## BY AUTHORITY.

NOTICE.—H. Prendergast, Esq., has been this day appointed Superintendent of Water Works and Clerk of Market, vice Capt. Thos. Long, resigned.

H. A. WIDEMANN, Minister of Interior.

Interior Office, May 5, 1874. 486

NOTICE.—J. O. Carter, Esq., has been this day appointed Registrar of Public Accounts. P. NAHAOLELUA,

Finance Office, May 5, 1874. Minister of Finance.

SUPREME COURT, OAHU, ss:—By virtue of the authority in me vested by the Statutes and Constitution of the Hawaiian Kingdom, I do hereby Order that the Regular May Term of the Third Judicial Circuit Court, held at Hilo, Island of Hawaii, be and the same hereby is postponed and adjourned to and until Wednesday, the (24th) twenty-fourth day of June, A. D. 1874.

Witness my hand and the Seal of the Supreme Court, at [L. S.] Honolulu, this 24th day of April, A. D. 1874.

(Signed.) ELISHA H. ALLEN,

Attest: Chief Justice of the Supreme Court.

WALTER R. SEAL, Clerk of the Supreme Court. 485 3t

WITH a view to afford every facility to parties desirous of profitably and securely investing small sums of money, Bonds of the Hawaiian Government of the several values of **$100, $200, $500, and $1,000**, bearing interest at the rate of 9 per cent. per annum, payable semi-annually, will be issued at par to all persons applying for them at the Treasury, for terms of not less than 5, nor more than 20 years. P. NAHAOLELUA, Minister of Finance.

Department of Finance, April 2, 1874. 484 2m

### Public School Notice.

FROM and after the 1st of April 1874, it will be regarded by the Board of Education as a part of the duty of every Teacher in charge of a department of a Government School in Honolulu, in which the English language is taught, to issue bills for, and to collect promptly all tuition fees that shall become due at the end of every term, from each of the pupils attending their respective departments, and account for the same without delay to the Secretary of the Board at his office.

No exceptions from the payment of tuition fees will be allowed, unless in cases especially exempted by the Secretary, conformably with the Board's authorization relating thereto.

All pupils whose tuition fees shall have fallen in arrears for a whole school term, will be denied the privilege of farther attendance until such arrears shall have been paid up, unless for satisfactory reasons it shall be otherwise ordered by the Board of Education, or unless especially exempted as above provided.

The charge for tuition at the Fort Street School will be fifty cents for every week of Schooling, and at the Royal and Pohukaina Schools, five dollars a year, or $1.25 per quarter. By order of the Board of Education.

Honolulu April 13th, 1874. W. JAS. SMITH, Secretary.

485-4t

### Licenses Expiring in May, 1874.

**Retail.**

OAHU.—1—E P Adams, Queen Street, Honolulu
1—Goo Kim, King Street, do
9—Nee Shin, Nuuanu Street, do
11—E Strehz & Co, Fort Street, do
27—Jno Steinneck, Leleo, do
30—Ah Nee, King Street, do

MOLOKAI.
5—Mama, Kupeke.

MAUI.
1—Mossman & Son, Wailuku.
6—Amau & Al, Wailuku.
9—Chas H Dickey, Haiku.
15—Chas Sylva, Wailuku.
26—Chas Sylva, Wailuku.

HAWAII.
1—J R Spencer, Waiohinu, Kau.
4—C H Wetmore, Hilo.
5—Akai, Hopuloa, Kona Hema.

KAUAI.
12—Chung Tai, Waimea.

**Victualing.**

2—Akina, Lahaina, Maui.
3—Ah Kui, Marine Street, Honolulu.
6—Akana, Hilo, Hawaii.
27—Akina, Wailuku, Maui.
28—Pakui, Lahaina, Maui.
28—Akela, Wailuku.

**Auction.**

3—C S Bartow, Honolulu.
9—W O Smith, Lahaina.
15—H N Greenwell, Kona, Hawaii.

**Boat.**

23—Napoe, No 11, Honolulu.

**Horse,**

27—Kawaha, Honolulu.

**Butcher.**

21—C Crockett, Lahaina.

## Arrival of the Tartar.

The steamer Tartar arrived early this morning, eight days and fourteen hours from San Francisco, en route for Australia.

She brings the mails and San Francisco papers to April 27, on which day she left that port.

The Tartar has 28 passengers for Australia, and the following for Honolulu: Mr. S. N. Castle, Mr. and Mrs. Carter and family, Mr. and Mrs. Bookwalter, Mr. Yerger, Mr. Leimberger, and five in second cabin.

There is no very startling news. In the United States, President Grant had vetoed what is called the Inflation Currency Bill.

Gov. Washburne was chosen Senator to succeed Sumner, on the 32d balloting.

The Czar of Russia is to visit England in May, accompanied with the Duke Alexis.

From Europe no special news.

The U. S. S. Richmond, Admiral Pennock, had not left San Francisco.

The Tartar brings some 500 tons of merchandise for Honolulu on freight.

The following is the Purser's report:

Left Honolulu for San Francisco April 5th, and arrived there April 13th. Left San Francisco for Honolulu April 27th, at 12 noon. First part of passage had head winds and sea; then calms and variable winds to port. Sighted this island at 8 P. M., 5th instant, but slowed down the engines to wait for moonlight. The Tartar was two days late when leaving San Francisco, having had to wait for the mails from New York. The passengers on the up trip to San Francisco presented Captain Ferrier with a testimonial, which was afterwards printed in the *Alta*.

### The Courts.

**Supreme Court—In Banco.**

Before ALLEN C. J., HARRIS and JUDD, J. J.

April 28—Estate of Hiram Maikai, deceased—Appeal from decision of Justice Hartwell—S. B. Dole, Administrator, appellant. Case argued, and the Court ordered administrator to be discharged upon his filing the receipt of the widow for $50 and paying costs of Court, $17.50.

In re Guardianship of Rosa Bartlett, a minor—Appeal from decision of Justice Hartwell. The Court having heard the arguments of Counsel Justice Judd this day delivered the decision of the Court, that the Guardian pay over to the husband of the ward the sum of $750.60, less the costs of the Court below, which are allowed. The Guardian to pay the costs of the appeal, $15.25. S. B. Dole for the Guardian, appellant; L. McCully for the minor and her husband.

April 29—J. I. Dowsett vs. Bishop and Dominis, Administrators of the Estate of Kamehameha V.—Mr. Stanley gave notice that he withdrew his exceptions in this case, the same having been compromised for $4800.

Rex vs. Asegut et al—Appeal from decision of the 3d Judicial Circuit Court. Chief Justice Allen rendered the decision of the Court, ordering a new trial. The Attorney General for the Crown; W. C. Jones for the appellant, defendant.

Rex vs. Asegut—Appeal from 3d Judicial Circuit Court. Justice Harris delivered the decision of the Court in this matter. Verdict set aside and new trial ordered. Attorney General for the Crown; W. C. Jones for defendant, appellant.

Manjero et alii vs. J. C. Davis—In admiralty. Appeal from the decision of Justice Hartwell. Justice Judd delivered the decision of the Court, reversing the decision of the lower Court except as regards Manjero, and awarding costs to respondent, as he offered in his answer to provide Manjero with a passage to Japan. R. H. Stanley and E. Preston for libellant; W. C. Jones for defendant, appellant.

In re Estate of His Majesty Lunalilo, deceased. (See decision.)—On exceptions to the decree of the Probate Court. Chief Justice Allen delivered the decision of the Court affirming decree of Probate Court except as to the 4th clause of the Codicil. L. McCully for Executor; R. H. Stanley for the Exceptions.

May 1st—Kailakanoa vs. Israel Fisher—Divorce. On motion of Keliipio, for libellant, the Court ordered that the decree Nisi granted in January 1873, be made absolute. L. Keliipio, Counsel for libellant.

Keawe vs. Lupe—Continued till next term.

E. O. Hall vs. G. C. Siders—The Court gave judgment that execution issue herein. Attorney General for the Crown; R. H. Stanley for defendant.

Davies and Wilder, assignees of Chung Hoon, vs. H. Hackfeld & Co.—It was agreed between the counsel that this case shall be heard in vacation.

There being no further business before the Court, the same adjourned sine die.


# HAWAIIAN GAZETTE

AN INDEPENDENT JOURNAL,
DEVOTED TO HAWAIIAN PROGRESS.

PUBLISHED AND EDITED BY
HENRY M. WHITNEY.

*WEDNESDAY, MAY 6.*


THE ROYAL SPEECH, delivered on the 30th ultimo, and published to-day, is a more comprehensive state paper than any similar one delivered to a Hawaiian Legislature. In it the King clearly portrays the general policy which his government will adopt, and calls the attention of the nobles and representatives to various measures of general interest. A law authorizing the government to merge two or more offices into one, for the sake of economy, may, in some cases, save considerable amounts to the public treasury, without weakening efficient administration. A special exemption is suggested in favor of those who rear large families. This is a timely suggestion, and should be followed by a law exempting from all personal taxes every legally married man and woman, who may have four or more children of their own. And those who may rear six or more children should by the same law be provided with an inalienable homestead, free of cost and exempt from taxation. These may appear to some as trifling matters, hardly worthy of legislation, while in fact they lie at the root of our national prosperity, for unless we can secure to natives better homes for their children, all other efforts will be vain. Small as they are, they will serve as incentives with the natives to carefully rear their offspring, instead of, as is now too often the case, seeking to get rid of them. His Majesty's views on immigration, irrigation, city water supply, codification of the laws, and encouragement to steam navigation, all indicate an enlightened and liberal policy. And we may add that this speech reflects the well matured views of the sovereign, acquired from years of personal observation, in which he is supported by his ministers, and will no doubt be seconded by the Legislature.

IN the Legislative Assembly on Monday, the debate on the proposed amendments to the Constitution was commenced. The first amendment brought up was the most important one proposed—to separate the two branches of the assembly,—so that the nobles and representatives should deliberate apart, as was the custom from 1852 to 1864. Prior to 1864, there were two separate houses; since that date there has been but one, the nobles and representatives sitting together and voting on all questions as one body. The practical effect of this system has been to strengthen the power of the ministers and nobles and to enable them to control the legislation of the nation, the representatives being, to all intents, spectators participating in and generally approving of their action; while, with two houses, the people, through their representatives, hold the balance of power, whenever vital questions and conflicting interests are at stake. If the representatives of the Hawaiian people care so little for the possession and enjoyment of what in other constitutional monarchies is considered the great bulwark of popular freedom, as to willingly surrender without a protest, their right and privilege of controlling the legislation, we have little hope of their ever being able to accomplish much in the way of political reforms or national progress. The present has been Hawaii's opportunity, but the vote of yesterday settles the question that the Hawaiian people are not equal to the task of maintaining a true representative government, such as exists in England, and such as existed here under the Constitution of 1852, during the continuance of which was the Golden Era of Hawaii nei.

The Attorney-General in his remarks on the above question, stated that the proposed amendment was not a measure of the present administration, but one which had come from the previous. In discussing the subject, it is well to remember our peculiar circumstances. What may be wise policy in another country may not be wise here. The advice which he would give the King now might differ from the advice for the future. The question is, can the people be trusted to choose wise men for representatives? In the event of a change, it will be for better or for worse. At present the Nobles and Ministers number 17 votes to 28 representatives. The latter may all vote with the former, and if the people do not like it, they have no remedy. In practice this is bad, for he had seen men watching the ministers to see how they voted, and only then would they hands go up. He wanted representatives to vote always for the good of the people and not for their own pockets. The lower house possesses great power, for it controls the strings of the public purse. But with this power, wisdom should be united. In the United States, education is the source of the power of the people and of the lower house. When there are two houses, there is so much danger of rash action. A few rash men will sometimes rush a measure through one house, for which the whole nation is indignant. Two houses are a check to such hasty legislation. If I vote for this amendment and for two houses, it will not be without hesitation, but it will be done in a spirit of hopefulness for the future of Hawaii nei.

IN continuing the debate on this measure, the Minister for Foreign Affairs said that this was not a Government measure. It would be observed that His Majesty in his speech left the matter to be settled by them. The Cabinet had agreed that each Minister should give his own views. He had no decided opinion on the matter until lately; had now heard both sides of the question, and believed it would be best to leave the House as it was. It was true that in other countries there were usually two Houses. It was so in the United States, but it was a different form of Government. The English form of Government was the one on which this one was based. There they have two Houses, it is true—the Lords and the Commons; but how different the circumstances of the two countries. We most look at the facts: In England there was still a large and powerful body of Lords or Nobles or Chiefs—call them what you like—who owned most of the lands, and who in former times used to oppress the people, who had to unite to defend their rights. In these Islands not a great many years ago, there were also a powerful body of Chiefs who owned most of the lands and who, he had heard, oppressed the people. Where are these Chiefs now? Are they here in this House? Are they on Hawaii? Are they on Kauai? They do not exist. No Representative of this House is now afraid of either the oppression or the influence of the Chiefs. Perhaps it would be better if there were more Chiefs. It is not Constitutions this country wants to-day, or a separation of the Houses. On the contrary we should all unite together as one man to pass measures that will increase the wealth and prosperity of their country, measures that will put money in the pockets of every man in the kingdom. What have your Constitutions done for you? Take an instance—the most glaring trouble—the decrease of the people. Did the Constitution of 1852 stop it? Did the Constitution of 1864 stop it? Neither one or the other. The Attorney General has told you that he votes for the separation of the Houses with some diffidence, and looks to the future mainly for any benefit that may arise from it. But we have our present needs to attend to, which I think is best accomplished by one House. If two years hence you think differently you have then the opportunity of separating them. Unless there be some urgent reason, which does not appear, why the Houses should be separated, it is much better that you leave them as they are. We have all in this House but one interest. Neither I or my colleagues wish to influence the vote of a single Representative unless by our arguments. Let us then unite together earnestly to increase if possible the wealth and prosperity of the country. I shall vote against the separation of the Houses.

A RUMOR has been current the past week that the Court-house, including the land enclosed around it, has been sold to a mercantile firm for the purpose of erecting warehouses to accommodate the business of the port. On inquiry, we find that no sale of this property has yet been made. Still, if the new Parliament-house possesses ample accommodations for all the present and prospective business wants of the government, and there is no further use for the old building, by all means dispose of it at whatever may be its actual value. But the sale should be made by tenders or by public vendue at a fair upset price. All government property that is useless, and which by being disposed of may help to the development of the country, should be sold. Lands lying waste and idle, had better be sold, rented at a nominal rate, or even given away, if thereby they can be made productive and contribute to the general wealth of the country. The sale of the island of Niihau, to a firm of graziers for ten thousand dollars, several years since, has by some been considered an unwise act on the part of the government. But if we reflect that prior to its sale it did not produce five hundred dollars income annually, and that it has since, in the hands of its industrious proprietors, added at least ten thousand dollars annually to the people's wealth, or one hundred thousand dollars since the sale, all which has been spent among the people—every one must admit that the sale has been a public benefit. Since the above was written, it has been determined to sell the Court-house premises at public auction, as per notice.

## Opening of the Legislature.

**Regular Session—1874.**

The regular biennial session of the National Legislative Assembly was opened on Thursday, April 30th, in accordance with the royal proclamation, in the Parliament House, which has just been completed. The new assembly room occupies the south wing of the building, and is considerably larger than the old hall, accomodating perhaps five hundred persons.

His Majesty left the palace at precisely 12 o'clock, under a salute from Punchbowl Battery, and the U. S. ship Benicia, escorted by the royal guard. He entered the hall a few minutes after 12 o'clock, and proceeded to the dais, accompanied with His Royal Highness Prince Leleiohoku, who stood at his right during the ceremony. On either side of the King were several Kahili bearers, and four spear bearers. Seated at the right of the dais were Her Majesty the Queen, Her Highness Luka Keelikolani, the Princesses Lydia K. Dominis and Miriam L. Cleghorn, Her Majesty Queen Dowager Emma, and the Hon. Mrs. Bishop. Seated back of these were Hon. Mrs. Naea, Mrs. W. L. Green, Mrs. H. A. Widemann, and Misses Widemann, Mrs. Col. Allen, and Mrs. Col. Judd.

At the left were seated the foreign representatives and diplomatic corps, the Captain and officers of the Benecia, and Justices of the Supreme Court; while in front of the dais were their Excellencies the Chancellor, the King's Ministers, the Nobles and Representatives.

His Majesty called on the Chaplain of the Assembly, Rev. Mr. Paikuli, to offer Prayer, which was in Hawaiian. After which He read, first in Hawaiian and then English, (the entire audience standing) the following:

ROYAL SPEECH.

NOBLES AND REPRESENTATIVES:

During the last biennial period the nation has passed through important vicissitudes, in consequence of which two extraordinary Sessions of the Legislative Assembly were convened. The first of these elected my Predecessor, His late Majesty LUNALILO, and at the same Session, certain amendments of the Constitution were proposed. In the Providence of the Almighty, it was not permitted to the King LUNALILO to see the accomplishment of his hopes. Scarcely one year of his reign had passed ere he was summoned away. Upon his death, no successor to the Throne having been appointed by him and approved by the Nobles, as required by law, it became your duty, under the Constitution, to elect a Sovereign. Before making choice of myself for that august position, you had been informed by my public as well as my private announcements, that I should abide by the result of your vote, and in no event countenance any attempt to violate the law of the land. My election was, however, followed by a disturbance, occasioned by the action of a few turbulent men, which taking the authorities by surprise, threatened for a time the peace of the city, but which the Government, promptly and efficiently supported by the forces of the friendly Powers then assembled in the harbor, quickly subdued, and those implicated have since been called to a just account.

You will be called upon, in co-operation with my Ministers, to initiate measures to advance the real interests of my Kingdom, and I now invite your especial consideration to a few of the most prominent points which have attracted my attention.

The amendments proposed in the Constitution have been published as the law requires, and will receive from you the most careful and mature consideration. They were intended to restore certain features of the Constitution of 1852, and the one which re-establishes a separate House of Representatives is the most important.

An amendment proposed in the clause which defines the tenure of office of Judges of the Supreme Court will come before you for discussion.

The amendment excluding all Judges from the Legislature is in consonance with the fundamental principle of the Constitution, which defines and separates the Executive, Judicial and Legislative functions of the Government.

The amendment requiring the King to give his reasons for vetoing a bill, seems unnecessary. My Ministers having seats in your House, and attending its Sessions for the purpose of enunciating the measures of my Government, would seem to be sufficient for the explanation of my views.

The legal services of the Attorney General in the Cabinet are frequently of much importance to the Administration, and any amendment depriving them of his assistance should receive your careful consideration.

I would invite you to carefully consider the amendment removing the property qualification of voters. The limited diffusion of wealth among the masses of the people tend directly to circumscribe, under the present franchise, the expression of the popular will in the return of the members to the House of Representatives.

The resources of the country have been largely depleted by the extraordinary expenditure rendered necessary by the removal of the lepers to Molokai—their maintenance there—the burial of two Sovereigns and the election of their Successors, and other causes, all of which have been borne by the Treasury. I would suggest to you that some less complicated and more economical system should be devised by you for carrying on the work of the Government, and that power may be given me under the law to merge two or more offices in one, where it may be found expedient so to do.

The subject, however, that awakens my greatest solicitude is to increase my people, and to this point I desire to direct your earnest attention. Perhaps some modification to the divorce law may be found conducive to this end. The Board of Health have been required to improve to the utmost the hygiene of the people, but much still remains to be done in this direction, especially to devise means for the preservation of the lives of infants, and I would suggest that some special exemption should be made in favor of those who rear large families.

The immigration of free labor will undoubtedly enrich and strengthen our country, and to this end I propose that a liberal appropriation be made.

The condition of the Leper Asylum has had my personal attention, and I have been pleased with the kindness and care shown towards that unfortunate class of my people.

I would also call your attention to the importance of considering schemes for irrigation and for maintaining the water supply wherever it may be required; and none of these seem more immediately necessary than a plan to increase and maintain the water supply of Honolulu, and that without injustice to suburban proprietors. It may be that some legislation is required to secure the owners of ancient water rights, but unless accompanied by measures to maintain the supply of water in certain districts, such legislation will be futile.

I recommend that a commission of men learned in the law, to report a codification of our laws for the next session of the Legislature. Our probate practice, especially in regard to land titles, to be made more definite.

I am happy to inform you that our relations with foreign countries are in the most satisfactory condition; and I congratulate you upon the friendly feeling which has been evinced towards ourselves by the great and powerful nations having treaties with us.

A proposition to cede Pearl River Harbor to the United States, in connection with a treaty of commercial reciprocity, was made last June. But a cession of any portion of the national territory being found to be not in consonance with the feeling of the people, the proposition was withdrawn. Should, however, that friendly Power hereafter consider a commercial treaty to be for its interest, my Government will not fail to open negotiations to this end.

Furnishing facilities for steam communication with San Francisco and Australia, and deepening the entrance of the harbor for vessels of heavy draft, will engage your attention. A submarine cable, to touch here and give us daily news from all parts of the world is already projected by enterprising men in the United States. These things suggest to us the importance of making it for the interest of steam lines to touch here. In this connection I ask you to consider the advantage of erecting suitable warehouses and other facilities on our wharves for Island produce.

NOBLES AND REPRESENTATIVES:

While not unmindful of the blessings which have been granted to this Nation, let us hope that we may deserve to have them continued and increased. May your deliberations be guided by an eye single to the National welfare, and may their results be conducive to the prosperity and progress of our beloved country.

I now declare this Legislative Assembly to be duly convened according to law.

## Legislative Assembly.

**Regular Biennial Session—1874.**

FIRST DAY, April 30th, 1874.

Immediately after the opening of the session and the retirement of His Majesty, the Secretary, R. H. Stanley Esq., called the assembly to order, and His Ex. P. Nahaolelua and the Hon. S. P. Kaai, took their seats as President and Vice President.

The Secretary called the roll, to which forty-three members responded. The following is a list of the Nobles and Representatives:

NOBLES.

His Royal Highness C. Kanaina,

| | |
|---|---|
| His Ex. P. Kanoa, | Hon. W. T. Martin, |
| " J. O. Dominis, | " J. P. Parker, |
| " P. Nahaolelua, | " H. Kuihelani, |
| " W. L. Green, | " J. Moanauli, |
| " H. A. Widemann, | " J. I. Dowsett, |
| " A. S. Hartwell, | " A. S. Cleghorn, |
| Hon. C. R. Bishop, | " S. G. Wilder, |
| " H. A. Kahanu, | " P. Isenberg. |

REPRESENTATIVES.

| | |
|---|---|
| Hon. S. Kipi, | Hon. G. W. Napaepae, |
| " P. Haupu, | " D. W. Kaiue, |
| " J. Nawahi, | " S. K. Kupihea, |
| " J. H. S. Martin, | " E. Mikalemi, |
| " D. H. Nahinu, | " W. L. Moehonua, |
| " S. K. Kaai, | " J. Kahai, |
| " D. S. Kupahu, | " J. Kakina, |
| " R. P. Kuikahi, | " J. Komoikehuehu, |
| " C. K. Kakani, | " S. M. Naukana, |
| " C. K. Kapule, | " W. C. Lane, |
| " T. N. Birch, | " J. A. Cummins, |
| " N. Kepoikai, | " D. Kaukaha, |
| " J. A. Kaukau, | " P. F. Koakanu, |
| " L. Aholo, | " J. Kauai. |

On motion a committee was appointed to examine the right of the newly-elected member from Wailuku, Maui, to hold a seat. But pending the investigation, it was voted that he could retain his seat.

His Excellency P. Nahaolelua, having been appointed a Minister by the King, resigned the position of President of the Assembly, and on balloting for a successor, Hon. Charles R. Bishop received 22 votes, W. T. Martin 15, and Kuihelani 6. Mr. Bishop was then declared elected President, and on taking the chair, made a few remarks, soliciting the co-operation of members in the duties of his office.

Messrs. Aholo, Dowsett, Martin, Kaiue and Kaukaha were named a Committee to prepare a reply to the King's address, when the Assembly adjourned.

SECOND DAY, May 1st, 1874.

Prayer by the Chaplain.

Oath administered to Mr. Kepoikai, by the Chief Justice.

PETITIONS.

From Wailuku, praying that the proposed Constitution amendments be rejected; that new agents of Board of Health be appointed; that jurisdiction of district courts be extended; that the Hawaiian version of laws be the standard, and that Kahului be a port of entry.

From Hilo, for an appropriation for a bridge; that dog tags be abolished.

From Hanalei, that the King's salary be fixed at $35,000 for two years; for appropriations for a bridge and English school.

The President announced the following

STANDING COMMITTEES.

*Foreign Affairs*—His Ex. J. O. Dominis, Hons. H. A. Kahanu, S. Kipi, C. K. Kakani, C. K. Kapule.

*Finance*—Hons. J. I. Dowsett, L. Aholo, P. Isenberg, D. H. Nahinu, J. Kauai.

*Education*—Hons. L. Aholo, P. Haupu, P. Isenberg, J. Moanauli, W. C. Lane.

*Sanitary*—Hons. W. T. Martin, S. G. Wilder, J. A. Kaukau, S. M. Naukana, D. Kaukaha.

*Commerce, Agriculture and Manufactures*—Hons. D. H. Nahinu, J. I. Dowsett, G. W. Napaepae, P. F. Koakanu, R. P. Kuikahi.

*Judiciary*—Hons. S. G. Wilder, J. Komoikehuehu, D. W. Kaiue, L. Aholo, D. Kaukaha.

*Public Lands and Internal Improvements*—Hons. P. Isenberg, E. Mikalemi, S. K. Kupihea, N. Kepoikai, J. H. S. Martin.

*Military*—Hons. W. L. Moehonua, J. A. Cummins, A. S. Cleghorn, H. Kuihelani, T. N. Birch.

*Enrollment*—His Ex. J. O. Dominis, Hons. J. P. Parker, J. Nawahi, W. L. Moehonua, J. Kakina.

*Accounts*—Hons. A. S. Cleghorn, L. Aholo, D. S. Kupahu, J. P. Parker, J. Kahai.

*Printing*—Their Excellencies H. A. Widemann and A. S. Hartwell.

His Ex. the Attorney General gave notice of intention of introducing the following bills.

1. A Bill providing that a marriage of a Hawaiian woman with a Chinaman shall not be invalid by reason of a previous unknown Chinese marriage.

2. A Bill to define the tenure of office of members of the Legislature.

3. A Bill to provide for the Chief Executive Power in case of an interregnum.

4. A Bill providing for an Auditor of Public Accounts.

5. A Bill to encourage Steam Navigation with foreign countries.

6. A Bill to authorize parties to testify in their own behalf.

7. A Bill authorising the King to approve parts and disapprove parts of the Appropriation Bill.

8. A Bill to quiet land titles in land claimed by inheritance.

9. A Bill authorising a Commission for codifying the Laws.

10. A Bill providing for the practice of Courts of Probate.

Hon. Mr. Kuihelani gave notice of a bill to amend Section 870 Civil Code, in relation to terms of the Circuit Court of Maui.

Hon. Mr. Mikalemi gave notice of a bill to repeal the "Act to Mitigate."

Hon. Mr. Wilder made a few appropriate remarks announcing the death of Mr. C. A. Castle, late Registrar of Public Accounts, and moved that the Assembly attend his funeral in a body; and that as a mark of respect to his memory the House adjourn.

THIRD DAY, May 2d 1874.

Assembly met at 10 A. M., Hon. C. R. Bishop in the chair. Prayer by Rev. J. N. Paikuli. Journals of the preceding day read and approved.

PETITIONS.

Hon. Mr. Kepoikai, member from Wailuku, presented a petition asking, 1, That all parents having five children be exempted from poll, school, and road tax; 2, That all parents that send their children to select schools be exempted from the school tax. These were referred to the Finance Committee. 3, That the Circuit Court of Maui hold part of its sessions at Wailuku. Referred to the Judiciary Committee.

Hon. Mr. Haupu, (Hilo) presented petitions praying, 1, That all salaries be reduced, from the King down, except the Judges and Constables. Referred to the Committee on Finance. 2, That no officer of Government be allowed to hold a seat in the Legislative Assembly, but that they stay at home and attend to their business. Referred to the Judiciary Committee. 3, That the law in regard to the English and Hawaiian versions of the laws be changed and the Hawaiian be the standard; 4, That no foreigner be allowed to hold office unless he understands both languages, and if he does not let him pay his own interpreter. Referred to Judiciary Committee.

Hon. J. Kahai, (Honolulu) presented a petition with over 300 names, that Dr. Akana be appointed physician to the Hospitals at Kalihi and Molokai. Referred to the Sanitary Committee.

Hon. A. J. Kaukau (Kaanapali) presented 1, A petition that all salaries be reduced, from the King down; 2, That they have a mail carrier appointed as they petitioned for last year. Referred to Finance Committee.

Hon. J. Kauai (Waimea) presented a petition, 1, That the King's salary be $35,000, including Chamberlain and Secretary. Referred to Finance Committee. 2, That $1,500 be appropriated for Court House and Lock-up at Waimea, Kauai. Referred to the Judiciary Committee. 3, That the Commissioners of Crown Lands be removed, and the King rent the Crown Lands to the persons living on them. Referred to the Judiciary Committee. 4, That $5,000 be appropriated for a road near Waimea River. Referred to the Committee on Government Lands and Internal Improvements.

Hon. D. H. Nawahi, (Puna) presented a petition from Koolauloa, that the sale of Intoxicating Liquors be prohibited. Hon. P. F. Koakanu moved to lay the petition on the table. This motion was opposed by His Ex. A. S. Hartwell, but was finally carried.

The Secretary announced that the Annual Reports of the Minister of Finance and the Board of Health had been laid on the table. Also that the proposed Amendments had been published as the Constitution requires.

Hon. S. G. Wilder introduced a Resolution, That the proposed Amendments of the Constitution be the order of the day for Monday. Carried.

Hon. S. M. Naukana (Wailuku) introduced a Resolution, that His Ex. P. Nahaolelua be dismissed from office of Minister of Finance, because he had not given in his Report on the 30th of April as required by the Constitution. The President ruled the resolution out of order, and returned it to the member, as the Secretary said the Report of the Minister of Finance was placed on his table on the 30th of April.

Hon. N. Kepoikai (Wailuku) gave notice of his intention to introduce a bill amending Sections 527, 530 and 915 of the Civil Code, also Section 1st of an Act passed January 1865, in regard to the Board of Health.

Hon. H. Kuihelani gave notice of a bill to amend Section 448 of the Civil Code, in regard to the road tax.

Hon. D. Kaukaha (Hanalei) moved that the House be provided with fifty copies of the following Newspapers: HAWAIIAN GAZETTE, *Commercial Advertiser*, *Kuokoa* and *Hawaii Ponoi*. Carried.

Hon. Thomas Martin moved that the House adopt the rules of 1872. Carried. Also, that a Committee be appointed to see that the English and Hawaiian bills correspond.

Hon. L. Aholo thought it unnecessary, as the Committee on Enrollment should attend to that.

Messrs. Dowsett, Kaukaha, Hartwell, Martin, Widemann and Komoikehuehu spoke in favor of the resolution.

Hon. Koakanu moved to postpone indefinitely. All laws should be passed in Hawaiian, we have nothing to do with the English language. If the white men wish to know our laws, let them translate them, and pay for it too. The motion to postpone was lost, and the original motion carried.

Hon. D. W. Kaiue (Molokai) introduced a resolution that members be furnished with Law books.

His Ex. H. A. Widemann, informed the House that there were not books enough, and that they must first vote money to get them printed. Motion tabled.

Hon. S. M. Naukana (Wailuku) introduced a Resolution that the Marshal of the House re-arrange the desks in the Hall, as some of us can not hear.

Hon. D. Kaukaha (Hanalei) moved to lay on the table, as the arrangement is as good as can be. Let us go to business and not waste our time.

Several of the members remarked on the disagreeable echo there was in the room. Finally the member withdrew his motion.

Hon. N. Kepoikai (Wailuku) moved that a Committee of five be appointed on Miscellaneous Subjects. Hons. N. Kepoikai, P. Isenburg, T. Martin, W. C. Lane, J. A. Kaukau, and H. Martin were appointed as such Committee.

On motion the House adjourned till Monday, 10 A. M.

FOURTH DAY, May 4th.

Assembly met 10 A. M., Hon. C. R. Bishop, President in the Chair. Prayer by the Chaplain. Journal read and approved.

PETITIONS.

Hon. N. Kepoikai (Wailuku) presented a petition from Wailuku praying—1, That all persons under contract be allowed to go to the polls and vote election days as they wish; 2, That all workmen be allowed to stop work on Saturday P. M., at 4 o'clock; 3, That all persons under contract be allowed to observe Holidays; 4, All Government Officers be ordered to stay at home and not leave their work to others, but if they do go away that they pay their own expenses. All the above were referred to the Judiciary Committee. 5, That a certain road in Iao Valley be opened for free travel as now they have to pay toll when they go over it. Referred to Committee on Government Lands and Internal Improvements. 6, That certain young educated Hawaiians be instructed in Law by the Judges of the Supreme Court. Referred to the Educational Committee. 7, That the Hawaiian flag be changed. On motion this petition was tabled.

Hon. T. Birch presented a petition from Wailuku asking, 1, That a protective duty be laid on Irish potatoes imported into this country; 2, That the horse tax be reduced to 50 cents. Referred to the Finance Committee.

RESOLUTIONS.

Hon. Mr. Kaiue moved that $2,000 be appropriated for roads on Molokai, as this sum had been appropriated last session but not expended. On motion it was voted to lay on the table till the Appropriation Bill came up.

Hon. Kakani moved that the Marshal be instructed to furnish postage stamps to each member of the House.

The Hon. Nawahi moved to postpone indefinitely as the King had counseled economy. This motion was lost and the resolution of the member from Hana passed.

His Ex. the Minister of the Interior suggested that the Marshal furnish the stamps to those who wish them and not to every one.

Hon. Mikalemi moved a consideration of the vote of Saturday last that 50 copies of each of the Newspapers be furnished the House. The motion was carried and the resolution reconsidered.

Hon. Nawahi moved the indefinite postponement of the resolution passed last Saturday.

Hons. Nawahi, Kakina and Mikalemi spoke against the Newspapers. Hon. Kaukaha in their favor. The motion to postpone was carried.

Hon. T. Martin gave notice of an act to provide that a servant under the Master and Servant Act shall not be taken out of the district if the master is willing to pay his fine.

Hon. Kapule gave notice of an act to amend Sec. 780 of the Civil Code.

Hon. H. Martin gave notice of an act to regulate the killing of Sheep and Goats.

ORDER OF THE DAY.

The amendment to Art. 20 of the Constitution was considered in Committee of the Whole, Hon. L. Aholo in the Chair.

On motion of Hon. Kaiue, the Committee rose and reported progress.

On motion the House went into Committee of the Whole on the amendment to Art. 45 of the Constitution, Hon. L. Aholo in the Chair.

Hon. Kaai moved to indefinitely postpone. This was seconded all over the House. He made a long address on the folly of having two houses of legislature, and was followed by Hons. Koakanu, Kakina, Kauai and Kaukaha from among the Representatives in the same strain.

The privileges, rights and advantages of two houses were ably shown by Hons. Mikalemi, Naukana, Haupu, Nawahi, and Aholo on the part of the Representatives.

Their Ex. W. L. Green and H. A. Widemann, and Hons. C. R. Bishop and S. G. Wilder, were opposed to any change, but thought that one house was better than two.

His Ex. A. S. Hartwell spoke of the power and value of an independent house of representatives.

On motion the Committee rose and the Chairman reported progress.

On motion, the rules were suspended, and the Committee appointed to draft a reply to His Majesty's address read their report, which was accepted by the house and the Committee directed to present the same to His Majesty.

The House then adjourned.

FIFTH DAY, May 5th.

The Assembly met at 10 A. M., and was opened with prayer by the Chaplain.

PETITIONS.

Hon. Kepoikai presented a petition praying that some of the public improvements be discontinued till the debts are paid; that public lands be open to lease; and that the consent of parents and guardians be obtained before marriage. Referred.

Hon. Haupu presented a petition regarding sale of awa.

Hon. Kaukau presented a petition, that the salary of the King be reduced; and that all foreigners be turned out of the country.

From Molokai by Hon. Kaiue, that the distillation of rum be free.

From South Kona, that all parents having five children be free of taxes; that the dog tag law be repealed; that the tax on stallions be removed; that the road tax be reduced; and for an appropriation for South Kona.

From Honolulu, that prisoners be not allowed to work on ships.

From Honolulu, that sea fisheries be free; that Hawaiian doctors be allowed free practice; and that the divorce law be repealed.

RESOLUTIONS.

By Hon. Aholo, that the Clerk be instructed to lay before the house the act regulating the hours of labor, which was before the Assembly at the last session.

Hon. T. Martin gave notice of an act to prohibit peddling of cakes, &c.

The Sanitary Committee reported on the petition from Wailuku in regard to the Board of Health, also on the petition relating to Akina, and recommended that they be laid on the table till the report of the Board is taken up. Accepted.

ORDER OF THE DAY.

House went into Committee of the whole on the Amendments to the Constitution, Hon. Kipi in the Chair.

The vote was called for and taken on the motion to indefinitely postpone the Amendment of the 45th Article of the Constitution, to separate the two Houses. Motion to postpone carried, 33 ayes, and 12 noes.

The Amendment of Article 20 of the Constitution was then taken up, relating to election of judges.

Hon. Moehonua moved to adopt the Amendment.

Hon. Aholo moved to indefinitely postpone, on the ground that there was no House of Representatives.

The Attorney General said that some law more definite than what we have should be adopted, in order that the question of the right of judges to sit in the House could be settled. The Civil Code provides that no judge shall sit in the lower house. The Constitution also says that no judge of a court of record can sit as a representative. There is no law in opposition to this. Legislatures have allowed judges to hold seats. The object of this amendment is to make the law more definite.

The motion to indefinitely postpone the Amendment was then put to vote and carried, 40 ayes, and 2 noes.

Hon. Kaiue moved to take up the proposed amendment to Article 42 of the Constitution, removing the Attorney General from the Cabinet, and moved its indefinite postponement.

His Ex. the Minister for Foreign Affairs said he would not detain the House many minutes on this question,—he would merely say that he wanted the Attorney General in the Cabinet. We all know that in the present circumstances of this country very careful management is necessary. The Ministry require all the assistance they can get. I consider that of the Attorney General most important. As you have seen in this House already, he is a warm friend of the people—but not a warmer one than I wish to be,—although he and I may differ sometimes as to what is best for this Kingdom. I hope this House will not pass the amendment removing the Attorney General from the Cabinet.

On calling the ayes and noes, they stood 40 ayes, 4 noes, and the proposed amendment was rejected.

The proposed amendment to Art. 62 was then taken up, relating to a removal of all property qualification for voters.

Hon. Mikalemi moved to pass it.

On calling the ayes and noes, they stood 36 ayes, and 4 noes; and the amendment was adopted.

The proposed amendment to Art. 63 was then taken up, authorising a change in the property qualification of representatives.

Hon. Kaukaha moved to pass the amendment to Art. 63, which was carried by 34 ayes, 9 noes.

Hon. Kaukaha moved to take up the proposed amendment of Art. 65 of the Constitution.

Hon. Aholo moved to indefinitely postpone.

The Attorney General spoke at some length on the importance of this amendment, and how it would operate in securing only good judges for the Supreme Court.

On the motion to indefinitely postpone, the vote stood 41 ayes, 3 noes.

House adjourned.


### Executor's Notice.

IN THE MATTER OF THE ESTATE OF HIS late MAJESTY LUNALILO.—The undersigned, Executor of the last Will and Testament and Codicil thereto (except the fourth clause) of the said deceased, hereby gives notice to all persons having claims against the Estate of the decedent, whether secured by mortgage or otherwise, to present them, with the necessary vouchers, to him at his office in Honolulu, within six months from date, or they will be forever barred. CHAS. R. BISHOP.

Honolulu, May 4, 1874. 486 4t

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