COMMERCIAL.

WEDNESDAY EVENING, SEPT. 29, 1858.

Business has been quiet this week, and "on the street" we hear many complaints of dullness. So many heavy cargoes of merchandize are now fully due at this port, that dealers have but little inclination to purchase, having fears probably of a dull season, which the unfavorable reports from the fleet seem to confirm, and of an over-importation of many descriptions of goods, whereby prices may be unusually depressed.

There has not been a very active movement among merchantmen or whalers this week. The brigantine *Glencoe* arrived yesterday from Port Orford, with 180,000 feet of lumber, partly consisting of the clear cedar of that region. The lumber market is heavy, and cargoes are just now quite difficult of sale. We understand that a new lumber yard is to be started in Honolulu, of which the *Glencoe's* cargo will form the nucleus.

The *Jenny Ford* sailed on her return to Port Townsend and the gold mining country, on the 24th.

The Alice, from San Francisco, is much overdue, and were it not that her sailing qualities are pretty well understood here, fears might be expressed for her safety. She may be hourly expected, and has probably touched at Hilo and Lahaina.

The John Marshall has been placed on the berth for San Francisco, and has already engaged a large freight at lower rates than have heretofore been ruling. We hear of 200 tons salt going on board, besides sugar, molasses, etc.

We offer apologies for a paucity of quotations this week, business since our last not admitting a very extensive review.

SUGAR—Favorable advices having been received from the coast, per *Rapid*, at Lahaina, nearly all the sugar in the market has been bought up for shipment to San Francisco. The quantity that changed hands reached 60,000 lbs, in kegs, at 8@8¼c for first two grades, and 7c for inferior.

MOLASSES—Sales have been made for export at 25c. We quote good quality at 24½@25c, without containers.

SALT—Shipments per *John Marshall*, on owners' account, amount to 200 tons. Sales of coarse have been made at about $1 per bbl.

OATS—There were sales at auction and private of 200 bags, ex *Flying Dart*, at 2@2½c. At the close we quote 2¼@3c, jobbing price.

ONIONS—Small sales of superior at auction, at 2c.

POTATOES—Sales of 50 bags California at 1½@2c ℔ lb.

SHINGLES—None in market. We quote $6 50@$7 50.

LUMBER—The cargo of redwood, ex *Flying Dart*, was sold on private terms. Jobbing rates are unchanged.

SAN FRANCISCO MARKETS.

Gen market reports are up to the evening of the 8th instant. There had been a decided advance in sugar and flour.

The flour market is decidedly firm—600 barrels Haxall, inspected superfine, sold at $13 50; 400 do do do, $12 50 rejected; 1000 or sacks Alviso Mills $10; 400 bf do Commercial Mills, extra, $10.

BARLEY—Is firm. 500 sacks, in store, sold at 105c; 1032 do at 102½c.

OATS—1000 sacks sold at 1½c; 150 do choice at 105c.

COFFEE—The market is firm. For Rio 16½c offered and refused.

SUGAR—250 bales China sold at 12c cash; 44 do dark, auctions, 11½c.

TURPENTINE—2000 gals at 91c.

COAL—280 tons Coose Bay $10 75.

PORTLAND, (O. T.) MARKET—Friday, Aug. 13.

The only change which we have to note is the decline in flour, which has declined some $3 ℔ bbl, and may now be quoted at $10 ℔ bbl.

We quote New Orleans and Sandwich Islands sugar, in kegs, 16c; crushed sugar, 18@20c. Coffee, 18c.—*Oregonian.*

Moon's Phases at Honolulu, in October.

	dy.	h.	m.		dy.	h.	m.
New Moon....	6	3	42.9 A.	Full Moon....	22	4	54.9 M.
First Quarter..	14	2	18.1 A.	Last Quarter..	28	10	9.1 A.

LATEST DATES, received at this Office.

San Francisco	Sept. 10	Paris	July 17
Panama, N. G.	Aug. 15	Hongkong	June 25
New York	Aug. 5	Melbourne, Vic.	June 20
London	July 18	Tahiti	Aug. 17

Ships' Mails.

For San Francisco—per Glencoe, on Monday next, Oct. 4.
For Lahaina—per Maria, Saturday.

PORT OF HONOLULU, H. I.

ARRIVALS.

Sept. 24—Sch Maria, Moltemo, from Kona, Hawaii.
24—Sch Mary, Berrill, for Kawaihae.
25—Sch Moikeike, from Kahului.
25—Sch Kekauluohi, from Kona, Hawaii.
25—Sch Kamehameha IV, from Kohala.
25—Sch Kamoi, Chadwick, from Lahaina.
26—Sch Excel, Antonio, from Kauai.
26—Sch Keoni Ana, Rikeke, fron Kauai.
26—Sch Dolphin, from Maui.
28—Am. brig Glencoe, Holmes, 20 days from Port Orford, Oregon.

DEPARTURES.

Sept. 24—Barkentine Jenny Ford, Sargent, for Teekalet.
24—Sch Kinoole, for Kona, Hawaii.
24—Am wh sh Brooklyn, Rose, New Zealand and home.
25—Sch Maria, Moltemo, for Maui.
28—Am sh sh Dragon, Sandford, for New Zealand.
28—Sch Kamoi, Chadwick, for Lahaina.
28—Sch Moikeike, Hali, for Kahului.
28—Sch Excel, Antonio, for Kauai.
28—Sch Kekauluohi, for Kona.
28—Sch Kamehameha IV, for Kohala.
28—Sch Mary, Berrill, for Kawaihae.
28—Sch Keoni Ana, for Kauai.

MEMORANDA.

Report of a Wrecked Whaler.

BRISTOL BAY, August 23, 1858.

MR. WHITNEY:—Being off Gore's the 24 of this month, sent three boats in to cruise down the northern shore, while the ship would run along the south side, to meet them at the S. E. extremity of the land. When they returned on board, they reported having seen the wreck of a whaleship on the north shore, but so much broken up that it was impossible to ascertain anything definite concerning it. An avalanche of earth and rocks covered a part. There was a considerable quantity of the head bone and some right whalebone lying there. Some of the former they brought off; it was but little chafed, and the hair still on; even the gum on some slabs was still to be seen. The martingale stays, which were chain, were but little rusted, and apparently new; the gammon lashing, which they also brought off, was composed of three bars of iron—two curved for the sides of the bowsprit, the other straight for the upper part; the lower end of the side pieces connected by a bolt which passed through the head, all joints secured with nut and screw. The straight bar was newer than the rest, and very little rust on any part of it. All the rope they saw was of American manufacture, and the sails were made of cotton duck, composition chisables and *monkey-face* (iron) clews. They brought off a boarding knife, a carving knife, and a kind of spear set in a hickory pole. These are all the particulars, and I leave it for wiser heads than my own to decide what ship it must have been, premising only that no ship has been lost for a number of years in these seas, except the *Indian Chief*, in August, 1857, and she was lost 500 miles north of Gore's Island; still, it must be her, I think. I shall forward the gammon lashing to Thomas Spencer, Esq, Honolulu, for recognition. Any person who ever saw it, would undoubtedly know it again.

Yours, W. EARL, Master bark *Jireh Swift.*

SHIP RAPID, CAPT. BALCHER, FROM SAN FRANCISCO FOR HONGKONG.—Left Bell Buoy, San Francisco Bar, Friday, September 10. For several days winds very light and foggy weather; have had constantly steady breezes during the passage. H B M Ship *Calypso* left San Francisco same day, to remain during the shipping season. Gravesship Pacific arrived from Fraser River just as the *Rapid* left. The steamer had quite a large number of passengers. Got no papers from her. The sch *Muckshaw* was to leave San Francisco for Honolulu on the 12th, with a load of redwood lumber.

☞ The *Geo. Washington*, at Lahaina, reports bk George, N B, Aug 28, clean.

VESSELS IN PORT.—SEPTEMBER 29.

H. I. M.'s corvette Eurydice, Pichon.
Am clipper sh Golden Eagle, Harding, up for N. Bedford.
Am clipper ship E. F. Willets, Holmes, up for New London.
Am clipper ship Skylark, Follansbee, up for New Bedford.
Am clipper ship West Wind, Baxter, up for New Bedford.
Danish merchant bark Candace, Schan, up for Bremen.
Am ship John Marshall, Hooper, up for San Francisco.
Am sch Flying Dart, Freeman.
Am brigantine Glencoe, Holmes, discharging lumber

WHALERS.

Am ship Polar Star, Weeks	Am bark Ripple, Chadwick
Am ship Jefferson, Hunting	Am bark Architect, Fish
Haw bark Cynthia, Sherman	

Vessels Expected from Foreign Ports.

H. B. M. ship Calypso sailed from San Francisco September 10, for Honolulu.
Am. sch. Muckshaw was to sail September 15 for Honolulu, with cargo of lumber.
Haw. brigan. John Dunlap sailed Sept. 1 from San Francisco, via Lahaina; has probably gone to Hawaii.
Am. sch. L. P. Foster, Moore, will be due in October from Puget Sound, with lumber.
Am ship Europa may be looked for from San Francisco in all October, 1, to load oil.
Bark Fanny Major, Paty, to leave San Francisco Sept. 16, via Lahaina, due here October 4.
Clipper sh Mary Robinson will be due from Sydney Sept. 25th, to load oil.
Am. brig Augusta, 246 tons, Studley, sailed from New Bedford August 3, for this port.
Am. ship Alexander, Bush, sailed from New London for Honolulu May 15, with cargo to C. A. Williams & Co.
Am. schooner Martha, Penhallow, sailed from New London for Honolulu July 1.
Am. ship Modern Times, of H. A. Pierce's Line of Packets, would leave Boston for Honolulu, via Tahiti, August 5.
Am. bark Sidney Green, Taylor, of Pierce's Line, sailed from Boston for Honolulu direct June 1, due Oct. 5—125 days.
Am. ship Mountain Wave, Harding, sailed from Boston, in Pierce's Line of Packets, May 22, for Honolulu direct, due Sept. 22—125 days.
Am. ship Gladiator sailed from New Bedford June 12th, for this port, due Nov. 9—146 days.
Br. bark Portens, McGowan, sailed from Liverpool, May 21, for Honolulu, with merchandise to R C Janion, due Sept. 30—130 days.
The clipper ship Syren, Green, 1054 tons, sailed from Boston direct May 25, consigned to C. Brewer 2d, due Sept. 25—130 days.
The ship Harriet & Jessie, Gray, sailed from New Bedford for Honolulu direct, May 15, due Sept. 30—130 days.
The following vessels are due at this port early in October, to load oil: From San Francisco—Ships *Anglo Saxon, Golden City* and *Europa*. From Sydney—Ships *Mary Robinson* and *Washington Allston*.
Brig Harburg, from Bremen, to Hoffschlager & Stapenhorst will be due here in September.
Brig Pentonia, from Bremen, to Melchers & Co., will be due here in September.

IMPORTS.

From PORT ORFORD, O. T.—per Glencoe, Sept. 28—180,000 ft lumber, 12,000 shingles.

INTER-ISLAND TRADE.

From KONA, HAWAII—per Kekauluohi, Sept 25—5 bags coffee, 3000 oranges, 100 cocoanuts, 8 cords firewood, 20 hogs, 36 fowls.
From KAUAI—per Keoni Ana, Sept 27—11 bndls tobacco, 50 bags coffee, 3 bbls sweet potatoes, 13 bnchs bananas, 125 bbls beef, 2 bbls pork, 10 hides, 1 cord firewood, 2 hogs, 3 fowls, 598 bullock horns.
From KAHULUI—per Moikeike, Sept 25—10 sheep, 11 bags oats, 2 bbls molasses, 10 bbls potatoes, 500 feet koa lumber, 22 kegs sugar, 18 bags beans, 23 bags flour, 6 hides, 10 goat skins, 19 bndls pol.
From KONA—per Maria, Sept 23—24 cords firewood, 20 bbls potatoes, 7 pkgs liquors, lot of sugar cane, bananas, etc.
From KAWAIHAE—per Mary, Sept 24—12 bullocks, 35 sheep, 60 bbls beef, 100 do potatoes, 60 hides, 3 kegs butter, 8 hogs.
From KAUAI—per Excel, Sept 26—66 bbls beef, 124 bbls molasses, 63 hides.
For KAHULUI—per Kamoi, Sept 27—1200 feet lumber, 10 bdls hoop iron, 1 ton coal, 56 empty barrels, 1 horse.
For LAHAINA—per Moikeike, Sept 27—153 pkgs mdse, 20 bags onions, 1 deck passenger.

PASSENGERS.

FOREIGN.

From SAN FRANCISCO, (at Lahaina,)—per Rapid, Sept 26—Capt S Bailey and lady, Mrs E D Little, Mrs S S Holley, G D Gilman, P H Treadway, Capt J H Swift, Jas A Daly.
From PORT ORFORD—per Glencoe, Sept 28—A T Rolfe.
For TEEKALET—per Jenny Ford, Sept 23—Mrs M Hinchey, Miss M Hinchey.

COASTWISE.

From LAHAINA—per Maria, Sept 23—Mr and Mrs Duncan and 2 children, Miss Chamberlain, Chas Lake, and 35 on deck.
From KAWAIHAE—per Mary, Sept 24—J Russell and 36 deck.
From KAUAI—per Excel, Sept 26—J Hobbs, jr, and 21 deck.
From KAHULUI—per Moikeike, Sept 25—John Minson, Mr Lyon, 4 on deck.
From LAHAINA—per Kamoi, Sept 26—P Treadway, J A Daly, 8 on deck.
From KONA—per Kekauluohi, Sept 25—W Goodale, G H Spalding, T Swan, 50 on deck.
From KAUAI—per Keoni Ana, Sept 27—W J Smith and three others, 20 on deck.
For LAHAINA and KAHULUI—per Kamoi, Sept 27—Mr and Mrs L L Torbert, P Treadway, Mrs Smith, Misses Sarah and Hattie Booth, Mr Enos and wife, Capts Gray and Mitchell, T Thrum, 10 on deck.
For HANALEI—per Keoni Ana, Sept 28—M M Nichols, 10 deck.
For KOHALA—per Kamehameha IV, Sept 28—J S Sleeper, and 20 deck.

MARRIED.

On Saturday, Sept. 25, at the residence of Joseph Booth, Esq., Little Greenwich, Oahu, by the Rev. S. C. Damon, L. L. TORBERT, Esq., of Makawao, East Maui, to Miss KATE BOOTH, of Honolulu.

PORT OF LAHAINA.

ARRIVALS.

Sept 18—Am wh bark Iris, Bolles, from Kodiack, 400 sp, 600 wh; 475 w, 5000 bone this season.
16—Am wh sh Omega, Whalon, from Hilo.
22—Am wh sh Geo Washington, Prichman, from Kodiack and Bristol Bay, 70 sp, 110 wh, 110 wh, season.
25—Am clipper ship Rapid, Balcher, 15 days from San Francisco—Sailed same day for Hongkong.
25—Am wh sh Tahmaroo, Robinson, F H, 1100 wh, 12000 bone.

PORT OF HILO, H. I.

ARRIVALS.

Sept. 1—Am wh sh Florida, Fish, N B, from Kodiack and Bristol Bay, 700 wh, 7000 bone.
4—Am wh sh Omega, Whalon, F H, from Arctic, 140 wh, 1000 bone.
Am wh sh Martha, Manchester, F H, from Arctic, clean.

☞ All the above vessels had sailed to cruise, and at latest advices (Sept. 20) no foreign vessel was in port.

THE PACIFIC
Commercial Advertiser.

THURSDAY, SEPTEMBER 30.

☞ If what has appeared in the last two numbers of the official organ, is the best defense which the French treaty is susceptible of, then the ministers may well be ashamed of their labor. Without fairly meeting the objections which have been made through this paper against the treaty, it indulges in lame apologies, innuendoes, and illogical deductions, which can never be taken as arguments with any sensible person, and needs no further notice. Until stronger reasons are advanced in support of the treaty than any which have appeared, the position which the *Commercial* has taken in regard to it, must, with every reflecting mind, be considered as the only tenable one; and the stipulations of the treaty will be universally condemned, not only here, but in foreign countries, and be viewed only as a lasting disgrace to our Ministers, and through them, to the whole nation.

"PROCLAMATION."

"Whereas on the 14th day of June, 1858, Cornwallis Island in Latitude 16 deg. 43 min. North, and longitude 169 deg. 33 min. West from Greenwich, and on the 19th day of the same month of June, 1858, Kalama Island in Latitude 16 deg. 44 min. North, and Longitude 169 deg. 21 min. West, were taken possession of, with the usual formalities, by Samuel C. Allen, Esquire, he being duly authorized to do so, in the name of Kamehameha IV, King of the Hawaiian Islands: Therefore, this is to give notice that the said Islands so taken possession of are hence forth to be considered and respected as part of the Domain of the King of the Hawaiian Islands.

"Published pursuant to an order by the King in Privy Council, on the 27th day of July, 1858."

The above anonymous notice has been flying for several weeks at the mast-head in the government journal, till within a few days, when it was quietly withdrawn and the "colors were struck." The "Proclamation" speaks for itself, and purports that the "area of freedom" of the Hawaiian kingdom was suddenly elongated by said manifesto, and should be hereafter known as extending to and including certain islands lying in latitude and longitude aforesaid. With one dash of the pen, the kingdom of Hawaii was extended some eight or nine hundred miles to the southwest, by the unceremonious annexation of a few square miles of guano deposit. Those who have not experienced them can hardly imagine the thrilling emotions which this proclamation may be supposed to have excited in the breasts of all patriots who, like our war department, were foolish enough to entertain them: some revelled with delight at the prospect foreshadowed, when the Empire of Hawaii should cover the broad expanse of the Pacific—when her cross and stripes should float from hundreds of islands embraced under one realm, which would soon rival, perhaps surpass, that of which it is said "the sun never sets on her flag." Others, more practical than theoretical, imagined that a mighty change in our commerce was close at hand; and on the strength of an immense prospective increase in our shipping and commerce, the price of wharf lots improved, and a first proposal to lease or purchase one or two at the foot of Fort street was actually made by a sanguine councillor.

But alas, for human hopes and aspirations! The proclamation is withdrawn, and curious persons, who have got no business to inquire, have asked why it is? We find, on good authority, that information has been received by late mails from San Francisco demonstrating pretty clearly that the agents of this government have been innocently (?) trespassing on the territory of the United States. As near as we can gather, the facts are substantially these: Some time in February last the American schooner *Palestine* left this port and sailed for a guano island to the southwest of this group, which she reached in March, took possession of the principal island, which they called Johnson Island, erected a staff with the name of the President of the United States on it, returning to San Francisco with a quantity of guano. Early in June the Hawaiian schooner *Kalama* sailed in search of what subsequently proved to be the same islands, and they were taken possession of in the name of the Hawaiian government.

In July the schooner *Palestine* was again sent from San Francisco to the same islands she had before visited, and found the marks which had been left on her first voyage destroyed or mutilated, and the Hawaiian flag flying, and by observations, found the latitude and longitude the same as of those claimed by the Hawaiian government. The agents of the *Palestine* in San Francisco, hearing that the cook employed on the schooner *Kalama* during her voyage thither was in that city, took his testimony of the affair. His affidavit, sent to the United States Commissioner, states that the island was visited by the *Kalama*, that the American flag was torn down, and also the cross with the name of the President of the United States, and the Hawaiian flag raised. Mr. S. C. Allen and Capt Hooper both deny that any marks were found on the islands, indicating that they had been previously visited. The whole transaction has been laid before this government by the United States Commissioner.

It will be remembered that when noticing the return of the *Kalama* from Cornwallis Island in July last, we said that "it was probably the same island that had been visited by the *Palestine*." This should have led the government to act with a little caution in assuming authority over newly-discovered territory, and make further inquiries before publicly confirming an act of trespass. The bubble however has at length burst! The guano annexation scheme will become in history as famous as the South Sea scheme. Kalama and Cornwallis Islands are vanished, at least so far as our government is concerned, and must be *un*-annexed forthwith. *Sic transit gloria mundi!*

As the affair now stands, it places this government in the rather awkward position of trespassing on American territory. What! The Hawaiian government turning filibusters! We have heard indefinite whispers now and then of attempts having been made years ago to annex Hawaii to the United States; but this out-Herods that, and throws it entirely into the shade. Annexing United States territory to Hawaii, *vi et armis*, is what the most visionary has never dared to think of. But practically it is nothing more nor less. And people will ask,—they are so simple—who claims the honor of being our arch-filibuster? Who aspires to be ranked alongside of General Walker of Nicaraguan memory, or Col. Crabbe of Sonora? We hear that the palm will be contested on the part of our honorable Chief Justice, and Ministers will not be allowed to have all the glory this time.

A pretty position this for the Hawaiian government and the staid Secretary of War. Here we have been treated year after year with long rigmaroles of our exposure to filibuster attacks from California, and of the great importance of having a "pike" and "bayonet" in every household. And now, before the first rumor of attack comes, our government actually fits out and commissions a filibuster guano expedition, which, if the cook's affidavit is to be believed, (we don't believe it, however,) ruthlessly violates the American flag and other marks of American authority.

To say the least, the course of the Hawaiian Government on this guano hunting, is characterized with the usual weakness of our ministers. We have already more territory than we can occupy or defend. Even if this government had been the original discoverer of the guano islands alluded to, it has no power to afford *the slightest protection* to any of its subjects who might choose to be at any outlay there in obtaining guano. In case of such outlay, and loss by acts of marauders, this government cannot protect them. To talk of protection is idle. Better employ the thousands of dollars spent in looking up guano islands, hundreds of leagues distant, in developing the resources of our islands, which are, and have long been, suffering from neglect; and let those nations who have the power to guarantee protection, undertake to extend their sovereignty by the annexation of guano islands to their territory.

The Peatt and Bolster Affair—Again.

In another column will be found a communication from Mr. A. Peatt, in which he gives his version of the affair. Some of the statements made by him are strong, but he assures us that every line can be proven.

In the last *Polynesian* appears a "statement of facts," made by the District Attorney. There is nothing in the details given that materially alters the case as presented in our version of the issue. What we there stated was called forth, not from any desire to find fault with officers of the government, but from a conviction that advantage had been taken on the part of the government to enforce the forfeiture of penalties against persons, (as well as in subsequent transactions) who, had they been otherwise circumstanced, might not have been troubled. This is patent to all. No one believes that if the District Attorney had been the bondsman in the case, he would ever have had to pay one dollar of the bond.

The assurance at the time of the sale, that "immediate possession" would be given, may have been withheld; we were not present, and the statement was made on the authority of others. The promise of "*immediate possession*" was, however, distinctly and positively given to the purchaser, at the time he paid the money; but before executing his promise, the Sheriff was advised to a contrary course by the District Attorney. The reasons may have been good, but it certainly indicates a violation of faith between the parties. If the sale was discovered to have been void, the only alternative was for the Sheriff, at his own risk, to refund the money to the purchaser.

"It is a novel doctrine" that "the Sheriff is without authority, under any execution, to put the purchaser into possession of real estate" sold by him. Common sense would indicate that a Sheriff or constable must obtain and hold possession of the property attached before he can sell it, whether it be real or chattel property, whether it be a piece of land, a house, a vessel, a horse or anything else. *He must obtain possession before he can sell.* A sale effected on any other ground is a fraud. The requirements of our statutes are clear and definite in regard to this matter of possession, which we quote, without presuming to read law to His Majesty's Attorney, who is supposed to be posted up in the matter, but merely for public information:

"SECT. XI.—Every levy by a constable in pursuance of a judgment rendered by either of the said justices, shall be made by taking the property levied upon *into his possession, care and private guardianship*, at the risk and peril of the constable, and in his option by removal of the same to any place of security, preparatory to advertisement and sale."—*Statutes of 1846, vol. II, page 16.*

This undoubtedly covers *all attachments* of real or personal property, and if a constable or Sheriff sells property without obtaining possession, he does it "at his risk and peril." If any other rule is hereafter to be set up, it ought to be known.

What the *title may be worth*, is another question entirely separate and distinct, and the purchaser always buys *the title* at his own risk. The title to real estate is very frequently involved and uncertain; but in regard to *possession* there is no uncertainty; the Sheriff either has possession of the property attached or he has not; and he ought to know which before the sale.

We are told that the bondsman in this affair has "been treated with *great leniency* by the Sheriff and Dist. Attorney of Oahu." Until the public are shown how much of the sum of $1185 75, which, according to the District Attorney's own statement, has been received to satisfy the bond—until they are shown how much of that sum (or whether even $500 of it) has or ever will reach the public exchequer, they will be more likely to view the "leniency" shown to the bondsman by these executive officers, such as the vulture shows the lamb.

When the District Attorney attempts to treat this matter as a joke, as is done in the last paragraph of his statement, he should bear in mind that the public are not apt to submit to have their just and legal rights tampered with by any "executive officers." If he is anxious to share the odium attaching to this affair, no one can object. To say the least about it, and to put the best face on it that can be done, it is a disgraceful stretch of executive authority over parties who have not the advantage of influence or wealth,—a direct trespass (under cover of the law) on individual rights, which no government or community ought quietly to sanction.

BEES AGAIN.—Mr. T. H. Paris writes from Kona, Hawaii, that he has succeeded in getting his hive of bees to Kainaliu in safety, and that they were doing well. We know of no portion of the islands more favorably situated or better adapted for making honey than Kona.

NOTES OF THE WEEK.

THE COMMERCIAL AND ITS PATRONS.—It is gratifying to receive the frequent testimonials sent to us of the estimation in which the *Commercial* is held by its subscribers. The task of publishing a newspaper is generally a thankless one,—kicks, curses, and abuse being too often the rewards received. An old whaling skipper, whose name we shall always look at as a beacon on our subscription list, subscribed to the first volume of the *Commercial*, and when he left port ordered it not to be stopped. The order stands against his name, which is as good as gold, in any sea where his keel floats. The paper has been accordingly sent without interruption, though unpaid. A day or two since we received a long letter from our friend, dated in the Arctic ocean, from which we quote:

"If you have not discontinued my paper, please call on Capt. T. Spencer for whatever may be due. I would not have you stop it, under any consideration. You cannot imagine the enjoyment with which they watch for it at home; and the joy with which they read it would more than repay you to behold. This, however, would not buy you your bread and butter."

Another subscriber, who left Honolulu last spring, writing from the States says:

"The *Advertiser* comes to us like a 'friend indeed.' The sight of its clean bright pages, is as a breath from our tropic island home; and its 'notes' are as acceptable and as eagerly read, as when we opened its fresh leaves damp from the press. 'May its shadow never be less.'"

ROYAL HAWAIIAN THEATER.—The admirers of the legitimate Drama in Honolulu, will doubtless be gratified to be informed that the enterprising lessee of this establishment—Mr. George H. Ince—has nearly completed the necessary repairs for the thorough renovating of this theater. Besides newly painting and papering the interior of the house, in a style calculated to gratify the eye and give the place an air of comfort to its patrons, the seats have been newly upholstered, the old scenery "brushed up," and a large addition of new scenery added, got up in a style characteristic of the artists who have executed it. Besides these improvements, there is now a most perfect ventilation of the house, which will render an evening's sitting there more comfortable than at any previous time since the erection of the theater. With such a lady as Miss Annette Ince—first in her profession—spotless in character—to lead the theatrical troupe the coming season, we have no doubt that her sojourn will prove alike gratifying to the patrons of the drama and profitable to the lessee. To those who witnessed Miss Ince, during her short stay here some months since, in *Evadne, Bianca, Fazio*, or, in fact, in any character of her *role*, it is enough to say that the theater will be opened on Saturday evening next, and that she will be supported in her principal character by the best talent that can be procured in Honolulu.

A COMET.—A fine comet has been visible for the past few evenings in the north-west, directly over the Waianae mountains. It is seen soon after sunset, but is so rapidly approaching the sun that it will probably be visible only a night or two longer. It is about two degrees above the horizon, and the tail is at least twelve degrees in length. It is supposed to be the same that was expected in 1857, and was first observed through a telescope by Miss Mitchell, the Nantucket Astronomer, about the 14th of July. As it appeared on Tuesday it was a beautiful sight. The natives gaze on it with awe, and say that it portends some dreadful calamity, such as war, the death of some distinguished individual, or an epidemic like the small pox, which followed the comet of 1853. They say, how correctly we do not know, that the death of Kamehameha I. occurred immediately after the appearance of a comet. The splendid comet of 1843 appeared during the reign here of Lord George Paulet. It is such coincidences that has excited their superstition in comets. It can probably be seen this evening from half past six till about seven o'clock.

TOOTH-PULLING EXTRAORDINARY.—On Monday and Tuesday, the dredging machine was employed in pulling up the old piles in Market Wharf. These were embedded in a ten years accumulation of mud, and the lower ends were perfectly sound. They came hard, like pulling sound teeth, but steam is a sure dentist and its tools do not slip. The work of rebuilding this wharf goes on with good dispatch. About 1000 tons of ballast, mostly the soft yellow rock and soil from Telegraph Hill, San Francisco, have been discharged within the retaining wall near the southeast corner, besides some two hundred tons from Manoa. The accumulation of so much weight in one spot has had the effect to force the wall outward about two feet from a straight line. A heavy chain, connecting with a large anchor firmly set inland has been bowsed taught, and will prevent the wall going farther. It would be a serious misfortune should the wall prove too weak and fall outward, but when the filling in becomes solid there will probably be no likelihood of this. About one-fifth of the space required has been filled in.

A BABY WITH TWO HEADS.—Natives are very fond of marvellous stories, and a tale loses nothing in passing through their hands. Thus, the other day we heard a great deal of a wonderful *lusus naturæ* which had been discovered in Honolulu, in the shape of a living child, three months old, which was a perfect double, having two heads, four nether and upper limbs and two sets of breathing and digesting apparatus. Of course this would be an unheard of curiosity, and invaluable as a newspaper item. Many were attracted to view the strange sight—when lo, they beheld an ordinary native child with a large *tumor* growing on the back of its head!

☞ A very pleasant, though unostentatious nuptial gathering, took place on Saturday evening last at Little Greenwich. The entire spacious premises (one of the sweetest and coziest retreats on our Eden Island) were thrown open to the two or three hundred guests assembled, for whose comfort the proverbial liberality of their host knew no bounds. The whole passed off with the highest satisfaction to all present. We congratulate the happy groom, on his good fortune in securing a mate so well calculated to make him a happy home, and hope it may prove another link to bind him to his adopted soil, where his rare energy and skill are so much needed to develope its resources.

A NEW SUGAR REFINERY.—Our exchanges and also private advices inform us that a new refinery will soon commence work in San Francisco, making the second in that city. The new refinery will be somewhat larger than the old one, and consume monthly about 1,500,000 lbs. of sugar. The old one consumes 1,100,000 lbs. monthly. This will of course create a greater demand for raw sugar, and must operate favorably on our plantations, in furnishing a still better market than we now have. We cannot have too many plantations, or produce more sugar than will be called for, even were every acre capable of producing cane put to its cultivation.

BURIED ALIVE.—About 4 o'clock yesterday morning, one of the loaded mud scows lying in the slip adjoining Market Wharf, having leaked during the night, careened over and the latch of one of the cars getting unfastened, the contents were dumped into a boat which was lying alongside. A native boat-boy was asleep in the stern sheets at the time, and with the boat went to the bottom, completely buried in mud. After some struggling he managed to extricate himself and came up unhurt, but blowing like a porpoise. The boat however, was pretty well smashed up.

THE NEW S. F. PACKET.—From New York we learn that Capt. Stott and Mr. Merrill had not succeeded in obtaining a new packet to take the place of the *Fanny Major*, not having been able to find one adapted to the trade, and would return to San Francisco by the steamer of August 20, where, we are assured, a new vessel will be procured soon, "and perhaps before the *Fanny Major* makes another trip."

VERY "HARD UP"—Hot as is the weather and dull as is business, we can't report quite so bad a state of things as our neighbor over the way, who say, of themselves, probably: "reporters *sweated* (sweated?) and *swore*, editors looked gloomy, and the devil went to sleep in the copy-drawer." Awful! very awful! Where's the ice-cart?

FOURTH PAGE.—For a metrical satire on the "Treaty and Tariff"—a good story etc., see fourth page.

ENGLAND AND AMERICA.—We notice in the *Spirit of the Times* that the disputed superiority of the English and American race horses is now likely to be fairly tested, in a match at New Market on the 30th October, between Mr. Ten Broeck's mare *Prioress* and Capt. Little's *Poodle*, each to carry 11 stone, one mile, and the owners to ride. This most likely will be a fair trial, as both riders are men of judgment and sporting capabilities. We also notice that a match is to come off on October 11th, between *Prioress* and *Beadsman*, (the Derby winner,) each to carry 8 stone 7 pounds, B. M., (1 mile and 17 yards,) for £500. The latter is considered a race much in favor of *Prioress*, as she receives 28 pounds, or in other words, 2 years, which is considered equivalent to that weight. FOLLY.

The chess match between Paul Morphy and Mr. Lowenthal is at present going on. The former at last dates was in the ascendant, having then one game out of two, the other being a draw game. Should he ultimately win the match there is little doubt but what he will meet Mr. Staunton, who is generally considered the champion chess player of England.

OLD FRIENDS.—We are happy to notice the return of several of our old friends, who concluded to give the metropolis a wide berth in returning to Lahaina. Among them are—Mr. G. D. Gilman, of the firm of Gilman & Co., Capt. Stephen Bailey, the well-known and only authentic encyclopædia of the whaling fleet, of which we presume he has got out a new edition, revised and enlarged, during his stay in Nantucketdom; and lastly our ancient friend Peter, *the* Peter, or in other words, Peter H. Treadway, Esquire, long known as the corporal of our rival city.

A NEW IDEA.—The idea has long been prevalent among the foreign residents at these islands that sleeping on a pulu bed had a tendency to induce rheumatism. In conversation with Capt. James Smith of the *Yankee* during his last sojourn here, he roundly and emphatically asserted that our former ideas about pulu were all wrong, and that so far from causing, it was now considered in California a *sure cure for rheumatism*. It will probably be some time before the new belief will be thoroughly received, though it may be correct.

WELLS IN THE VALLEY.—A number of wells have lately been sunk in the Nuuanu Valley, and in every case, below the second stone bridge, water has been found at a distance of from fifteen to eighteen feet below the surface. In most cases a hard bed of rock and stones has to be penetrated. In this case, the water is as pure and good as the reservoir water. Above the second bridge, water has not been found at twenty-five feet.

COASTERS DUE.—The *Liholiho* sailed for Hilo the 10th, and is over due. The *Kalama* will probably be in on Saturday from the same port. The *Maria* from Lahaina and *Moi Kiiki* from Kahului, will be due on Saturday morning. The *Kamoi* will be due on Sunday morning.

FORMER RESIDENTS.—A gentleman who has recently visited the States says in a note: "I had the pleasure to meet while at home Messrs. Hunnewell, Brewer, Pierce and Peck, of the earlier residents at these islands, and it was pleasant to see the interest they all yet manifested in the prosperity of the islands. Aside from business, they seemed to cherish peculiar pleasant recollections of the past."

☞ The United States mail may be looked for via Lahaina by the *Kamoi* on Sunday morning next. Should the *Major* not have arrived up to Saturday P. M., we may not get it till Tuesday. Important news is expected by this mail.

☞ Their Majesties' arrived at Kailua on Thursday night the 16th, after a short passage of only 52 hours from Honolulu. At the last advices, they were in good health.

ALMOST A FIRE.—The cook-house adjoining Mr. Hall's dwelling in Nuuanu, caught on fire yesterday. Very trifling damage was sustained.

(Correspondence of the Pacific Commercial Advertiser.)

"Statement of Facts," by Mr. A. Peatt.

MR. EDITOR:—In last Saturday's *Polynesian*, the District Attorney of Oahu, in a somewhat incoherent "statement of facts," takes occasion to say that I had "wilfully, and after repeated notices, violated the law," &c. I beg leave here to make *my* "statement of facts," and premise by saying that the Prefect of Police never gave me warning or notice, but on the contrary, his conduct from the first was calculated plainly to intimate that I might go on unmolested.

When about to enter the retail spirit business, before procuring a license, I sought an interview with the Prefect. He told me that the bond required was the merest matter of form—it never was, nor ever intended to be enforced. That if he chose, he could bring up any publican in the place for selling to natives. This, of course, led me to suppose that the law in question was universally considered a dead letter, and would never be enforced.

On the 1st of July, 1857, a number of the spirit licenses expired, and in the new license a clause was inserted strictly forbidding dances on the licensed premises. Two of the publicans who had formerly had "balls" every night, now refused to take out license, in the hope of getting the restriction removed. In this, as is known, they were unsuccessful. Sometime in the month of August, the Prefect of Police came to me and endeavored to persuade me to allow my license to be removed to another house, and, to use his own words—"he dared say he could make it all right." The object, as I afterwards learned, was to enable the proprietor of the National Hotel to continue dancing under my license, it dating back to the previous February, and did not contain the new restriction. I refused to part with my license, stating that I intended myself to make use of the privileges which it allowed in regard to dancing, and which had been allowed to other publicans under a similar license.

From the time of that refusal commenced the persecution against me. Constables were constantly stationed around and upon my premises, to the great injury of my business. One evening in August, three native soldiers came into my private house and stated that two others had just received a bribe of $10 to buy liquor of me. I watched, and shortly the two came in. They asked for a half bottle of brandy and were refused. After trying again, and showing the ten dollar piece, they commenced creating a disturbance, when, upon my showing myself from behind the screen, they ran. I caught one, and had him taken to the station house, intending to appear in the morning and make a complaint to the Police Magistrate of the system of spying and annoyance to which I had been subjected. On going down the next morning, Jordan the police officer met me, and said "I had no occasion to go down—the man had forfeited his bail and would not appear!" Comment on this is unnecessary.

The Prefect continued this course of spying about my premises and tampering with those in my employ, until by hook or by crook, he succeeded in getting me fined and eventually ruined.

Even were it acknowledged that I had broken the law and was liable to be fined, let me ask was it because I was a stranger in the place with a large family to support, that I was marked out for ruin, while old offenders are neither molested nor annoyed? It is notorious that every publican in town sells intoxicating drinks to natives, and that, too, as openly as they do to foreigners, though the quality of the spirits is vastly different. It is fresh in the memory of every one that one publican has stood two jury trials without a result, the object of suit being to get from him a share of the proceeds of a business which was avowedly to furnish natives with intoxicating drinks, and