the root of the ki-plant, for which they find so remunerative a sale among their more favored fellow-citizens of the foreign stripe, that hardly a drop is consumed by themselves? In short, will it show us that the prohibition has prohibited any body from indulging their appetites, though it has seasoned the enjoyment of all by the debasing consciousness that it has been obtained in violation of law, though it has driven many from less to more pernicious liquors, and put a brand upon their cheeks which, when it reaches the heart, will either quicken into rebellion or be quenched in death. When Lord George Paulet, during his occupation, had ordered the taverners expressly to sell to the native as well as to the foreigner—will the *Advertiser* show us that there were more cases of "drunk and disorderly" brought before the police then, than what are now daily brought in, when they have to skulk behind doors and in corners to empty their glasses, or else to dive into those hell-holes, yclept beer shops, which nestle in the shadow of the licensed hotels? Has not the *Advertiser* seen enough yet of how the past policy is working death and ruin under the skin, to comprehend what Schlegel says with his calm wisdom, that "the sudden abolition of an evil that has become an inveterate habit in society is mostly attended with danger, and frequently works another wrong of an opposite kind." But this is one of those truths, which the giddy, reckless spirit of a spurious philanthropy can never be made to comprehend.

The *Advertiser* is not more fortunate in its facts than in its opinions. It attributes the amendment of the Upper House on the liquor question to the Minister of Finance, Mr. Gregg, and, starting upon an "if we are rightly informed," it proceeds to tear that gentleman's character to pieces and throw dirt on his reputation at a rate which makes us strongly suspect that Mr. Gregg, being "too much of a novice in Hawaiian history" and "far too unfamiliar with the peculiar idiosyncracies of"—the *Advertiser*, has been surprised into "the mischievous sophism" of doing that journal some act of kindness.

If the *Advertiser* knows the history of this much talked of amendment, why does it not tell it; if it does not know it, why does it rush in like a blind Boanerges, regardless of where its blows fall, so long as the rattle is kept up? When the New Code came up in the Committee, the restriction was upon *native subjects* only. On motion of Prince Kamehameha and Mr. Gregg, the Committee struck out the discriminating part as unconstitutional, and thus amended the section went to the House of Representatives. They inserted the restriction upon natives again and sent it up to the House of Nobles, where Mr. Gregg, during the debate, in which a portion of his speech has been reported, argued in favor of imposing the restriction upon all subjects alike, rather than to pass a partial and unconstitutional law, and the House refused to concur with the Lower House in its restrictive amendment upon natives alone. As a matter of fact then, so far from "forcing Rum down the throats of the natives," Mr. Gregg contended for an absolute prohibition on all his Majesty's subjects alike. As the *Advertiser* does not notice this position, it becomes evident that it is neither temperance nor abstinence that it is after, but simply a handle whereon to fix a new growl, seeing that it has worn out the patience of the public and its own knuckles by beating the alarum on the door of the Foreign Office. It is the nature of some to bark, but it is the special nature of the *Advertiser* to "bark up the wrong tree" for ever.

We intimated last week that Prince Kamehameha was the head and front of this measure, but our cotemporary, with its superior express facilities, now informs us that "whoever wrote that article knew the facts in the case as well as the public, and evidently sought to *dissemble the truth*." It is possible that our friend is honored with greater intimacy and fuller confidence by both the Prince and Mr. Gregg than ourselves, but—we don't believe it; the public does not believe it, and the *Advertiser* itself does not believe it. And we now repeat that the measure originated with the Prince, in the Cabinet, in the Code Committee, and in the House of Nobles. His delivering himself in the Hawaiian language on all those occasions, will account for no reports of his speech appearing in the English journals, whereas Mr. Gregg, speaking the latter language, was reported. The Prince is far too honorable to reap the credit of other men's actions or allow them to bear the odium (if such it be) of his own.

And now, that the *Advertiser* has the right man placed before it once more, will it keep its attention from flying off at a tangent, as usual; will it look that man in the face and say that *he* "is too much of a novice in Hawaiian history—is far too unfamiliar with the peculiar idiosyncracies of the people—to warrant him to speak understandingly on a subject of such vital importance to the existence of the nation?"

We are sorry for the vexation and disappointment that we have caused our cotemporary. It was building its reputation for veracity and sagacity and its arguments against the measure upon the supposed novitiate of the introducer, but the chariot of truth has upset its apple cart, and great is the indignation and hubbub in its little Stoke Pogis.

But, leaving the Prince, let us ask where are the arguments of the *Advertiser* against the measure itself or Mr. Gregg's exposition of it? We have looked through both its articles and find nothing but assumptions of what may happen—(*paha?*)—if its premises are correct, which they invariably never are; nothing but railing, clamor, fishy logic and bad eloquence, tempered by little spots of better language, just enough to reveal to the critic the natural coarseness of the original. Not one of Mr. Gregg's positions has been controverted, nor can they be. Men of common sense and practical wisdom will perceive and acknowledge that the question of policy cannot, and should not, arise until the question of constitutionality has been settled: that, ere we quarrel about the policy to be pursued under the Constitution, it is of primary necessity to know what that Constitution is, in its meaning and bearings.

THE PAST WEEK.

Rex vs. The New Light.

KAHOOLAWE.—Mr. Wyllie or some one of his satellites, wishes to know (in the official organ) why the public do not admire his patriotic sheep-breeding enterprise. The reason, we suppose, is that they think that a Minister's business is to attend to his official duties, and not to dabble in private speculations, such as the purchase of the lease of Kohoolawe for a term of years is supposed to be. Sheep breeding is no doubt a very commendable vocation in its proper place, and if the Minister wishes to display his ability in that line, it would be more in consonance with the respect due to his office, to doff the official hat, and take up a residence on the famous island which is becoming the scene of his philanthropic efforts.—*Advertiser* (of course.)

The sage paragraph above quoted opens up a vast field for speculation. We give it entire, because it is a fair specimen of our contemporary's powers; it illustrates its range of ratiocination; our contemporary is always shooting down an avenue; it sees nothing to the right or left. A Minister, it seems, has no right to hold office if he happens to be a wealthy, or a comparatively wealthy man. A Minister may not invest his money. He must pack up his doubloons in oyster barrels and lay them by in his cellar. If he undertakes to invest in the three-and-a-half-per-cents (as they would say in England); if he ventures to buy some railway shares; if he build a row of houses, intending to let them; if he purchase a piece of miserable land and improve it by under-draining and sub-soiling, and other modern methods; if, in fact, he is cursed with capital to be employed in some way or other, he ought either to let it lie wrapt up in a napkin or resign his portfolio. None but poor men ought to rule the State. The rich ought to devote themselves to their riches. If not they ought to let their riches be, during their term of office.

This may be sound doctrine, but it does not strike us. If Lord Derby chooses to keep a racehorse, and make money by him sometimes, that is hardly a reason why he should go to live in the stable, and leave the Queen of England in a fix. If Baron Rothschild chooses to take half the crowns of Europe in pawn, that is no reason why he should not represent in parliament the City of London. If Disreali fancies to write a book and sell his MS. to the best advantage, is he therefore to be turned out of the Exchequer? Is Bulwer Lytton any less effective as a Minister because his novel of "What will he do with it" is coming out during his incumbency in the Colonial Office, and he is now spending the proceeds? If one man likes loans, another books, and another horses, why may not a Minister here like sheep, and invest his money according to the fashion of the country?

Think of Washington, think of Webster, and two thirds of the great politicians of the United States; how would they have turned up their noses if they had been unfortunate enough to take a journal into their hands that laid it down as law that when they assumed office they ceased to have a right to care for agriculture, or to invest their money?

What makes us laugh is to think how differently different people think on cognate subjects. Here for instance, is the King recommending a property qualification, even for members of the Legislature. His Majesty seems to think that men who have something at stake are not only likely to have studied what measures tend to security of possession, but that in protecting their own, they will protect all other interests, knowing how proprietory rights are interwoven. His Majesty no doubt had other reasons for making that suggestion, but then a King may glance at things that a journalist can hardly handle, and it is our fixed determination to be respectful to all parties, as long as we can. But lo and behold! on the very same day, almost at the very same hour, the *Advertiser* is telling us that men in office ought to be poor; that if they wish to act "in consonance with the respect due to their office" they ought to quit before they look after their private means, if they are fortunate enough to have any. Did you ever hear the like! Can our contemporary really intend to say that office holders ought to go in poor and thin; as soon as possible get fat and rich, and then make room for needy gentlemen in waiting? If that is what it meant by its leers at "rotation in office," preserve us from that same!

☞ We would call the attention of our readers to the speech of Mr. Gregg, in the House of Nobles, on the question of Custom House duties. Without exhausting the subject, it is cogent, close reasoned and well sustained by the facts.

Tour of His Majesty.

His Majesty and a small suite started for an excursion around this island on Wednesday afternoon. The steamer *Pele* took them down to Pearl River, whence they will proceed by land, and return in eight or ten days.

Opposition in a New Quarter.

The *Advertiser*, in some loose remarks it makes upon our last week's first editorial article, after going to considerable pains to show that the property tax is a popular measure, and that it was "initiated," that is the word, by the Representatives of the People in 1855 (whereas it is recognized in the Constitution of 1852), contains this almost incomprehensible sentence in regard to certain Nobles who last week opposed it.

"They are large landholders, it is true, but their vote on the final passage of the bill did not arise so much from opposition to the measure as from the unjust operation it would have on those who, like them, held many lands under the old feudal system."

Now we don't wish to go into particulars and show how those gentlemen did not hold "many lands" under the old "feudal system," but came into them through their wives, who were widows, and both dead now; we only want to show the amount of consistency that is to be expected in the columns of our happy-go-lucky contemporary. Our contemporary claims (unjustly) for the people the initiation of this measure. It claims credit to the House of Representatives for bringing it forward so long ago as '55 (three years after the Constitution had pointed to it). It tells us how it was opposed by the Nobles (a sordid lot, standing in the way of what was fair as between man and man), and after all, only this week, it comes out and tells us that those who opposed this measure did not oppose it, because they were large landholders, but because of "the unjust operation it would have on those who, like them, held many lands under the old feudal system." It says, in as plain English as it can, that their opposition was called for.

"In its effect" it goes on to say "they consider the law unconstitutional, inasmuch as it does not operate on all property holders alike." And this is the law, all the credit of originating which is claimed for the people, or their Representatives, ever since 1855! The Nobles are scathed for having opposed it previous to this adjourned session, and now, incomprehensible as the fact may appear, those who opposed it (thank goodness there were only two of them) are talked of as men who fought a good fight in opposition, because they saw "the unjust operation it would have," etc., etc., etc.

We doubt if the *Advertiser* itself knows on which side of the fence it is standing at present.

THE MARKET LANDS.—In the House of Representatives yesterday, as will be seen by reference to our report of legislative proceedings, the bill to enable government to lease the public market lands, was defeated, having been *laid on the table* by a majority of one. Here is another vote of the Lower House tabling a confessedly Ministerial measure. Did anybody ever see the like in any other constitutional monarchy? The Ministers appear to have a very small modicum of influence in that very intelligent and important body, the House of Representatives.

Thus saith the *Advertiser* of Thursday. Whether the very small modicum of influence" the Ministers possess had anything to do with it or not, the House of Representatives proved its intelligence on Friday by re-considering their vote, and passing the bill as "a confessedly Ministerial measure." "Did anybody ever see the like in any other constitutional monarchy?" A factious opposition may watch its opportunity for taking the House by surprise, but after sleeping on it, the members' better judgment generally returns to them, and asking themselves what object the Ministers could have for recommending measures not for the public weal, like soldiers who have been decoyed into a wrong path, they hurry to rejoin the banners of the only leaders in whom they have permanent confidence.

Not at all Sensitive.

We always admired the unflinching coolness with which our cotemporary carried off any allusion to its intellectual opacity and obduracy. Its very latest contains the alarming information that the printer's devil is the only educated man in its office. We have thought so all along, but didn't like to say so. Another instance of the right man in the wrong place.

HAWAIIAN LEGISLATURE.

ADJOURNED SESSION 1858.

House of Nobles.

MARCH 24th, FIFTY-SEVENTH DAY.—A message was received transmitting a Joint Resolution in regard to the publication of the Civil Code. The Resolution was read for the first and second times, and its further consideration postponed till the probable action of the two Houses on the Code in question shall be ascertained. Adjourned.

MARCH 25th, FIFTY-EIGHTH DAY.—A message transmitting a standing amendment to substituting "assessor" for "enumerator" wherever the latter word occurs in the English version of the Code. Amendment concurred in. Another message transmitting sections 459 to 678 inclusive, also article 27 of the Civil Code. Amendments in sections 489 to 504 concurred in. 492 further amended by substituting "twenty-five" for "fifty" in the last line. In section 504 the words "in Privy Council" stricken out. Amendment in 505 not concurred in. Prince Kamehameha of the Committee of Conference reported on section 42, recommending the words "Cabinet Council" in lieu of "Privy Council." Report adopted. Adjourned.

MARCH 28th, FIFTY-NINTH DAY.—Minutes read and approved. The House proceeded with the Civil Code, commencing with section 506. Amended by substituting "Minister of Finance" for "Commissioner of Customs." Section 507 having been read, a very strong discussion ensued, in which Mr. Gregg said:

MR. PRESIDENT:—I move that this House concur in the amendment of the House of Representatives.

But before the question is taken, it is proper that I should undertake a brief explanation of the principles involved in the section under consideration. I accept all the responsibility connected with it as a general measure, founded as it is upon Government policy, as well as fair considerations of political economy.

It is apparent that the French Treaty of October 29, 1857, requires a new rule in regard to duties on spirits and certain classes of wines. We are obliged by its terms to conform our legislation to its provisions.

So far as alcohol is concerned, we are under no restraint; and it is proposed to place the duty at a high rate, so as to prevent its importation for the mere purpose of manufacture into counterfeited and poisonous beverages.

On brandy, gin, rum and whisky, a duty of three dollars per gallon is imposed. This provision is based on the exigencies of the French treaty. For the moment, I pass over the arguments which seem to refute the grounds taken by the American and British Representatives as to a discrimination in favor of spirits supposed to be generally imported from their own countries. In proper time, I hope to show that their claims are based on pure fallacies and contain no real element of soundness.

The duty of $1.50 per gallon on the heavier wines, such as port, sherry and Madeira, is above the old rate and beyond what I originally had in view. But I unhesitatingly accept the judgment of the Lower House, being assured that it is not at variance with any material public interest.

The five per cent duty on wines of *cargaison* results from the stipulations of the French treaty. It is a necessary provision from which there is no escape. It was my view to place cider, beer, ale and porter, upon the principle of alcoholic strength, in the same category; but the lower House, with reference to considerations of revenue, have advanced the rate to ten per cent. This, I am assured, will not be unsatisfactory to the business interests of the mercantile community, and I therefore am disposed to give it my support. As to the duties on wines of a higher class than those of 18 per cent, there can be no doubt on the question of right. It is a matter for our own regulation, and I assume that our authority, in that respect, cannot be called in question.

So also in regard to the *ad valorem* rate of 10 per cent as to general merchandise. The free list under that head, can hardly be made a matter of complaint. It relates to the good of the country, in its agriculture, its manufactures, and all the various interests which concern the public welfare.

I come now to the question raised by the Representatives of the United States and Great Britain. Does parity require that gin, rum and whisky should be placed upon the same *ad valorem* footing as brandy? Do the provisions of the French treaty, in virtue of parity, exact it? In my view, they do not. They cannot fairly be construed to that effect.

The positions taken by these Representatives involve the right of this Government to impose specific duties—a right which can never be surrendered except under the pressure of the strongest necessity.

The British Commissioner is, in my judgment, completely debarred from maintaining his ground, for the reason that his own Government imposes a uniform duty upon all spirits. Can he object, in consistency and fairness, to our following such an example? Will Great Britain act upon one rule for herself and make it a cause of complaint that the Hawaiian Government adopts the same rule? Is there any thing in her treaty with us to require such a distinction!

The American Commissioner, with more apparent foundation for his claim, has, in reality, no stronger right. It is no fault of this Government if the United States cannot place themselves on a footing of parity with France. Although an *ad valorem* system has recently been adopted by the American Government, the President in his late Annual Message repudiates it, and insists upon a recurrence to specific duties. Is the Hawaiian Government precluded by any treaty stipulation from exercising the same discretion? The rule of parity involves no such principles. It is entirely within the discretion of this Government to exclude entirely all articles of commerce, which are not required to be admitted by treaty stipulations. A different principle would strike a fatal blow at the very foundation of independent government.

The French treaty in prescribing the limit of duties on spirits, employs the term "*eaux de vie*," and the Hawaiian text uses the corresponding word "*barani*." Now what is the proper sense of these expressions? Is *eau de vie* simply brandy, or does it comprehend a wider range of meaning? I have consulted all the accessible authorities on the subject, and satisfied myself that it signifies not merely brandy but all spirits, which comes under the head of beverages

The "Dictionary of Commerce and Merchandise," a standard French work, gives this definition:

"When alcohol is intended for consumption, it is more or less mixed with water, and then takes, from the country and the material from which it is manufactured, different names. In France the universal name for all drinkable spirits is *eau de vie*, the usual and popular name which designates all spirituous liquors."

It will scarcely be contended that the Hawaiian word *barani* is less comprehensive in its general sense.

If so, it must be admitted that the effect of the French treaty is to limit the duty on all spirituous beverages to three dollars per gallon. Discriminations may be made below that rate but not above it.

Can we adopt a scale of discriminations? In my judgment it is an impossibility in our present financial condition. No existing treaty requires it of us, and we may therefore view the question as a simple matter of policy.

To make a scale of duties on spirits below $3 per gallon, would involve the Government in bankruptcy, at least so far as the present is concerned. Domestic necessity requires us to reject the demands of the Representatives of the United States and Great Britain. They will not, I am certain, be inclined to press them to our disadvantage. *For years* they have acquiesced in our policy—which looked not merely to revenue, but to morals—without complaint, and it cannot be that they will now be disposed seriously to dispute the position we assume. We stand upon the platform of international law and only claim the privileges which other independent governments exercise. But under a system of specific duties on spirits, what injury could be inflicted on American or British interests? The cheaper liquors always command the highest profit in Hawaiian markets. The following table is an illustration:

TABLE showing the average invoice cost per gallon of certain spirits imported into the Hawaiian Kingdom during the year 1858; the average rates of sale of the same per gallon, during the same period, by wholesale dealers, and the percentage of profit realized by said dealers on such cost:

	Brandy.	Gin.	Rum.	Whisky.
Average invoice cost pr gall.,	$2 08	$1 20	$1 24	$0 80
Average rates of sale pr gall., duties excluded,	4 94	3 18	3 12	3 04
Per cent of profit on invoice cost,	137½	165	151.6	280

Where, in view of these statistics, is the justice of the demand made by the American and British Representatives? It is a pure fiction which gives foundation to their pretensions. When tried by sound principles, their arguments must yield to stubborn facts, and to the imperative requirements of international law.

Whenever the financial circumstances of the kingdom will permit, I shall be inclined to place our customs on the footing of *ad valorem* duties. We are a small kingdom, and cannot afford the cumbrous machinery of larger governments; but it must be a matter of our own choice and not of foreign dictation, except so far as we may consent by treaty arrangements. The nation is free and sovereign, and enjoys all the rights and privileges of any other independent State. This is the only position to assume, and it is a position which the world will justify.

I proceed to the discussion of another point. Why are the duties on general merchandise proposed to be raised to ten per cent? Simply, because the actual wants of the Government require it! What good subject or citizen has reason to complain on that ground? The French treaty takes off a duty of two-fifths on spirits, and the difference must, in some form, be made up. The following figures will show to any candid mind how the case approximately stands:

AVERAGE Custom House Duties for Six Years, viz: from 1853 to 1858 inclusive:

Goods,	$55,212 73
Spirits,	67,029 48
Transit,	2,141 44
Total,	$124,383 65
Deduct two-fifths spirit duties,	26,811 79
	$97,571 86
Add 5 per cent on goods,	55,212 73
	$152,784 59
Gain by 5 per cent additional on goods,	$55,212 73
Loss of two-fifths duty on spirits,	26,811 79
Difference gained,	$28,400 94

But in reference to these statistics, it is to be observed that the amount of general merchandise, other than spirits, is gradually falling off, and I have no doubt it will continue to fall off until it reaches the sound and healthy state of domestic consumption. A new system of supplying whale ships is springing up, and we must cease to lean upon any casual or transient commerce, in connection with whaling interests, as a permanent source of prosperity. We should look mainly to our internal resources, and try to develop them so as to be independent of the precarious fortunes of those engaged in northern fisheries. It is not probable, in view of this, that the duty of ten per cent on general merchandise will much more than compensate the loss arising from a deduction of spirit duties, although there is a nominal advance, shown by the figures, of nearly thirty thousand dollars.

A general duty of ten per cent. *ad valorem* will not, I am convinced, be deemed unreasonable. It is in no sense oppressive. No man can maintain that it is against good policy, or in violation of any real public interest. Let those who are unwilling to submit to it, make their arrangements for departure at their earliest convenience. They can well be spared, and it is probable that their places will soon be supplied with better men—men who will not grudge the small pittance they are required to pay for the security of property and the advantage of protection.

I am well aware that in advocating this measure, as well as in urging property taxation, I render myself obnoxious to those who live for their pockets more than for the country or their Creator. I cannot help it. It is a necessity of my position, and I intend to perform the duty devolved on me in spite of all clamors, from whatever source they may come.

I trust that this House will sustain the amendment of the House of Representatives, and thus give effect to a measure upon which the vital interests of the Kingdom essentially depend.

The Minister of Foreign Relations explained at great length the view taken by the Commissioners of the United States and Great Britain with regard to duties on spirits. He showed that on the *ad valorem* principle, $1 17 cents per gallon on American Whisky, and $1 44 cents per gallon on English Gin, would be as high a duty as $5 per gallon on French Brandy; and that France, in regard to the duty on spirits upon that principle, had undoubtedly been the most favored nation, since the Treaty of 26th March, 1846, and would continue to be so, for ten years, under the Treaty of 29th October, 1857. He stated that it was a great mistake to believe that the French Government, the American Government or the British Government had ever wished, or even now, wished to *force* upon this Kingdom, the importation of spirits, for use among the natives. He stated, howeve, that nothing was farther from his intention than to controvert the arguments, or differ from the policy of the Government, and the necessities of the Treasusy, as so eloquently explained by the Minister of Finance, who preceded him. The House adjourned pending the discussion.

MARCH 29th, SIXTIETH DAY.—Prayer. Minutes. A message was received transmitting the Appropriation Bill for 1858-9. This Bill having passed to its second reading was referred to the Committee on Finance. The House proceeded with the Civil Code, and after a very tiresome discussion, section 507 passed as amended below. Amendments in 508, 519, 525, also concurred in. 529 amended by inserting after the word "necessary," "to administer and certify all oaths and affirmations necessary for the performance of his duty, which may be produced as evidence in any Court of Justice in the kingdom." 530, amendment concurred in. Further amended by inserting "and licensing" after "registering." 532 amendment not concurred in. Section stricken out. 539 amended by substituting "forty-eight hours" for "ten days," and by adding "or previous to completing the unlading of the vessel." 542, amendment concurred in. Adjourned.

MARCH 30th, SIXTY-FIRST DAY.—No quorum.

MARCH 31st, SIXTY-SECOND DAY.—H. R. H. Prince Kamehameha, and the Hon. the Chief Justice presented themselves as Royal Commissioners bearing a message from the King to be read before both Houses. Having delivered their credential, the President dispatched a message to the House of Representatives apprizing them that the Commissioners were awaiting their arrival to execute the charge entrusted to them. The Chairman and members of that House having been announced were received by the Nobles standing and the President having read the Royal Commission in Hawaiian, the Secretary read it in English, after which Prince Kamehameha read His Majesty's message in Hawaiian and the Chief Justice in English

Nobles and Representatives:

I deem it my duty, as Chief Magistrate of the Kingdom, to submit to the Legislature certain points in regard to which the organic law seems to require revision.

Experience has conclusively shown that the Constitution of 1852 does not, in many important respects, meet the expectations of its framers, or of my Predecessor, by whom it was voluntarily conceded.

It is the part of wisdom to derive lessons from experience, and to regulate our future policy in conformity with its suggestions.

The 105th Article of the Constitution prescribes the ordinary mode of amendment. Without reference to a different manner of revision, clearly founded on the inherent rights of the different Estates of my Kingdom, I am, at this time, content to appeal to the Legislature for such action as will provide an adequate remedy for all existing difficulties.

I am satisfied that it would result in great public advantage to allow to my Executive Ministers the privilege of election to the House of Representatives, except when constituted Members of the House of Nobles by Royal Patent. It would also, in my opinion, be politic to permit additions to be made to the House of Nobles for a term of years as well as for life. These changes are earnestly recommended and urged upon your favorable consideration.

I further recommend that the House of Representatives be limited, as to its members, to a number not exceeding twenty; and that a suitable property qualification for eligibility be established. The compensation of such members ought also to be definitely fixed for the entire period of their service, so as to avoid all inducements to protracted sessions beyond the requirement of the public good.

Relying on your wisdom and patriotic disposition, I place these suggestions before you, in the full confidence that they cannot fail to meet your sanction. I entertain no doubt that if the Constitution should be amended in conformity thereto, a beneficial reform of the Legislative Department would be effected, and the general advantage of my Kingdom thereby greatly promoted.

KAMEHAMEHA.

KAAHUMANU.

The Speaker of the House of Representatives, in behalf of that House stated that they had received the Royal Message with all respect and would give it their gravest attention. The Commissioners then retired, as did the Representatives of the People, and the House adjourned.

House of Representatives.

MARCH 26TH, NINETY-THIRD DAY.—Mr. Sheldon, from the Committee on Foreign Relations, submitted a dispatch from the Minister of that Department tendering explanations in regard to the sum (800) per annum to be voted for the expenses of the King's Commissioner in London. The explanations being satisfactory, the appropriation was agreed to.

The Biennial Bill of Appropriations, having passed a second reading, was ordered to be engrossed for a third reading on Monday. Adjourned.

MARCH 28TH, NINETY-FOURTH DAY.—Mr. Kahai presented a petition from Honolulu, 200 signatares, asking that the District Court of Honolulu be not abolished. Ordered for committee today.

Mr. Robertson, from the Joint Committee of Conference, reported that they had agreed to recommend to each House the adoption of the hula law in such amended shape as will bring hulas under the provisions of the law of public shows, with a license fee of $10 for every exhibition; and restricting the same to Honolulu and Lahaina.

A motion to adopt was lost by a tie vote, and the report was ordered for committee of the whole to-day.

The appropriation bill came up on its third reading, and finally passed.

The subject of hulas came up in committee of the whole, and on motion of Mr. Kipi of Hilo, the word Lahaina was stricken out, and the subject recommitted.

A message was received from the Nobles transmitting an act to repeal certain market laws. (The effect would be to enable government to lease certain market lands to seaward of the Charlton property.) Ordered for to-morrow. Adjourned.

MARCH 29TH, NINETY-FIFTH DAY.—Mr. Kalama, for personal reasons, asked to be excused from serving farther on the select committee to consider the claim of the heirs of the late Prince Moses Kekuewa. Mr. Richardson was appointed in his place.

Mr. Dowsett, on a suspension of the Rules, read a first time a bill to provide further water facilities for the city of Honolulu. It proposes a loan of $50,000 to be raised by mortgage on the present water works. Second reading to-morrow.

A message was received from the Nobles transmitting further minutes of their action on the Civil Code. Ordered for to-day.

The House went into committee of the whole on the bill to repeal certain parts of the old market law, from the Upper House.

Mr. Chamberlain moved to lay on the table. He thought that the vacant space makai of Capt. Spencer's store ought to be preserved for the convenience of the public and for storage. Moreover, if government wanted to get the Waikahalulu property improved it was bad policy to lease the lots in question in this bill, which would be the case did it pass

Mr. Dowsett followed with farther arguments in opposition to the bill, which as was well understood, was to enable government to lease the lots makai of the Charlton property near the stone market, and he was opposed to this on the ground of public convenience.

Mr. Sheldon moved to refer the bill to the Committee on Internal Improvements—for them to consider and report upon.

Seconded by Mr. Hollister, who was inclined to favor the bill, but thought it should be fairly considered and reported on before the House took any final action in the matter.

Mr. Richardson seconded the motion to commit. He thought it was unwise to act hastily or unadvisedly in the premises.

The motion to lay on the table was lost, 13 to 9, and the bill was referred to the Committee on Internal Improvements.

Mr. Chamberlain, on leave, read a first time a bill to regulate the shipment of native seamen. Ordered for to-morrow.

Mr. Sheldon gave notice of intention to introduce a bill for the protection of the Kolea and other useful birds.

The House went into committee of the whole on the concurrences and nonconcurrences of the Nobles to the Civil Code. Several slight amendments were concurred in and the remainder referred to the Committee of Conference. Adjourned.

MARCH 30th, NINETY-SIXTH DAY.—Mr. Richardson, from the Committee on Internal Improvements, recommended that the bill to repeal the old market law be referred to the Committee of the Whole.

The House went into committee accordingly, Mr. Kapihe in the Chair. Mr. Richardson laid before the House the plan of the market reservation, and stated that the object of the bill was to enable Government to lease, for the term of ten years, a piece of ground 30 feet square next adjoining the building erected by Swan & Clifford. The annual rental was to be $800, and at the expiration of the term of lease, the fire-proof building to be erected according to the terms of the agreement, to revert to Government.

Mr. Chamberlain reiterated his arguments of yesterday, and moved to lay on the table.

Mr. Richardson supported the bill, and said that he had heard no good argument adduced why the proposed improvement should not be made. It was well known that the Waikahalulu property could not be leased, at present, for nobody had offered to pay a fair price, although several different propositions had been made by Government.

Mr Dowsett followed in opposition to the bill, and laid considerable stress on the obstruction to the wharf business which would result were the property in question leased for building purposes.

Mr. Hollister said that the necessity did not exist to-day which gave rise to the old market law. The marketing was all done up town at present, and had been for some time. Why should not Government receive some revenue from the vacant space. As to the argument that it was a public convenience, he did not think so from the present appearance of the locality, filled up as it was almost entirely with lumber and firewood. However, when the Civil Code goes into effect, the Government can lease any portion of that ground at their own option, without asking the Legislature. The opposers of the bill were only keeping the Government out of a few months' rent, or perhaps running the risk of losing the offer to lease which had now been made.

After some further debate, the bill was laid on the table, 13 to 12, and the committee rose.

The House then went into Committee on the bill to amend the Act to regulate the shipment of Hawaiian seamen. It was slightly amended and passed for a third reading to-morrow.

The Honolulu Water Bill passed to be engrossed. Adjourned.

MARCH 31, NINETY-SEVENTH DAY.—Mr. Laanui moved to take from the table the Bill to repeal the market law. Adopted, and ordered for to-day.

The Bill to regulate the shipment of native seamen came up on its third reading and was finally passed.

The Bill to supply additional water for Honolulu, passed a final reading.

The House went into committee of the whole on the Bill to repeal the Honolulu market law.

On a motion to pass, Mr. Dowsett repeated his arguments against the bill.

Pending discussion, a message was received from the House of Nobles, inviting this House to attend at their Hall to listen to a message from his Majesty. The House proceeded in a body, headed by the Speaker, when his Royal Highness, Prince L. Kamehameha and Chief Justice Allen, bearing the Royal Commission, delivered the following message from his Majesty:

The Representatives then returned to their Hall when,

The discussion of the market Repeal Bill was resumed. Mr. Kalama argued in favor of the Bill, and was followed by Messrs. Kahai and Kaauwaepaa in opposition. The question was put on the motion to table, and resulted, noes 17, ayes 6.

The Bill was then referred to a select committee, consisting of Messrs. Sheldon, Chamberlain and Kalama.

Mr. Sheldon read a first time a bill for the protection of the Kolea, and other useful birds. Referred to the Committee on agriculture. Adjourned.

APRIL 1, NINETY-SEVENTH DAY.—A majority of the select committee on the bill to repeal a portion of the act relating to the Market Law, reported in favor of passing the same. The report was accepted and the bill passed a final reading.

A report was received from the Joint Committee of Conference, in relation to certain unimportant matters referred to them, in which the Committee of the Nobles had agreed to concur. The amendment of this House in regard to Hulas, restricting the license of the same to Honolulu alone, was not assented to by the Committee of the Nobles, and was reported back. This last was ordered for committee of the whole to-day, and the remainder of the report adopted.

Mr. McCully offered an amendment to the Civil Code, sec. 43, in regard to the reception of the Commissions of foreign Consuls, vice-consuls, &c. Taken up in committee of the whole, and referred to a select committee of one to transmit to the Minister of Foreign Relations, for him to insert in the Code, should he deem it necessary.

The House then went into committee on the subject of Hulas. After a long discussion, in which Mr. Robertson took the ground that it was far preferable to put the hulas under the operation of law in Honolulu and Lahaina than to suffer them to go on as at present without the regulation of law, the motion to concur with the action of the Nobles was lost, 13 to 10. Adjourned.

COMMERCIAL.

— From the *U. S. Economist* we take the following interesting article on the AMERICAN TRADE:

The United States, situated as they are with regard to the countries of this Continent, have hitherto enjoyed but a small portion of the actual traffic which should naturally grow out of the growing prosperity. If we take a table of the area, population and trade of all the settled countries of America, North and South, according to the most recent authorities, we have results as follows:

	Area sq. miles.	Population.	To sq. miles.	Exports. $	Imports. $
United States,	2,963,666	27,237,510	9.19	324,644,421	346,980,658
N. & C'l Amer.	5,343,399	13,432,6 9	4.89	74,169,671	85,512,161
West Indies,	96,050	3,911,905	40.71	78,055,761	71,231,635
S. America	6,767,401	19,835,633	2.93	145,219,350	132,758,227
Total,	15,170,516	64,417,677	4.24	622,359,203	636,502,771

These figures give the whole extent, population and commerce of all these countries, but the interchange is mostly with other countries than with each other. Under the colonial policy, by which the early trade of all of them was settled, the products of each were directed to the respective mother countries, whence alone they could draw supplies. As the connections with European countries were, during the present century, successively cut off, England was indefatigable in her exertions to obtain the best footing for trade, and to supplant other countries in the supply of goods to the emancipated colonies, hence the last fifty years has been one scene of intrigue and meddling along the whole coast, North and South. Where she could not contract or monopolize the trade, she has sought to break it up by intrigue, right of search, and other pretenses. The result is that the United States have got but a very small portion of the trade. The proportion of the whole trade of those countries which has been obtained by the United States, is seen in the following table:

IMPORTS.

	From U. States.	Elsewhere.	Total. $
N. A. Colonies,	32,700,478	52,811,687	85,512,165
West Indies,	25,966,344	45 285,291	71,251,635
South America,	13,455,417	119,302,810	132,758,027
Total,	72,122,239	217,389,786	289,522,027

EXPORTS.

	To U. States.	Elsewhere.	Total. $
N. A. Colonies,	18,785,801	53,664,870	74,449,671
West Indies,	18,061,963	59,984,798	78,045,761
South America,	27,894,126	117,325,224	145,219,350
Total,	64,741,890	232,972,892	297,714,782

These figures were for the year 1855. It appears that all those countries derived from the United States—the nearest source of supply—only one-third of the imports, and they exported to the United States a less proportion of their products. Nevertheless, during the changes which have taken place in the last twenty years, this continental trade of the United States has increased, owing to the operation of the proclamation opening the West India trade, the modification of the duties, the establishment of the warehouse system, and improved treaty regulations like the reciprocity with Canada. If we compare the trade between the United States and those countries for the year 1835, with that of 1855, we have results as follows:

	1835 Imports into U. S.	1835 Exports from U. S.	1855 Imports into U. S.	1855 Exports from U. S.
North America,	9,935,368	9,069,926	18,785,801	32,700,478
West Indies,	11,834,856	17,057,855	18,061,968	25,976,346
South America,	5,484,856	9,894,607	27,894,126	13,455,417
Total,	$26,764,188	85,522,488	64,741,890	72,132,241

Thus, although in the lapse of twenty years the trade of the United States with American nations has rather more than doubled, it still bears but a very small proportion to the capability of those countries, but it will be remarked that the largest increase by far has been in the period named with Canada; under the Reciprocity Treaty, which has largely increased the sale of Western produce. That treaty and its operation strongly indicates the advantages to be derived from similar treaties with the other nations of the continent. With the South American States the United States do barely ten per cent of the trade, but with the West Indies the trade has undergone an immense development, under the high prices which sugar has maintained in the last few years. In 1857 the imports into the United States from the West Indies reached $46,917,099, against $25,976,344 in 1855, and $11,832,356 in 1836. This large increase was mostly from Cuba in the shape of sugar, but the returns were by no means as large. The apparent balance against the United States in 1857, with respect to the West Indies, was nearly $30,000,000, drawn for against American credits in London, while the merchandise of other countries was drawn from Europe. The United States manufacturers can compete very successfully with those of Europe, where they appear on the same footing as in China, and there is no reason why they should not supply all that description of goods to the American population, which amounts to 37,000,000 out of the United States, and who should consume as much cotton cloth as the people of the United States, viz., equal to 800,000 bales of cotton. The operation of steam, of railroads, and telegraphs, must tend to bring in closer connection the people of this continent, and develope an immense trade in the train of United States enterprise.

By the showing of this very article, the trade of the United States with the other American nations has more than doubled in twenty years. Is not *well* ENOUGH? Or, like our neighbors on the coast in regard to the whaling trade, do they "want the whole of it, and not a fair share of it"? If Europe does a greater trade with the South American States than the United States, is it not owing to the greater age and deeper roots of the mercantile connexions, to the superior facilities of communication by steam, and the absence of political bias in commercial speculations?

— From present indications there is hardly any doubt that the new Tariff of 10 ℔c. ad valorem will pass both Houses of the Legislature, and obtain the sanction of the King. It is probably the wisest compromise that could be made between our duty and our necessities. While it is not annoying to the shipper or oppressive to the consumer, it enables many a home-made article to stand a chance in the home market in competition with the foreign article, at the price at which it can be laid down here. We do not believe in a protective policy in its old and odious form, obliging people to buy an inferior article at a dearer rate, simply to force, under cover of law, one man's money into another man's pocket. We believe that the consumer has a right to be protected in his purchase as well as the producer in his sale. The interests of both should be equally protected in the adoption of any tariff whatever; and hence we think that while financially we were obliged to increase our duties for the sake of revenue, yet that increase has not been so great as to be burdensome or hardly felt by the consumer, and at the same time it is just enough to call into activity several home manufactures, giving employment to home labor, and to the extent of the consumption of the articles, keeping money in the country. To illustrate our meaning, we will take for instance the manufacture of sugar kegs. This article, under the 5 ℔c. duty, could not be manufactured here as cheap as it was imported, while now it can; and it is reasonable to presume that the planter will prefer, at the same price, the home-made article, which he can receive "to order" as it regards size, quantity, quality, and time of delivery. And so with not a few other things, which now can be made here as cheap as imported, and furnish steady employment and profitable wages to an increasing number of home laborers.

— We know not yet with whom, under the new Civil Code, rests the authority of manufacturing Custom House regulations. But to whomsoever that duty may belong in the future, the present regulations are certainly susceptible of greater improvement and more equitable adjustment. Among other things, we notice the singularly original idea of making the duty, or rather the privilege, of re-exporting wines and spirits depend on the material of the container. For instance, the law reads: "Wine or spirits cannot be exported (vdl. free of duty) in bottles in a less quantity than 12¾ galls.—if in wood, the original package." Hence a case containing one dozen bottles, or 2 2-5 gall. wine or spirits; or a case of three dozen and 7 1-5 gall.; or a case of four dozen and 9 3-5 gall.; or a case of 15 bottles, 5 gall. gin; or a demijohn of 5 or 6 galls., *can not* be exported free of duty, because the container is glass; but a keg containing *one gill* can be re-exported, because the container is wood. If this is Custom House logic, it is time it were amended.

— The United States loan of $10,000,000 was awarded at an average of 102.60. About $4,000,000 went to bidders in Wall street. Sales have been made since at 103½.

The Atlantic Mutual Marine Insurance Company has declared 40 ℔ cent on the net earned premiums, and 6 on the outstanding certificates. The net premiums of the year 1858 amounted to $1,360,000. The total earnings were $4,890,798, and losses paid $1,598,638.

FRIDAY, APRIL 1, 1859.

Our business week closes with but few operations to note. The *Gladiator*, with a full cargo of Oil and Bone and sundries, home value about say $140,000, sailed for New Bedford on Thursday. The *Marilda*, for Fanning's Island, sailed on the same day. This schooner has been put under the Hawaiian Flag, and will continue in this trade, which consists of cocoanut oil. The cargo of the *Advance*, which vessel she replaces, went to New Bedford in the *Gladiator*. About four round trips are made per annum, with about an average outturn of $4000. We regret to notice that by her one of our young merchants, Mr. H. F. Poor, was passenger for Hawaii, in ill health. He has been looked upon as the conductor of the Commercial column of a contemporary journal; and it is probably owing to his absence that a different tone has become so apparent of late. We trust he may soon be able to renew his connection.

It was thought by many Merchants here, that the claiming of an island discovered by a commissioned officer of the United States on board of a government vessel, on special service, by himself, without including his crew, was out of place. The arrival on Sunday last of the Kamehameha IV. with a party who had been there and taken possession under power of attorney from the petty officers and crew, show the same feeling of doubt existed in their minds also. Who eventually will be right on representation at the Department at Washington, we do not feel capable of deciding. We regret that on her return she brought intelligence of the wreck of the whaling ship *South Seaman*, lost on French Frigate Shoal. Her Captain and part of the crew were passengers. The wreck was sold for $555, to the owners of the schooner, and she sailed on Thursday for the remainder of the crew, having been chartered by the American Consul for $850 for that pur pose.

The Syren is fast completing her lading, and we should judge there would be oil enough here left to fill the *Chapin*, should she not succeed in getting a complement at Lahaina. The *Jenny Ford* will sail on Tuesday. She is loading with general cargo. The *Abby Brown* is hurrying repairs, and will leave for Johnson's Island for guano. The *Pizarro* continues to take in freight, the Agents having secured all the Hawaiian caught oil. The price paid is understood to be the figure of the *Cynthia's*—say 86c.

The Chamber of Commerce on Monday passed a resolution not to take the $50 pieces at more than 5 ℔c. off, or $47 50. This was met by the declaration of the Minister of Finance that the Treasury would do no better. While in this reformatory mood, we would suggest that they make some other coins more in unison with that of the United States, and bring the rejected dimes and half dimes of that nation into circulation. Should it do so, there will be less grumbling about small change.

The *Pizarro's* sale of Thursday last has been followed by that of a portion of the *Sachem's* cargo to-day. The attendance was good and we should judge the prices satisfactory. The *Frances Palmer*, with the United States and European mails is hourly looked for.

A new tariff of 10 ℔c., instead of 5 ℔c. before existing, has passed both Houses of the Legislature, and it must inure to the benefit of many articles which can be produced here with this differential duty in their favor, as well as they can be imported from foreign countries. It will stimulate native production and improve the financial resources of the country.

Our quotations are:—

CIGARS—Manila—the bulk of the stock is held by one party; $22 for No. 2. Stock about 250 M No. 2. An addition of 100 M is about due. No. 1 @ $35. The stock on hand is lot ex *Hero*, which is of better quality than have come here of late.

COFFEE—The market is bare of Hilo. Sales of 5000 lbs @ 14c. KONA held at 16c. About 8000 lbs go by *Jenny Ford* to Victoria.

SUGAR.—6@7¾ is a fair quotation. The *Jenny Ford* takes about 25,000 lbs.

ARROW ROOT—In demand at 9c.

FUNGUS—In demand at 8c.

PULU—Nominal, held mostly by one house, who ship on their own account.

MOLASSES.—A fair quotation 15c.

EXCHANGE.—$10,000 U. S. Consulate on the State Department @ 15 days' sight, closed par @ 2 ℔ ct. dis. Whalers', par.

AUCTION SALES.—That from the *Sachem's* cargo by A. P. Everett, brought prices as follows: Blankets $4¼@5; pilot Reefing Jackets $3¾@4¼; Ticks 12½c; Overalls $5¾; Jumpers $6¾@6¾; blue Shirts $15½@15¾; Russian Frocks $15; sporting Jackets $2@2¾ ea; Duck Pants $1 ea; Hickory Shirts $6½; Denims 13@13½c; split Peas 4¾c; Lard 19c; Turpentine 85c; Manila Cordage 12c; Raisins (whole bxs) $1¼@2¼; halves $1¼@1¾; quarters 75@94c; boiled Linseed Oil, $1500 worth, at $1 9½ to $1 20; Butter 35c; Bread 6½c; Tobacco 31@32c; Flour, 10 brls, at $12; Pump Leather 28c; pure Lead 9¼@10¼; extra at 7c; Carolina Rice 6¾; whole Pepper 12c; Charcoal Irons $15 per doz; family Soap $1 20; Brogans $1¾; enam'd do $1½; goat $1¾; Oxford Ties $1 81; Congress Boots $1¾; lasting Brogans $2 06; calf $2 18; Monterey Ties $1¾; sewed $1 56; Pie Fruits $4 93; Porter $2 68.

J. F. Colburn sold the two cottages belonging to the Estate of Henry Smith, bankrupt, one for $900 and one for $815. The house lot adjoining, on the corner of Merchant and Alakea sts.