

The Polynesian.

HONOLULU, SATURDAY, SEPTEMBER 15, 1849.

No. 18.

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EDWIN O. HALL, EDITOR.

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OFFICIAL CORRESPONDENCE.

In order that our readers may have the data to judge correctly of the real nature of the ten specific demands made upon this government by the French Admiral, we publish below documentary evidence touching those demands.

The facts in relation to the 8th demand are thus set forth, and we ask our readers to ponder them with care.

The Consul of France, to Mr. Wylie.

HONOLULU, 16th April 1849.

Mr. the Minister,—I have the honor of sending you herewith copy of a letter from Mr. the Abbe Coulon of the French Mission of this town, in which he complains that two young people of the high school had disturbed the service on Sunday last, mimicking the ceremonies of the Catholic worship, to the great scandal of all present.

These two young people have been arrested as the Abbe Coulon informs me, and conducted before the native judge.

Be pleased to carry these facts to the cognizance of Mr. the Minister of Public Instruction whose department they concern, and make me known the measures that may be taken to prevent their return.

Please to receive, &c., &c.

From the Abbe Coulon, to the Consul of France.

Honolulu, April 16th, 1849.

Mr. the Consul,—I have the honor to inform you that on Sunday last, towards the end of Divine Service, two young people who are said to be of the High School, entered into the Catholic church of this town, and to the great scandal of the faithful applied themselves to profane the Holy Water and to mimic the ceremonies of the Catholic worship. The faithful natives caused them to be arrested and to be carried before the native judge without any interference on our part.

As similar facts but too frequently occur, I consider it my duty, Mr. the Consul, to advise you, that it may be no longer permitted to insult the Catholic religion in the interior of the edifices placed under our direction. Please, &c., &c.

Signed, COULON, P. M. F. MICHEL.

Parties guilty—Kiamoka, Paulo. Witnesses—Pahoehe, Maui, Kahoolani. Makai—Kui Ke.

Minister of Foreign Rel. to the Min. of Public Instruction.

FOREIGN OFFICE, 17th April, 1849.

Sir,—I have the honor to send you herewith, the following documents, viz.

Translation by me of M. Dillon's note to me of the 16th, received this day.

Translation by me of the Abbe Coulon's note to M. Dillon of the same date.

After M. Dillon's despatch to me of the 18th December, of which you have been made cognizant, I am not a little surprised at the course of M. Dillon, in receiving the complaint of the Abbe Coulon, without any apparent notice either to the Bishop or to you.

You will remember the audience at which the King himself told the Bishop in presence of M. Dillon that whenever the former had any unpleasant matters, he was to make them known to the Minister of Public Instruction, who was commanded to attend to them.

I cannot allow myself to be made a mere translator of languages or postman for the convenience, or to suit the caprice of any foreign Consul, although all this I have had to tolerate with M. Dillon.

I have the honor to be, &c.

Min. of Public Instruction to the Min. of For. Relations.

OFFICE OF PUBLIC INSTRUCTION, }
April 17th, 1849.

Sir,—I have had the honor to receive your communication of this date, enclosing a copy of M. Dillon's note to you of the 16th instant, and also of Abbe Coulon's letter to M. Dillon of the same date, complaining of two young people who are alleged to have disturbed the service in the Catholic church in this town on Sunday last, and were in consequence arrested and taken before a native magistrate.

The Consul of the French Republic desires that this case may be brought to my knowledge and that he may be informed as to what measures may be taken to prevent a recurrence of similar misconduct.

I have to say in reply, that the alleged offenders having been already brought before a magistrate, for the purpose they require no further notice from this department. Should like cases occur in future, on being duly informed, it will be my duty to give notice to the proper officer, that he may proceed against the offenders according to law. But I agree with you, that such complaints should be made directly to this department, and not through the Consul of France. No foreign Representative, as I conceive, has a right to take cognizance of such cases, until the remedy provided by the laws of the kingdom has been tried.

I have the honor to be, &c., &c.

The following Facts relate to demand No. 9, of Admiral de Tromelin, and speak for themselves.

FACTS relating to an alleged disturbance of the house of Mareschal, a Catholic priest at Kailua, Island of Hawaii, by a native constable. The statements are taken from an official report of Kapeau, Governor of Hawaii, to His Highness, John Young, Minister of the Interior.

In January last 1849, the collector of Kailua, called on a native by the name of Hale, then living with the Catholic priest Mareschal, for his school tax, which amounted to \$2 in cash, or \$3 in trade, or else work three days in the month, for the year. Hale refused to pay the tax, on the ground that he

was destitute, and that the law was unfair, as it freed constables and soldiers, and laid the burden on others. He was called upon several times by the collector, but absolutely refused, and the priest encouraged him in refusing, telling the collector that he was poor and had no children, and also finding fault in regard to the school tax.

On the 2nd of March last, Hale was arrested and taken before the magistrate of the district for trial. After hearing the case, the judge ordered him to remain a short time in the yard of the court house, until he could have time to make up his mind on the case.

Hale immediately left the yard and returned to the house of the priest, where he was pursued by several constables; but he refused to return to the court, telling the constables to carry him to the judge, as they had done before. Several constables went for him during the day, at different times, but he took refuge in the priest's house, who threatened to prosecute the constables for invading his premises, and a carpenter in the house repulsed the constables. The priest told them to bind him (the priest) and take him to the judge. They refused, saying, "it is the guilty, not the innocent we seek."

The priest demanded their warrant for thus taking the man. On this a constable ran to the Governor for a warrant (palapala) and in the mean time Hale ran into the priest Mareschal's bed room, where he was pursued and seized by a constable; a scuffle ensued in which some injury was done to the bed. Two Frenchmen entered the house, seized the constable and turned him out of doors. Then the constable arrived with an order from the Governor as follows:—

Kailua, Hawaii, March 2, 1849.

Solutions to you. It becomes you to deliver up Hale, for to have justice done for men's good, and there should be no opposition to the word of the law.

(Signed,) GEORGE L. KAPEAU,

Governor of Hawaii.

JEHOAKIM, Catholic priest }

in Kona, Hawaii. }

On seeing this order the priest told the constables to seize Hale and take him away. He was then taken to prison, where he remained until the priest paid his fine. These are the facts as stated by the Governor of Hawaii.

Mr. Wylie to the Consul of France.

FOREIGN OFFICE, 24th August, '49.

Sir,—Having had no intelligence whatever of the alleged violation of the domicile of the Abbe Mareschal, till the 22d, at 3 p. m., the moment when I received the joint despatch from yourself and the Admiral, I have the honor to notify you that the Courts of the Kingdom have always been and are as open to the Rev. Abbe, as they are to the King's subjects, or the most favored foreigners, and that under the second Article of the Treaty of the 26th March, 1846, all parties, whether natives or foreigners, have equally to seek for justice before the proper tribunals, as in all civilized countries.

The King's Chief Justice, Mr. Lee, proceeds in a few days to the Island of Hawaii, and the Rev. Abbe can appear before him and prefer this previously unheard of complaint. The Chief Justice will direct him how to institute proceedings under the laws, in order to obtain full redress of all wrong he may have suffered. If the Governor be proved guilty, he will be punished agreeably to the laws, to which he is amenable.

If you should wish to see that the rights of the Rev. Abbe are properly attended to, you can proceed to Hawaii with Chief Justice Lee, and will be welcome to a passage in the King's Yacht.

I renew the assurance, &c. &c.

Demand No. 10 will be better understood after reading the following documents:—

The Consul of France to Mr. Wylie.

Honolulu, 17th July, 1849.

Mr. the Minister,—I have the honor of addressing you herewith copy of a declaration made before me, this day, by the citizen Victor Chanceler, domiciliated in Honolulu, tending the damages done in his hotel by foreign sailors belonging to the ship of H. B. M.'s the Amphitrite.

The citizen Victor Chanceler claims my assistance to obtain the indemnity which is due to him, for the said damages.

Be pleased, Mr. Minister, in the want of local laws which protect foreign residents against similar excesses to bring these facts to the cognizance of Mr. the Commander of the Amphitrite, who will, I am sure, to order an inquiry on this subject, and to cause to be paid the indemnities which may be lawfully due.

I pray you, Mr. Minister, &c.

The following is the declaration referred to, in the Consul's preceding note.

Honolulu, 15th July, 1849.

Mr. the Consul,—Permit me to bring to your knowledge, with a view to obtain justice, the following facts:—In the night of the 14th and 15th July, at eleven o'clock at night, about sixty sailors of the English Frigate, entered by force into my hotel, they being mostly intoxicated; there, having opened all the doors, they entered into my room, threw down my bed, and constrained me to serve drink to them. In the night, a window, some bottles, some glasses, some chairs, tables and different other articles, forming a considerable damage were smashed.

In vain, I called the police, to my assistance; they refused me assistance, and next day, I carried my complaint before the tribunal. The judge told me to take no measures, because the Commander would indemnify me. I have, therefore, waited, but to-day the Frigate, the Amphitrite sails, and the Commander is obstinate in denying to pay me.

I wish, therefore, Mr. the Consul, to entreat you to be pleased to interfere and to cause justice to be done.

(Signed,) VICTOR CHANCELER.

Mr. Wylie to the Consul of France.

FOREIGN OFFICE, July 17, 1849.

Sir,—I have the honor to acquaint you that your despatch with a complaint against some of the sailors of H. B. M.'s S. Amphitrite, was delivered to me about five minutes after Captain Eden had taken leave and gone off with the Pilot, to embark. Nevertheless, without waiting to translate your despatch and its enclosure from the French into English, or even to write officially to Captain Eden, I immediately went down to the wharf, to inform him verbally of your complaint, unfortunately I was too late, but I succeeded in sending off your despatches by one of his officers whom I requested to place them in the hands of Captain Eden. So soon as I receive a reply, I shall make it known to you. I renew the assurance, &c.

Mr. Wylie to the Consul of France.

FOREIGN OFFICE, July 18, '49, 11, A. M.

Sir,—Referring you to my note No. 1, of yesterday, I have to inform you that by the hands of Capt. Meek, on behalf of Capt. Eden, I have this moment received back your despatch of the 17th with the declaration by Victor Chanceler made before you, on the 15th, of damages alleged to be done to his furniture, &c., by some of the crew of H. B. M.'s S. Amphitrite, and claiming an indemnity, but without saying how much.

Captain Meek assures me that Capt. Eden formed his men, addressed them a very severe reproof and ordered his Master-at-arms to ascertain the names of all the men who were in the French Hotel between the hours of 11 and of Sunday morning, intimating his purpose, to have every man who was guilty fined.

Captain Eden has not written to me one word upon the subject.

It appears to me that the citizen Victor Chanceler, ought to have added the amount of the damage done to the bills of the parties, and in the event of refusal to have instantly proceeded against them, in the regular way, before the Police Magistrate. I believe the local laws are sufficient for such emergencies, but laws are every where inoperative, unless justice is applied for and sought of the judges and in the manner prescribed by the laws.

If I hear any thing from Captain Eden upon this matter, I will take care to apprise you of it.

I renew the assurance, &c., &c.

Mr. Wylie to the Consul of France.

FOREIGN OFFICE, August 13, 1849.

Sir,—Referring you to my notes Nos. 1 and 2 of the respective dates of the 17th and 18th ultimo, I have the honor to enclose copies of Capt. Eden's despatch to me of the 31st July, and of the two enclosures therein referred to; and I hope the result will render unnecessary any further correspondence between you and me, upon the same subject.

I renew the assurance, &c., &c.

[Enclosure in Mr. Wylie's No. 4.]

H. B. M.'s S. AMPHITRITE,

Hilo Bay, Hawaii, 31st July, 1849.

Sir,—I have to acknowledge the receipt of copies of your letters to Monsieur Dillon, the French Consul at Honolulu, relative to a complaint against some of the crew under my command, accompanied by a bill for \$93, for damages from the proprietor of the French Hotel.

And in answer, I beg leave to state that I cannot after a strict investigation find any cause for allowing such a demand to be made upon them, as the accompanying declaration of Lieut. Furneaux (who at the request of the Marshal visited the Hotel that evening) as also that of the Petty Officers show how little injury he sustained, as on the following morning the said Petty Officers went to the proprietor and enquired into the extent of breakages, when a bill was made out against them for \$8, and whilst they were on board, collecting the money, it was increased to the enormous sum of \$93.

I called upon H. B. M.'s Consul General, on the subject. I also called upon your Excellency, as well as upon M. Dillon, the French Consul, to whom I said that if the proprietor of the French Hotel would come on board and recognize any of the men who did damage to his property, that they should remunerate him; but he never came.

The difficulty of detecting the offenders among so large a body of men will be obvious to yourself as well as to M. Dillon, and therefore it would be an injustice to punish the whole crew, when it appears only a few were implicated, but the fact of the Petty Officers going next morning to offer payment as shown in their declaration, will prove it was not a malicious act.

I have come to this conclusion from the following circumstances, viz, the general good and orderly conduct of the crew under my command, during a stay of seven weeks at Honolulu, which was remarked, not only by myself, but by the officers of the ship, as well as by H. H. Majesty's Government and the whole community of your interesting Island, and furthermore, I may be allowed to observe that on one occasion when all the other hotels were shut up at an early hour in the evening the French Hotel was the only one open, thereby inviting any disorderly people to his premises, and he ought to have been prepared for any casualties.

I trust that this explanation will satisfactorily show the annoyance that this circumstance has given me, and I sincerely regret that it should ever have occurred.

I have the honor to be Your Excellency's obedient servant.

THOMAS RODNEY EDEN,

Captain.

His Excellency, R. C. WYLLIE,

Min. For. Rel., Honolulu.

I, James Hays, Boatswain-mate, came into the room at the French Hotel, saw no other damage than three or four panes of glass, a few tumblers and two water coolers broken in the course of the night. Some of the men told me that two tumblers had been taken away and asked me to go up in the morning and replace them. I went up next morning at 9 o'clock with the two tumblers,

hethen told me that his house had been broken open; another Petty Officer was with named Mears, we told the proprietor if that was the case to send for the Sheriff and have the place examined before he left, soon after the Sheriff came in and looked all over the house with ourselves; the sheriff was satisfied that there were no grounds for the suspicion, and told the proprietor so in our hearing. Before this, the proprietor told me he would be perfectly satisfied with eight dollars for all damage done.

JAMES HAYS.

(Witness,) GEO. WALKER, Lieut.

H. B. M.'s S. Amphitrite, Aug. 4, 1849.

H. B. M.'s S. Amphitrite, Aug. 4, '49.

I, Charles Hawkins, Gunners-mate, was at the French Hotel the greater part of the time when our men were there, saw only a few tumblers, and a pane or two of glass broken. Had a bottle of brandy which I paid two dollars and a half for in company with eight more of ourselves. Know of one or two of the other men having paid for half bottles which they were drinking with the rest of their shipmates. Neither saw, nor do I believe there was anything stolen.

CHARLES HAWKINS,

Gunners-mate.

(Witness,) GEO. WALKER, Lieut.

When I visited the French Hotel, on Saturday, about 12, p. m., being requested to do so by the Sheriff, I did not observe any empty bottles in the room occupied by the men belonging to H. B. M.'s S. Amphitrite, but some of the glasses on the table were broken, and one or two of the windows slightly damaged. And had the Sheriff visited the house, instead of remaining outside, I have no doubt his statement would agree with mine.

JAMES H. FURNEAUX,

Lieut. H. B. M.'s Ship Amphitrite.

H. B. M.'s S. Amphitrite, Aug. 4, 1849.

Mr. Wylie to John R. Jasper, Esq.

[Enclosure in Mr. Wylie's No. 6.]

FOREIGN OFFICE, 18th July, 1849.

Sir,—I have the honor to submit to you M. Dillon's despatch to me, of the 17th, and my reply to him of the same date, and of the 18th instant that in regard to certain charges involving yourself and the police, you may take what measures, and what advice, to you may appear to be proper.

With much respect, &c., &c.

The Consul of France to Mr. Wylie.

Honolulu, 19th July, 1849.

Mr. the Minister,—I have the honor of acknowledging the receipt of your letter of the 18th of this month, by which you apprise me that Mr. the Captain Eden, of the English frigate the Amphitrite, will cooperate (tiendra la main) that Victor Chanceler be indemnified for the damages done in his house, by some men of the crew of said ship.

The recommendation contained in your preited letter of the 18th, was foreseen and practised by me, Victor Chanceler having addressed himself at first, by my advice, to the magistrate of the Police Court, Mr. Jasper; the latter declared to him, contrary to your opinion, repeating to me subsequently the same declaration, that the local Justice was powerless (impuissant) for such kinds of excesses, and that there were no laws in the Sandwich Islands, the action of which extended to vessels of war in such cases as that of the citizen Victor Chanceler.

I have equally the honor of acknowledging the receipt of the pamphlet, qualified by you, under the name of Official Correspondence, which you have sent to me, with your note of the 16th July.

Be pleased, Mr. the Minister, &c., &c.

Mr. Wylie to the Consul of France.

FOREIGN OFFICE, 24th August, 1849.

Sir,—Referring you to my notes Nos. 1, 2, and 4, of the respective dates of the 17th, 18th July, and 13th August, I have the honor to enclose to you copies of the notes which, on the 18th and 21st of July, I addressed to Mr. Jasper on the subject of those parts of your despatches of the 17th and 19th July, that appear to imply an opinion given by him, as Police Magistrate, that the complaint of Victor Chanceler admitted of no redress.

You will observe from his reply to me of the 11th of August, copy of which I enclose, that upon that point, there was some misunderstanding between you and him.

From the terms of Captain Eden's note to me, of the 31st of July, copy of which formed an enclosure in my No. 4 to you, I have every reason to believe that he would have zealously cooperated towards the investigation of the complaint against some of his men, had the complainant pursued the parties before the proper magistrate, as is usual in all countries.

I renew the assurance, &c., &c.

Mr. Wylie to John R. Jasper, Esq.

[Enclosure in Mr. Wylie's No. 6.]

FOREIGN OFFICE, 21st July, 1849.

Sir,—Referring you to my note of the 18th, I have to add an original despatch from M. Dillon, dated 19th inst., and received yesterday, asserting a declaration to have been made by you, respecting which I cannot believe otherwise than that he misunderstood what you may have said.

I will be much obliged to you to inform me if what M. Dillon affirms be really what you did say on the occasion referred to.

With much respect, &c., &c.

John R. Jasper, Esq. to Mr. Wylie.

[Enclosure in Mr. Wylie's No. 6.]

Honolulu, August 11, 1849.

Sir,—I have the honor to acknowledge receipt of your two notes of 18th and 21st of July, enclosing for my perusal, a despatch addressed to you, by the Consul of France, of the 19th of same month.

In the despatch of M. Dillon I am charged with having asserted "that there was no law at the Sandwich Islands, for cases similar to that of the citizen Victor Chanceler,

and that I was powerless,

of Victor Chancelier against some of the crew of H. B. M's ship Amphitrite, which the Admiral and the Consul of France, contrary to all right and reason, sought to enforce against this Government, and that this Resolution be printed.

Thus ends the matter of the 10th demand, of the French Admiral, and Consul of France. The next two documents will speak for themselves, and show that American vessels were "suffering serious loss," on account of the Collector's being shut out of the Custom House by the French troops.

Honolulu, Isle of Oahu, Hawaiian Islands, August 27, 1849.

To CHARLES R. BISHOP, Esq., Collector Gen'l of Customs, Honolulu.

Sir—We beg to inform you that we are desirous of entering, according to the requisitions of the laws of this Kingdom, the ships "Amazon," and "Mary & Adeline," with their cargoes, and for this purpose have endeavored, in vain, to wait on you with their manifests. But find the Custom-house closed and under military guard of French soldiers.

Those vessels are now suffering serious loss from this detention, and we beg that you will inform us how to proceed in these circumstances, to accomplish the objects of those vessels, without at the same time infringing the laws of this Kingdom.

We remain your obedient servants, (Signed,) S. H. WILLIAMS & CO.

Honolulu, Island of Oahu, August 27, 1849.

Gentlemen—I have the honor to acknowledge the receipt of your letter of this day's date, in which you inform me that you are desirous of entering, according to the requisitions of the laws of this Kingdom, the ships "Amazon," and "Mary & Adeline," with their cargoes; that you have endeavored, in vain, to wait upon me with their manifests, but found the Custom-house closed and under guard of French soldiers.

It affords me great satisfaction to notice your willingness to comply with the laws of this Kingdom, and your anxiety to accomplish the objects of said vessels, without infringing those laws.

The French soldiers under command of Rear Admiral Legorant de Tromelin have taken possession of the Custom-house, and my books, papers and blanks are locked up in that building, so that it is out of my power to get at them; I am consequently unable to attend to my official business, and am for the present unable to advise what course you may pursue with regard to discharging the cargoes of the vessels consigned to you. I will write you again early to-morrow, and will afford you every facility in my power.

I would most respectfully refer you to your Consul for advice in this matter, and remain, Gentlemen, your most obedient servant, (Signed,) CHAS. R. BISHOP.

To Messrs. S. H. WILLIAMS & Co., Merchants.

The following is the Proclamation posted in Honolulu by the French Admiral, and against which His Hawaiian Majesty Protested.

TO THE INHABITANTS OF HONOLULU.

The conferences held on board the "Gassendi" with the view of arranging, in an amicable manner, the differences between France and the Hawaiian Islands, having resulted in a resolution of the King in Council which the representatives of the French Republic have deemed it their duty to reject.

In consequence of the system of procrastination adopted by the advisers of King Kamehameha, as also of their persistence in interpreting, unfairly, the Treaty of the 26th March, 1846, the undersigned Rear Admiral, Commander-in-Chief of the Naval Forces of France in the Pacific, has notified to the Hawaiian Government, officially, the expiration of the said Treaty from the present date.

France and the Hawaiian Islands are respectively placed under the binding stipulations of the Treaty contracted on the 17th July, 1839, between Captain Laplace and King Kamehameha III.

Considering that, in consequence of the interpretation erroneously attached to the Treaty of the 26th March, 1846, the Hawaiian Government continues to impose upon French commerce and upon French citizens burthens and disabilities which have been vainly protested against, the undersigned will confine himself for the present to the disarming the fort of Honolulu and to the seizing of the schooner the "Kamehameha," giving up the other vessels provisionally sequestered, to their respective owners, whom it would be harsh to render responsible for the errors of the King's advisers.

The undersigned furthermore holds the Hawaiian government as responsible for all vexatious acts of injustice or prejudice that may be inflicted on French citizens or on their property, and informs all French residents who may wish to seek an asylum on board the steam corvette the "Gassendi," or the frigate "Poursuivante," that they will be received and conveyed as they may prefer to Tahiti or to the north-western coast of America.

LEGOARANT DE TROMELIN, Rear Admiral. On board the frigate of the French Republic, the "Poursuivante," 30th August, 1849.

The following interesting correspondence ought to have appeared in the pamphlet, but it was sent in only at noon of the 8th Sept. and could not be printed but in the Appendix:

The Admiral, to the Consul of Chile. ADMIRAL'S FRIGATE OF THE FRENCH REPUBLIC, "LA POURSUIVANTE," Honolulu, the 23d Aug. 1849.

Naval Station of the French Republic, in the Pacific Ocean.

Mr. the Consul—The Hawaiian Government, especially in these latter times, violated the Treaty concluded between France and the Sandwich Islands, on the 26th of March, 1846, in a manner which requires a prompt and complete reparation, which divers acts of which French citizens have been the victims render still indispensable.

I have taken, in concert with Mr. the Consul of the French Republic in the Sandwich Islands, all the measures compatible with the dignity of France to obtain an amicable arrangement, but the obstinacy of the Hawaiian Government appears to wish to force me to make use of the means at my disposal

to oblige them to enter into the ways of reason and justice.

In this circumstance, and agreeably to the conclusions of the ultimatum, sent in by me, in concert with Mr. the Consul Dillon, I have the honor of appraising you that the delay fixed for the Hawaiian Government to make known their answer to me, will expire on the 25th of August current, Saturday, at 3 o'clock of the afternoon, after which delay, if the Government of His Majesty King Kamehameha III., does not give me a complete satisfaction, it will only remain for me to reclaim, by force, what I have demanded, at first, in the pacific way of correspondence, and what I have not been able to obtain through the means of a conference, which was refused to me.

In informing you, Mr. the Consul, of these dispositions, I ought to give you, here, the assurance that the French Republic has no view either to an occupation or a protectorate of the Hawaiian Archipelago, but only to a complete reparation. I shall give the necessary orders in order that, in the case of hostilities taking place, Chilean commerce and properties be respected, as ought to be those of a friendly nation.

I have the honor of inviting you to carry these dispositions to the cognizance of your compatriots, that they may take, to-day, the measures necessary to place themselves, on their side, under cover (abri) from all the hazards which may result from the operations which I may be in the case of ordering against Honolulu.

I pray you to be pleased to acknowledge the receipt of the present notification. Receive, Mr. the Consul, &c. &c.

The Consul of Chile, to the Admiral. CONSULATE OF CHILE, Honolulu, 24th August, 1849.

Sir—I have the honor to acknowledge the receipt of your despatch bearing date of yesterday, in which you do me the honor to inform me that in case the Hawaiian Government do not comply with the demands made by you and Monsieur le Consul Dillon for reparation prompt and complete for a violation of the Treaty concluded between the Government of France and the Sandwich Islands on the 26th March, 1846, you will after three o'clock to-morrow afternoon, use the force at your disposal to enforce that which you have attempted in vain to obtain by means of pacific correspondence, and also by means of a conference which has been refused you.

In consequence of your despatch I shall hasten to inform the citizens of the Chilean Republic, resident on the Sandwich Islands, of your intention to respect the Chilean flag and property.

I have the honor to remain, &c. &c.

Honolulu, 28th Aug. 1849. Sir,—We the undersigned, on behalf of the governments we have the honor to represent at the Court of H. H. M. King Kamehameha, the 3rd, having examined the reclamation made by you and Monsieur le Consul Dillon, against the Hawaiian Government, and the replies of the Hawaiian Cabinet to them, most respectfully take this early opportunity to state, that we view with alarm the evil consequences to the commercial interests of the citizens and subjects of our respective governments, arising from the hostile position you have assumed in landing an armed force and in having taken possession of the Fort, the Custom House, and other Government Offices of Honolulu, as well as all the Hawaiian trading vessels; thus putting an entire stop to the transactions of business at this and other parts of these Islands.

In view of these facts and the paramount foreign interests over the Hawaiian Islands, we deem it our duty respectfully to communicate to you, this our earnest remonstrance against the proceedings above alluded to, and we solicit your consideration to the very serious barrier you have placed in the way of our respective countriesmen, from following their usual commercial avocations, and trust that you may find the means of obtaining justice for French citizens, in some measure less disastrous to foreign interests here, than the one you have pursued.

We take this opportunity of expressing the sentiments of the very high consideration with which we have the honor to remain, &c. &c. (Signed,) LOUIS H. ANTHON, Royal Danish Consul. ROBT. C. JANION, Act'g Consul for Chile. J. F. B. MARSHALL, Consul of Peru.

To Rear Admiral LEGOARANT DE TROMELIN, Commander-in-Chief of the Naval Forces of the French Republic, in the Pacific.

[Translation.] Steam Corvete of the French Republic the "Gassendi" at Honolulu, the 28th Aug. 1849, at 2 p. m.

Naval Station of the French Republic, in the Pacific Ocean.

Messrs. the Consuls,—It is with surprise that I have read the collective note, with which you have honored me this day, and in which you apprise me of the embarrassments which I have put to the commerce of the nations, over the safety of whose interests here, you are charged to guard. Not only, I have not caused to be arrested any but Hawaiian vessels, but even in the foresight that the commercial operations of foreigners might be arrested, I have notified, since Sunday the 26th, current, Mr. the Minister of Foreign Relations of the Hawaiian Government, that the Custom House might be opened without difficulty from yesterday morning, Monday, and that ingress and egress might take place there, as usual.

Besides, to Mr. Willie, the merchant-vessel embarked in vessels arrested by my orders, might be landed without opposition, under the presentation, to the Captain of the "Gassendi," of a certificate of property, emanating from the Director of Customs, and issued by the Minister of Foreign Relations. This measure was necessary to prevent individuals from coming to claim of us, merchandise which did not belong to them.

I cannot be responsible for the non-opening of the Custom House, where I had only placed "factionnaires," sentries, to protect it. Nevertheless, to remove, on my side, any pretext to the suspension of operations, I have caused to be removed the sentries appointed for the guard of the edifices; and I notify you, here, that I cease to be responsible for the damages and disorders of which they may be the cause.

In regard to the occupation of the Fort, it cannot, in any way, hinder mercantile operations. Receive, Messrs. the Consuls, the new assurance of my very distinguished consideration. (Signed) LEGOARANT DE TROMELIN.

To Messrs. the Consuls of Denmark, of Chile, and of Peru.

Good mortar made of pure, well-burnt lime-stone, properly made up with sharp clean sand, free from any sort of earth, loam or mud, will, in time, actually petrify, and turn to the consistency of a stone. It is better to put too much sand into your mortar than too little. If it were all lime, it would have little more strength than clay. —Miller's Guide.

THE POLYNESIAN.

HONOLULU, SATURDAY, SEPT. 15.

POPULAR EDUCATION.

One of the most difficult things to be accomplished in a nation is the education of the masses. And at the same time it is one of the most important. In a popular government it falls short of the truth to say important, for it is imperiously necessary and indispensable. Selfishness may be maintained in ignorance; but liberty must rest upon enlightenment.

Here is the problem to be solved for South America. This is the arduous task which must be performed for these republics.

Public and authentic statistics are not to be obtained on the subject; but the fact is apparent, nevertheless, that the majority of the inhabitants of the country have not the small advantage of knowing how to read and write. We have said a majority for the purpose of speaking entirely within bounds; but that majority is extremely large. Perhaps no other Spanish American state is better off; yet that should only be an incentive to set them the needed example of a better policy. So far as our personal investigation has extended, the facts discovered have been truly depressing. In this city it is probable that not one of the inhabitants high and low, that not one man enjoys at this moment the benefits of the simplest primary instruction. And in the provinces at the North the proportion will bear no comparison with even that. At the South the state of the case is worse still.

Here then is the difficulty. This weight of untalented multitudes lies upon the republic, like a mountain of lead upon the breast of the giants. To perpetuate and perfect the republic these multitudes must be improved. And how is it to be accomplished? Or by whom? The ignorant cannot instruct themselves. That is clear of itself. Others, therefore, are to do it for them, or else it will be never done. Where then are the persons and where the means?

As the tendency of things here is to look to the Government to effect most measures of utility, let our first glance be thither. Upon a judicious administration it is incumbent to provide all its population with the means of primary education at the least. In this direction a beginning has been made already; but hitherto it is a mere beginning, and quite insufficient. It would be an unjust scandal to charge the Government with indifference in the matter. And yet it would be praise undeserved, any flattery, to admit that it has done all it ought, or all it might have done. On this attention ought instantly to centre. And scarcely anything could be named that deserves to have the preference, in the bestowment either of care or of funds. During the last session of Congress it was proposed that \$70,000 should be set apart for repairing the frigate Chile. Let that sum be employed in establishing good common schools, with suitable masters, in the darker sections of the land, and it would effect a result more beneficial than aught which could be brought about by half a score of the choicest frigates that ever floated. What has been done, therefore, should not be lightly esteemed; but now let the work be seized upon in the magnitude of its importance, and carried into a commensurate effort.

SCHOOLS OF THE STATE.—In connection with some remarks made above on the subject of Popular Education, it is gratifying to notice, that among the earliest subjects brought before Congress was the proposition made last year by Senator Garcia Reyes for the better organization and wider extension of the primary school system. The same gentleman called it up again and urged that action should not be taken too thorough in its nature, nor with too much alacrity. He pleads that there should not be delay in order to establish the system of common schools in the best manner conceivable, but in the best at present possible. This is the true method. Then let improvements be introduced as they shall appear desirable and feasible.

The above is from the Valparaiso Neighbor, and exhibits the fact that there is at least one member of the Chilean Congress who understands the duty of legislating for the true dignity and good of the nation. And we cannot but commend the editor of the Neighbor, who seems to possess, also, those true notions, in regard to what is best adapted to elevate the people among whom his labors are exerting a good and increasing influence.

Ignorance is the parent of crime, and misery. Poverty, pauperism and mendacity follow close in the wake of ignorance; and we can conceive of no greater disqualification, at the present day, for a legislator, or a ruler of any people, than a feeling of opposition, or even indifference to the subject of primary education for every individual in the nation. The school system of these islands, imperfect as it is, is its greatest glory; and we most earnestly commend it to the attention and fostering care of the government. We trust the Minister of Public Instruction, assisted by all friends of the nation, will make it a study to try and remedy the defects that exist, and to increase its efficiency ten-fold if possible.

Cannot manual labor be introduced, as a part of the system, and thus diminish the expense to government? If no reduction of expense can be thus effected, a great gain would result to individuals, and through them to the nation, by the formation of industrious habits; and the proceeds would be a compensation and stimulus to exertion.

In California also, the true spirit is manifesting itself on this subject. In the address of the newly elected Alcalde for San Francisco, who is virtually Mayor, to the town council, we find the following excellent recommendation.

The laws under which we act, oblige each officer without regard to his station, to advance with his utmost zeal, the cause of education. I therefore strongly urge upon you the propriety of adopting measures by which the children of the high—the low—the rich and the poor of this district, can have equal advantages of drinking freely at the fountain of primary knowledge; and it is to be hoped that our territory, which is ere long to be erected into a state and placed by the side of her elder sisters of the Union, will show to them that she fully appreciates education as the only safeguard of our republican institutions, that the liberties of the people are based upon their intelligence and that in this respect, as well as in all others, California will present herself to the world, a Model Republic, without spot or blemish.

Success to all educational measures! Common schools, Academies, Colleges and Seminaries are destined to be the glory of christian nations, and the guarantee of civil and religious liberty.

DIPLOMATIC SQUALL.—We learn by the Neighbor, of the 29th of June, that the American Envoy had asked for his passports, and that there was a probability of serious consequences resulting from the present position of affairs between the United States and Chile.

The President of Chile thus expresses himself in his message to Congress on the subject:

"The discussion upon claims pending between this government and that of the United States, was at the latest accounts approaching a definitive conclusion. But it causes me regret to inform you, that between the Ministry of Foreign Relations and the American Legation, there has not existed the harmony which was to be desired, and which it has been the effort of this government to maintain. The government has the

conviction of having gone as far as the honor of the nation and its own credit permitted it to go. Notwithstanding, the American Envoy asked his passports in view of certain supposed grievances, which he has laid to the charge of the government of Chile, and of the very Reverend Archbishop of Santiago, in various occurrences connected with his marriage with a Chilean lady. The Ministry of Foreign Relations will make you a detailed exposition of the facts in the case.

On which the editor of the Neighbor thus comments:

These remarks are deserving of serious attention. They exhibit the difficult position in which the Government was placed in the occurrence referred to. We do not think the fault lay with the Executive or with the cabinet. The Cronica, in an able and large minded article on the same subject, thinks the very Reverend Archbishop of Santiago should also be exonerated from our mild censure in the matter. This, however, is much more doubtful.

Why could not his Grace grant a dispensation in the case in hand? Hastie thing never been done in this country? Have not men of less elevated station, on the exaction from them of an ecclesiastical fine to the amount of a few hundred dollars, been allowed the dispensation which was denied to the honorable Charge des Affaires of the United States of North America? Desirous as we are to be liberal, we cannot exculpate his Grace.

As for "certain supposed grievances," which the President speaks of with such notable naivete, the question must force itself on many a mind, if these be supposed, what then are real grievances? If to address the wife of a Foreign Minister in a letter, charging upon her the repeated commission of one of the most disgraceful and sinful of offences, and intimating to her further the menace of the last act of ecclesiastical censure, excommunication, should she not renounce her connection with her husband—if these be supposed grievances, then real grievances are not to be found in all the conduct of man towards man. The terms of the message are surprising. The supineness of every press on the subject, save one, up to the present hour is more so; and it is unaccountable, except on the supposition that there is some shadow of fear which causes the repression of unfavorable comments. The Cronica alone has dared to raise its voice in censure. The rest sleep on their posts or else are afraid to speak.

The Cronica exonerates the Archbishop, and the Neighbor the Executive and the Cabinet. On whom, then, rests the responsibility? and on whom shall war be declared in the event of such a misfortune? It seems that the laws are at fault, and are extremely restrictive, in their operation. The Cronica closes a long and stringent article on the subject as follows:—

To us the present state of the case appears not unlike that of the Greek Empire of the East in the time of the Crusades, filled with rhetoric, sophisms, superstitions, and a sovereign contempt for those western barbarians, those Latins who were arriving on the way to Palestine, with their armor, ships and barbarian arrogance. To such an extent did they incommode those barbarians, that one day they set themselves to roll the pelagic empire over, which fancied it had the right to set at naught all the sentiments of the rest of the human race. To-day California stands in the place of Palestine, the land of the crusades in that epoch; in place of the Franks we have the North Americans; and in place of Constantinople, Valparaiso, and five hundred leagues of coast. And if, while the authorities are vexing a North American Envoy, for having committed the sin of marrying with a catholic, a single steamer dispatched by some Hotspur batters down for us some day half a city, to whom then shall we appeal? To the world, to Europe? The world keeps itself right clear of engaging in pastimes with the United States.—To our own proper strength? Against violence and injustice, on the part of the Yankees, there is no appeal on earth.

Let us reform, then, our colonial laws which, appropriating an act of injustice to a sacred use, give rise to these clashing disagreements.

The advice in the last paragraph is well worth attending to, and if followed, will prevent much evil in future. How the matter will end remains to be seen.

DEPARTURE OF THE SPECIAL COMMISSIONER AND PLENIPOTENTIARY.—His Excellency, G. P. Judd, Esq., Special Commissioner and Plenipotentiary Extraordinary, to the governments of France, Great Britain and the United States, took his departure for San Francisco, on the schooner Honolulu, on the 11th inst. His Excellency was accompanied by Prince Alexander Liholiho, the heir apparent, and by his brother, Lot Kamehameha—young gentlemen in whom the hopes of the nation and the affections of the chiefs centre in a very great degree.

If it be a consolatory and cheering thought to the members of the embassy to know that they carry with them the sympathy and the best wishes of the entire community, native and foreign, then will they go with a light heart, and be sustained by the assurance that such is, emphatically, the case. We have never seen, at the Hawaiian Islands, such a demonstration of interest, and such a spontaneous manifestation of sympathy, as was exhibited on the occasion of the embarkation of the embassy, on Tuesday last.

His Majesty, attended by the Queen and Premier, and all the Chiefs and Members of the Privy Council, accompanied them to the ship; and a vast crowd of foreign residents and natives crowded the vessel and the docks, to take a parting look, and to bestow a parting blessing upon those who were going. The ship Amazon, lying adjacent to the Honolulu, manned her yards and gave three hearty cheers as she moved from her berth; while the immense swarms that filled the shipping and wharves, made the welkin ring with their loud and hearty cheers. And as she passed out among the shipping, the cheering was taken up by one vessel after another, till she had passed the whole fleet.

As all this was entirely unpremeditated, and unexpected, it shows most conclusively with what feelings the late transactions of the French, and the object of the embassy to Europe and the United States, are regarded here, by all parties. And it augurs well for the independence of the islands, that such an attempt to interfere with the internal administration of this kingdom, by a foreign power, has met with such a stern rebuke from the public, whose business and interests were jeopardized by the doings of the French.

In recording the wish that success may attend the embassy, and that its members may speedily return, we but echo the sentiment of thousands, as expressed personally on the day of embarkation.

Allusion is made in the ultimatum of Admiral De Tromelin to the necessity of immediate action on the subject of the demands he had to make, and the same necessity for speedy action is inferred from the Proclamation, printed at the Catholic Mission Press, and posted by the Admiral about the town of Honolulu on the 30th ult. Our readers will be able to form an opinion in regard to the absolute necessity of speedy

action, and whether the interests of French commerce required such pressing haste, after reading the communication of a correspondent on the subject of the amount of such interest at these islands. On such subjects, facts are infinitely more to be relied upon than mere assertion; and to any one conversant with the islands, it is well known that there has not been, for a long period, a vessel here under the French flag, except the two men of war, and that one of the latest of the French schooners that touched here on her voyage from Tahiti to California, left a solemn Protest against the action of the French Consul, which was published in the Polynesian last April.

It is due to the Hawaiian government, that it have the benefit of facts of this nature, in order that they may be employed as tests in arriving at conclusions in other matters.

WE learn from the Friend that H. B. M's Herald, hence May 19th, was seen July 12th, entering Bhering's Straits, under full sail.

From the same source we also learn that the whale ship Gem, of Sag Harbor, was wrecked, in January last, on Suvarrow's islands, which are a number of sand banks surrounded by a large reef, about 500 miles to the N. E. of the Navigator Islands.

It is seen that the reef was not laid down correctly on the chart, and the captain not being aware of this, but supposing he had passed it, was going on, no one thinking of danger, when the ship struck the reef about half past 10 at night. About a week after, the mate and a number of the crew reached this in a boat. A small vessel was sent to endeavour to save the rest, but they could not find the island. Capt. Worth; however, and those with him, managed to repair their boats. After being 21 days on one of the sand banks, they left, and got here six days since. All hands were saved.

Original Correspondence.

WRONG INTERPRETATION OF THE TREATY.

MR. EDITOR.—In reading the public documents in your paper of last week, I was not a little puzzled to understand what was meant by "a wrong interpretation" of the Treaty with France. This, it seems, is the vital point in the great wrong done to France. Here is the great, the heinous sin of the Hawaiian Government, for which she has called down the vengeance of the French Admiral, not to say of the French Republic. It is, therefore, of the utmost importance to understand what is meant by "wrong interpretation."

Is it meant that the Treaty is not interpreted by this government according to its letter? This, I suppose, will not be pretended. The language is remarkably plain and definite, and facts abundantly prove, that this government have kept within the letter of the Treaty in affixing the duty.

Does "wrong interpretation" mean, then, that the Treaty has not been interpreted according to its design or spirit? What is the design or spirit of the Treaty? Why were ardent spirits excepted from other merchandise? Why was this government allowed to place a high duty on spirits, if that duty was not so high as to prohibit them entirely, absolutely? The design, most manifestly was, that the quantity introduced might be limited. The exception was introduced from philanthropic considerations, that this government might be able to diminish an acknowledged evil.

Supposing, then, that this government had reasoned thus, "the simple design of this exception in the Treaty is, that we may raise a large revenue from spirits; and thus interpreting the Treaty, they had placed a moderate duty (say 50 or 80 per cent.) on spirituous liquors, and encouraged the introduction for the purpose of realizing a large revenue from the largeness of the quantity introduced. This would have been true political economy, if money only was the object to be gained. I say, if this government had pursued this course, could not the other parties to this Treaty very justly have said, "you have misinterpreted the design or spirit of this Treaty. Our commerce, especially our whaling interests, are deeply injured by the great amount and cheapness of ardent spirits at all the Hawaiian ports, to say nothing of their debasing influence upon the native population. The duty must be greatly raised, so as to limit the amount, and thus diminish the evil to our shipping. You have, from love of gain, misinterpreted the spirit of the Treaty, and we shall hold you responsible for its violation." In such a case, if France or England had taken this ground, would not the conscience and the common sense of the world have been on their side? This would indeed have been a violation of the Treaty, not of its letter, but of its obvious design or spirit. But it is not pretended that this government has misinterpreted the spirit of the Treaty. Can you tell me, then, Mr. Editor, in what way she has misinterpreted it? Is it by making the duty too prohibitory? Is it clear, from the reports of the custom house, that the spirituous liquors introduced under the present duty are not enough for the public good, and therefore the government has misinterpreted the Treaty by making the duty too high?

Can you remove my perplexities on this subject, Mr. Editor, and thus enlighten

A SPECTATOR.

IN answer to the reasonable queries of our correspondent, we are obliged to confess that we can throw no light whatever upon the subject; that is to say, we can render him no assistance in his attempt to discover wherein the government has misinterpreted the French Treaty. That it is not in its letter, is quite apparent to any man of common sense. That it is not in its spirit, is equally apparent from the admission of M. Dillon himself, as will be seen on page 165 of the pamphlet containing the correspondence on the subject, which is as follows:—"Mr. Dillon admits that the object of the governments of France and Great Britain in consenting to the increase of duties on wines and brandies was a philanthropic regard to the moral wishes of this government." The moral wishes of this government are, and have ever been, to restrict, diminish, prohibit spirituous liquors from being introduced here at all; because, from first to last, from beginning to end, the traffic in, and consumption of, spirituous liquors, is demoralizing and a curse to mankind. And it follows as a necessary consequence, that the government would, in conformity to the letter and acknowledged spirit of the Treaty, impose such a duty as would restrict,

while it did not prohibit, the importation. Such doubtless, has been the effect of the duty of five dollars a gallon, as is evident from official details, already before the public. It is not at all certain that \$10 per gallon would not be for the public good, and still leave the Treaty unviolated.

We are constrained, therefore, to say to our correspondent, and to all our readers,—to the friends and to the enemies of the Hawaiian Government, that to discover wherein the French Treaty has been either violated or misinterpreted, the idealized couplet of the poet will need to become a reality.

"Of optics sharp it needs I ween,
To see what is not to be seen."

For the Polynesian.

MR. EDITOR.—In all the published documents (preceding the recent hostilities commenced by the French Admiral and Consul,) I have seen nothing calculated to give people abroad a true idea of the magnitude of French interests, and interests of French citizens residing here. As these should be known to enable the world to form a correct judgment of the transactions which have recently taken place, I have thought it might not be improper to give the following facts.

The whole number of Frenchmen,* (not including the French priests) residing on the islands, is twelve! Of these, one is a merchant, and probably transacts about the one thousandth part of the commercial business of the islands; one is a hotel keeper, and has about the same proportion in that line of business. The remainder (with the exception of one clerk) are in the employ of Englishmen and Americans.

At least ninety-nine-one-hundredths of the spirituous liquors imported into the country, have been imported by English and American merchants; and Englishmen and Americans have consumed them, and of course paid the duty.

There has never been but one cargo of goods imported into this country from France; and there has not been, for the last five years, a French merchant ship at these islands. A few French schooners, &c., have been here, but they have been mostly freighted by English and American merchants.

From 150 to 300 American whaling ships touch annually at these islands, and from five to nine French whalers. The masters of American whaling ships have directly and indirectly, expressed their gratitude to this government for allowing them to land \$300 worth of goods free of duty.

There are more Chinese than Frenchmen at these islands, and they do at least six times the amount of business, yet we do not hear them complain that their interests are not cared for, or because they have to transact business with the custom-house and government offices in the commercial language of the country—although they are treated on precisely the same footing as Frenchmen—as are also Englishmen and Americans. Neither the Danish or Chilean gentlemen residing here and doing business, complain, because their respective languages are not allowed in the various departments of government.

I have seen little boys thoughtlessly disturb the whole congregation in one of the Protestant churches of this town, but I have yet to hear of an American Consul or an American Commissioner making it a subject of official correspondence—or making it a pretext for taking possession of the town, although something similar is one of the reasons why the French Admiral took possession of the Fort, government offices, &c. I have also seen a drunken sailor stagger into the vestry room of the Seamen's Bethel, and make a great noise, and use profane language, probably "to the great scandal of the faithful," but have not seen, or heard of any diplomatic correspondence resulting from the same.

The French Consul, I suppose, acts upon the principle, where they lack real interest, of making a great noise about the little they have.

Yours, &c. OBSERVER.

* Of other foreigners there are about 600, all told, many Americans and Englishmen.

There are 20 stores in Honolulu, and 10 on the other islands.

For the Polynesian.

Sept. 6th, 1849.

MR. EDITOR.—It may not be uninteresting, at this time, to know what response has been made to the appeal which appeared in your paper some time since, in behalf of the French Evangelical Protestant Missionary Society, having their headquarters at Paris.

Several stations, upon the islands, have not yet been heard from. The following sums have been paid into the hands of the subscriber, viz:

1st Church of Honolulu—am't of monthly concert	\$32.00
2nd do. do.	15.00
Native Church, Hana, am't of m. c't	8.00
Do. do., Manoa, do.	5.00
Do. do., Lahaina, do.	76.00
Do. do., Ewa and Waianae, do.	10.00
Do. do., Waiāluā, do.	\$1.00
Do. do., Kailua, do.	27.57
Do. do., Mōkōkai, do.	22.00
Do. do., Waiānāe, do.	5.00
A Friend	4.06
Monthly concert, missionaries and foreigners, at Honolulu	15.14
Punahou school	9.18
Miscellaneous contributions	4.87
Capt. Loughman, of the B. I. Army	3.00
Abner Wilcox	10.00
A. S. Cooke	5.00
Mrs. Richards	5.00
E. H. Rogers	5.00
B. W. Parker	10.00
E. Whittlesey	2.00

