

HAWAIIAN GAZETTE.—SUPPLEMENT.

REIGN OF HIS MAJESTY KAMEHAMEHA V.—THIRD YEAR.

BIENNIAL REPORT

OF THE

CHIEF JUSTICE OF THE SUPREME COURT

TO THE

LEGISLATURE OF 1866.

TABLES AND REPRESENTATIVES:

In conformity to the law establishing the Judiciary Department, I have the honor to submit to the Legislature a report of its administration, and business for the last biennial period. I have taken the liberty to call your attention to some modifications in the laws which more especially bear on the domestic relations and morality of the people, and also upon some other matters of a general character.

SUPREME COURT.

The following is a summary of the criminal cases tried in the Supreme Court during the years 1864 and 1865:

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Robbery	1	1	1	1
Forgery	1	1	1	1
Assault and battery	1	1	1	1
Drunkenness	1	1	1	1
Violating Rules Board of Health	1	1	1	1
Adultery	1	1	1	1
Assault with dangerous weapon	1	1	1	1
Disturbing quiet of night	1	1	1	1
Furious and heedless riding	1	1	1	1
Gross cheating	1	1	1	1
Housebreaking	1	1	1	1
Housebreaking with intent to commit incest	1	1	1	1
Housebreaking with intent to commit burglary	1	1	1	1
Housebreaking with intent to commit larceny	1	1	1	1
Housebreaking with intent to commit adultery	1	1	1	1
Housebreaking with intent to commit malicious injury	1	1	1	1
Housebreaking with intent to commit nuisance	1	1	1	1
Housebreaking with intent to commit selling goods without license	1	1	1	1
Housebreaking with intent to commit violating Rules Board of Health	1	1	1	1
Housebreaking with intent to commit Sabbath	1	1	1	1
Total	8	7	7	23

In a few other cases, a *nolle prosequi* has been entered on motion of the Attorney General.

This is an improvement on the previous biennial period, not only in the number of cases, but in the criminality of the offenses. During this time there were two cases of manslaughter, in which the parties charged were convicted, and there were thirty-five criminal cases tried, and in twenty-three there were convictions—while during the last biennial period there were only twenty-three cases tried, in fifteen of which there were convictions.

There have been fewer civil cases brought than in the previous biennial period, and of these a majority have been admitted to the Court without the intervention of a jury. Parties often prefer this mode, as it saves expense, which bears heavily on the litigants.

During 1864 and 1865 there were granted fifty-two divorces, as follows:

	Husband Complainant	Wife Complainant
Adultery	4	3
Willful Desertion	19	15
Willful Desertion and Adultery	8	2
Coverture	1	1
Total	31	21

and thirty-five applications for divorce were denied. Permits to divorced persons to marry again were granted to nineteen men and twenty-five women—total, forty-four.

In the present period it will be observed that there were one hundred and twenty-seven. It is very evident that there is cherished by the people a higher regard for the duties and obligations of the marriage relation than formerly. Two hundred and three hundred cases were not uncommon in former years.

The moral condition of the people is improving by the liberal system of education which His Majesty's Government have adopted, aided by the religious teachings of many devoted men. The Probate Court entertained one hundred and eighty-five cases commenced within this biennial period, and fifty-three were continued from prior date. In many of these cases there are numerous hearings, where the estates were large and the affairs greatly involved.

The business done by the Court in Admiralty and Equity is always of great importance to the parties, and in cases of Admiralty often gives rise to questions of an international character, which require a very thorough examination.

The following tables exhibit the crimes and misdemeanors going before the lower Courts during the last biennial period. While the reports from some of the Courts and Magistrates are full and reliable, it is to be regretted that this cannot be said of all of them. There was a total failure to make returns to the District Justices of a portion of Hawaii and Kauai, so that I am unable to give a satisfactory account of the business of those Courts. The returns from the Circuit Courts and from the Circuit Judges are generally satisfactory.

In Police Court, Honolulu.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Drunkenness	14	6	20	16
Assault and battery	1	1	1	1
Violating Rules Board of Health	54	31	85	56
Adultery	1	1	1	1
Assault with dangerous weapon	1	1	1	1
Disturbing quiet of night	18	3	21	23
Furious and heedless riding	35	16	35	21
Gross cheating	1	1	1	1
Housebreaking	1	1	1	1
Housebreaking with intent to commit incest	1	1	1	1
Housebreaking with intent to commit burglary	1	1	1	1
Housebreaking with intent to commit larceny	1	1	1	1
Housebreaking with intent to commit adultery	1	1	1	1
Housebreaking with intent to commit malicious injury	1	1	1	1
Housebreaking with intent to commit nuisance	1	1	1	1
Housebreaking with intent to commit selling goods without license	1	1	1	1
Housebreaking with intent to commit violating Rules Board of Health	1	1	1	1
Housebreaking with intent to commit Sabbath	1	1	1	1
Total	118	58	121	85

Police Court, Lahaina.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Assault and battery	25	16	44	18
Adultery	18	6	24	8
Affray	3	6	9	3
Breaking Sabbath	3	6	9	3
Aiding deserters to escape	1	1	1	1
Larceny of animals	6	1	7	3
Deserting masters' service	3	3	6	3
Gross cheating	3	3	6	3
Discharging seamen without permission	2	2	4	2
Drunkenness	44	8	52	22
Common carrier and brewer	1	1	2	1
Deserting a husband	3	3	6	3
Furnishing intoxicating drinks to natives	2	2	4	2
Disturbing quiet of night	2	2	4	2
Malicious injury	1	1	2	1
Furious riding	1	1	2	1
Libidinous solicitations	1	1	2	1
Illicit cohabitation	1	1	2	1
Resenting Justice	1	1	2	1
Disorderly persons	1	1	2	1
Burglary	1	1	2	1
Selling spirits without license	1	1	2	1
Total	118	58	121	85

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Illegal Shipping of Seamen	1	1	1	1
Keeping Gambling House	3	3	6	3
Vic. House without License	1	1	2	1
Letting horses without License on Sunday	2	3	5	1
Larceny	28	16	44	52
Lunatic committed	1	1	2	1
Malicious Injury	2	3	5	5
Burning	1	1	2	1
Obstructing Justice	2	2	4	4
Out after regulation hours	9	2	11	1
Receiving stolen goods	1	1	2	1
Smuggling	7	7	14	7
Selling Spirits on Sunday	5	1	6	3
without License	3	3	6	3
Opium	2	2	4	2
Awa	2	2	4	2
Goods	2	2	4	2
Threatening personal violence	3	3	6	3
Vagrancy	3	2	5	1
Violating Dance House Act	1	1	2	1
Stallion Act	1	1	2	1
House-hiring Act	1	1	2	1
Rules Board of Health	1	1	2	1
Committals to trial Sup. Court	1	1	2	1
Total	615	109	724	601

Total number of cases for the period 1,420.

Circuit Judge, Oahu.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Adultery	5	4	9	1
Assault and battery	6	1	7	1
Drunkenness	2	2	4	2
Disturbing quiet of night	5	5	10	5
Furious and heedless riding	1	2	3	1
Furnishing intoxicating drinks to natives	1	1	2	1
Gambling	1	1	2	1
Gambling house, keeping	3	3	6	3
Larceny	5	3	8	3
Nuisance	1	1	2	1
Selling goods without license	1	1	2	1
Opium	1	1	2	1
Violating Rules Board of Health	1	1	2	1
Sabbath	1	1	2	1
Total	30	16	46	28

District Courts of Oahu.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Adultery and Fornication	12	22	34	3
Affray	4	4	8	11
Assault and battery	20	10	30	15
Blasphemy	1	1	2	1
Cruelty to animals	1	1	2	1
Drunkenness	28	28	56	28
Deserting husband or wife	3	3	6	2
Disturbing quiet of night	6	1	7	2
Furious and heedless riding	1	1	2	1
Gambling	1	1	2	1
Gross cheating	1	1	2	1
House breaking	1	1	2	1
Hula without license	2	2	4	1
Larceny	2	2	4	5
Malicious injury	1	1	2	1
Manufacturing intoxicating drinks	1	1	2	1
Nuisance	3	3	6	3
Perjury	4	4	8	3
Robbery	2	2	4	1
Rape	1	1	2	1
Selling awa without license	2	2	4	3
goods	1	1	2	1
Threatening language	2	1	3	2
Violation of Sabbath	4	6	10	8
Total	58	58	116	46

Circuit Court 2d Judicial District—Maui and Molokai.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Assault and battery	1	1	2	1
Assault and battery with dangerous weapon	4	3	7	1
Burglary	1	1	2	1
Furnishing intoxicating drinks to Hawaiians	2	2	4	2
House breaking	2	2	4	2
Larceny	2	2	4	2
Larceny of animals	1	1	2	1
Perjury	1	1	2	1
Selling spirits without license	1	1	2	1
Total	11	8	19	11

Local Circuit Judge, 2d Judicial District.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Drunkenness	1	1	2	1
Larceny	4	3	7	1
Assault and battery	5	2	7	1
Assault with deadly weapon	1	1	2	1
Adultery and Fornication	12	15	27	1
Gross cheating	1	1	2	1
Furnishing intoxicating drinks to natives	7	2	9	1
Selling intoxicating drinks without license	1	1	2	1
Nuisance	3	3	6	3
Suppression of offences	1	1	2	1
Cruelty to animals	1	1	2	1
Feloniously branding	1	1	2	1
Vagrancy	1	1	2	1
Practicing as physician without certificate	1	1	2	1
Total	34	29	63	34

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Hoomansama	2	2	4	2
Practicing physician contrary to law	2	2	4	2
Lascivious conduct	3	3	6	3
Indecent exposure	5	5	10	5
Common nuisance	6	1	7	1
Total	17	13	30	13

District Courts, Maui.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Drunkenness	60	22	82	17
Larceny	17	12	29	13
Adultery and fornication	38	18	56	33
Gaming	2	2	4	2
Nuisance	1	1	2	1
Assault and battery	51	33	84	34
Violating Sabbath	2	2	4	2
Furnishing intoxicating drinks to natives	20	9	29	29
Malicious injury	5	5	10	5
Embezzlement	1	1	2	1
Affray	10	10	20	10
Breaking pound	3	3	6	3
Deserting husbands and wives	6	6	12	6
Deserting masters	15	15	30	15
Disturbing quiet of night	5	5	10	5
Furious riding	13	13	26	13
Gross cheating	2	2	4	2
Libidinous solicitations	1	1	2	1
Riot	3	3	6	3
Hula	1	10	11	1
Vagrancy	3	3	6	3
Housebreaking	2	2	4	2
Attempt at arson	2	2	4	2
Cruelty to animals	2	2	4	2
Assault with deadly weapon	2	2	4	2
Obstructing course of Justice	3	3	6	3
Forgery	1	1	2	1
Total	268	116	384	268

Circuit Court 3d Judicial District, Hawaii.

Cases	1864		1865	
	Overruled	Admitted	Overruled	Admitted
Assault and battery	3	3	6	3
Larceny of animals	1	1		

BIENNIAL REPORT OF THE JUSTICE OF THE SUPREME COURT TO THE LEGISLATURE OF 1866.

REPORT OF THE JUSTICE OF THE SUPREME COURT TO THE LEGISLATURE OF 1866. The report details the court's activities, including the number of cases heard and the time spent on each, as well as the names of the judges and clerks.

AN ACT

TO AUTHORISE THE ISSUE OF TREASURY NOTES.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SEC. 1. The Minister of Finance is hereby authorized by and with the authority of His Majesty the King, in Cabinet Council, to issue Treasury Notes, payable to bearer, without interest, to an amount not exceeding ——— Dollars, and of the denomination of one, two, three, five, ten and twenty dollars, for circulation as currency.

SEC. 2. The said Treasury Notes shall be prepared under the direction of the Minister of Finance, signed by him and countersigned by the Registrar of Public Accounts, and the said Minister of Finance shall keep in a book or books provided for the purpose, accurate accounts of the number, date, and amount of each Treasury Note signed and countersigned as aforesaid, and issued.

SEC. 3. The said Treasury Notes shall be receivable in payment for all public dues.

SEC. 4. The faith of His Majesty's Government is hereby solemnly pledged for the payment of said notes in specie to the holders thereof, on demand at the Treasury.

SEC. 5. The Minister of Finance is hereby authorized to issue, by and with the authority of His Majesty the King, in Cabinet Council, Treasury Notes to an amount not exceeding ——— Dollars, of any denomination not less than twenty dollars, and bearing compound interest reckoned annually, at the rate of 6 per cent. per annum, and payable, both principal and interest, in specie at maturity. And the period of maturity shall not extend beyond ten years, and the faith of His Majesty's Government is pledged for the prompt redemption of the same in specie.

SEC. 6. The Minister of Finance shall make a full report to the Legislative Assembly of the amount of issue of said Notes, stating the several denominations, for the biennial period, together with the amount outstanding, stating separately, the amounts of Notes bearing interest and those not bearing interest.

SEC. 7. The Minister of Finance is hereby authorized to defray the expenses of engraving and printing the Treasury Notes herein authorized, out of any unappropriated money in the Treasury.

SEC. 8. Any person or persons who shall falsely make, forge, counterfeit, or alter, or cause or procure to be falsely made, forged, counterfeited, or altered, or shall willingly aid or assist in falsely making, forging, counterfeiting or altering any Treasury Note issued under the authority of this Act, or shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into this Kingdom from any foreign place, with intent to pass, utter, publish or sell, any such false, forged, counterfeited, or altered Treasury Note, with intent to defraud any body corporate or politic, or any person or persons whatsoever, every person so offending shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine not exceeding Five, Thousand Dollars and by imprisonment and confinement to hard labor not exceeding Ten years, according to the aggravation of the offense.

SEC. 9. The Minister of Finance is hereby authorized, by and with the authority of His Majesty the King in Cabinet Council, to loan on good and approved security, with interest, for a time not exceeding six months on any one loan, any surplus funds in the Treasury which will not be required for the redemption of the Treasury Notes as aforesaid, or for the payment of any other demands within the period of said loans.

Table with columns for 'OTHER', 'HAWAIIAN', and 'FOREIGN'. It lists various items and their corresponding values, likely representing the financial details of the Treasury or the court's operations.

Table with columns for '1865' and '1866'. It contains numerical data, possibly representing the court's performance metrics or financial records for those years.

Vertical text on the left side of the page, likely containing additional legal notices, reports, or administrative information.

HIDES, SKINS, TALLOW.

THE UNDERSIGNED CONTINUE TO pay the highest market price for Dry Hides and Goat Skins and Goat Tallow.

C. BREWER & CO. 439-341

TO WOOL GROWERS.

THE UNDERSIGNED CONTINUE TO buy Wools at good prices. Wools coming to market this Spring particularly desired for making

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PER BARK "J. W. SEAVER,"

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FINE JEWELRY for Ladies,

Such as Necklaces and Bracelets, Earrings and Brooches,

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SILK FOR DRESSES,

French, Swiss, Striped, Checked, and assorted colors.

MOSQUITO NETTING!

Pure White GRASS CLOTH.

Fancy Slippers for Ladies & Gentlemen.

Colored Embroidered Silk Scarfs.

Ladies' Lacquered Work Boxes.

Fine Carved Sandalwood & Ivory CARD CASES.

All kinds of Fans,

Pearl, Cornelian and Ivory Sleeve Buttons and Studs.

And other Curiosities too numerous to mention.

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&c. &c. &c. &c.

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THE UNDERSIGNED WILL GIVE A FIRST

SALE PRICE for the

Following Live Animals Landed Here,

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A Lion and Lioness or Cubs,

A Spotted Leopard,

A Tiger,

A Variety of Deer,

A Zebra,

—BENEFITS—

ANYTHING ALIVE, RARE OR ATTRACTIVE

Apply to

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—AT—

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—EVERY—

VARIETY OF GOODS!

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The Island Trade, Islands of the Pacific

OR NORTHWESTERN TRADE,

CONSISTING OF

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Hardware,

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Shirts of every kind and Quality,

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Powder, Shot, Caps,

CUTLERY OF EVERY KIND,

And very suitable for Trading purposes, Fishing

Twines, &c., &c.

Whalemen's Infits and Outfits!

Anchor, Chains,

Wire Rope, Hubbock's Paints, Hubbock's Boiled Oil,

Turps.

GROCERIES OF ALL KINDS!

Breads and Half Breads

Fine Red 1873 Columbia River Salmon.

—THE—

Cargo of Manila Rope, Keating's patent,

EX BEN VOILICHER, JUST LANDED.

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All the Card Matches to arrive per Syren.

PORTLAND CEMENT

The newest and best Portland Cement in the Market,

guaranteed not only genuine Cement, but genuine

Portland Cement, the same quality as used by

the British Government, and will, when used, remain

firm as a rock, while the other kinds will, when most

wanted, be found full of sand, and the tanks empty,

at a most inconvenient time.

THERE IS ALSO THE LATEST INVENTED

YANKEE RAT-TRAP

Best Price \$2.00 Each.

This trap beats all the rest, and one of mine

caught an old four-legged rat the other traps could

not catch. It was a Ladies' Secretary, and there

was very great joy over the event. The rat was under

the age of 50 years of age.

My sons J. T. WATERHOUSE, jr.,

and H. WATERHOUSE,

attend to the business, and will serve all customers

ON THE VERY BEST

AND MOST LIBERAL TERMS.

Country Orders Especially Invited.

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Honolulu, Nov. 11, 1873.

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PIE FRUITS AND PICKLES!

Fresh French Olive Oil,

AND AN

Extensive Assortment of other Groceries

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H. HACKFELD & CO.

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Columbia River Red Salmon!

Of the Packing of 1873.

For Sale by

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Dellinger's Pilot Bread!

IN BOXES.

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JEFFREY & CO.'S EDINBURGH ALE,

IN QUARTS AND PINTS.

NORWEGIAN ALE IN QUARTS AND

PINTS.

Guinness Ale, Key Brand, in quarts and pints.

Holland Gin, stone jugs in kegs.

Holland Gin, square bottles in cases.

Strong Rum, in barrels.

Alcohol, in tins and demijohns.

Claret of different qualities.

Liebfrauenmilch, Rhine Wine!

Seltzer Water, in Stone Jugs.

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A Small Lot of Westphalia Hams,

A Prime Article,

Just Received ex R. C. Wylie,

And for Sale in quantities to suit.

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Crushed Sugar,

IN 100 LB. KEGS,

FOR SALE BY

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ALL SORTS, SIZES & DESCRIPTIONS

—AND—

BUILDING MATERIALS!

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Nor'West Scantling, Timber!

PLANK, BOARDS,

Battens,

Flooring,

Laths,

Pickets, &c.

—AND—

REDWOOD SCANTLING, TIMBER,

Plank, Boards,

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Laths, Posts,

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&c. &c. &c.

White Pine Boards,

Doors, R. P. 1mo., 2mo., & Sash

SASH AND BLINDS,

NAILS AND GLASS,

Wall Paper and Border

In Large Variety.

PAINTS, OILS, TURPENTINE, VARNISH,

Paint and Whitewash Brushes,

Locks, Hinges,

Butts, Screws,

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WHALE BOATS AND BOAT STOCK!

GROCERIES,

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California Hay,

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Potatoes, Onions, &c.

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HAWAIIAN GAZETTE

[From the Mail's Wreath.]

A Trip to the Summit of Mauna Loa.

By W. W. HALL, Esq.

HONOLULU, Dec. 23d, 1873.

DEAR EDITORS:—Having been often

urged by friends to write an account of

my trip to the top, and into the summit

crater of Mauna Loa, made a few months

since, I have endeavored to do so, and

trust that the result may be of interest to

the readers or hearers of the *Maile*

Wreath.

It was Thursday, the 18th of September,

that I left Mr. Reed's pleasant ranch at

Kapapala, accompanied only by Johnnie,

a half-caste, who was well acquainted with

the mountain and who acted as guide.

He was well mounted on a sorrel horse,

accustomed to chasing cattle over rocks

and ravines; while I rode a little brown

mule, with a pair of tremendous ears,

whose crowning virtue was his power of

endurance.

It was a beautiful day; the sun was

bright, and the top of Mauna Loa, stood

out clearly defined against the Western

sky. The rays of the morning sun lit up

the side of the vast dome-shaped moun-

tain with a rich golden hue, which con-

trasted charmingly with the light, fleecy

clouds that hung like a wreath just above

the line of woods. From the top could

be seen the faintest column of white

smoke, indicating the direction of the

fires above; while a little to the right,

but near a score of miles away, we could

see the thick smoke constantly rising from

Kilanea, and passing off towards the

west. Our road lay through pleasant

land for a distance of seven miles,

until we reached Ainapo, Mr. Reed's upper

ranch. We had now reached an altitude

of over four thousand feet, and the air,

even at midday seemed cool and invigorat-

ing. Mr. Henry Gandle, who has charge,

kindly furnished us with lunch and all the

milk we could drink; also a large canteen

full which we took up the mountain with

us.

We started from Ainapo at two o'clock,

accompanied by a native from Kilanea

riding a knock-kneed horse, and driving a

pack mule carrying a tent, provisions and

blankets. The ascent was now quite rapid,

and our road led through open woods,

filled with wild cattle, and over patches

of strawberries, in some places covered

with fruit. We passed on through the

woods, then over tedious beds of pahoehoe,

where only stunted oaks and bunch

grass can grow, passing once or twice

only to water our animals at the holes

along the road. Johnnie caught a young

goat among the rocks, which he killed,

taking the choicest cuts along to roast at

our camp fire. At four o'clock we reached

the place where former parties had

camped. The camp was well marked by

the ashes of camp fires, and the numerous

empty cans and bottles lying round. As

it was so early, I asked the guide if we

could find grass and wood farther up the

mountain, and as he replied in the affirmative

we continued on until half-past five.

We halted in a sheltered spot with a level,

sandy bottom, and plenty of grass and

wood near by. It did not take long to

build a roaring fire, pitch our tent, tether

our animals, prepare and eat our supper;

and by seven o'clock we were all rolled

up in our blankets and fast asleep. At

three in the morning the guide was up to

rebuild the fire; and he soon found that

his horse and the pack mule had left for

parts unknown. It was very dark, but