

heard his story, and then saw the governor, who promised that the man should have another hearing or trial the next morning, at nine o'clock, and that he should not be punished until I was informed of it. In the morning, however, to my great surprise, I heard that, by the governor's orders, and in his presence, Herron had, at eight o'clock, an hour before the time his new trial was to take place, received twenty-eight lashes. On learning this circumstance, an officer was at once sent to wait upon the governor, to request an explanation of the proceedings, and that Herron might be given up, and held subject to the governor's order, for a proper trial. On receiving the officer, Governor Kekuanaoa declared that it was a misunderstanding relative to his having promised a new trial, and declined giving up the man. In consequence of this, I at once sent a message to demand him, and to state that if he was not surrendered, I should be obliged to take him, for I would not suffer him to remain any longer in the keeping of persons who would inflict punishment with so much precipitation. This caused his delivery. Shortly after, I received a letter, telling me that the corporeal part of his punishment was remitted, but demanding the fine. I took this occasion to write the governor a letter, pointing out wherein he had erred, in order that he might not fall into a similar error; which I have inserted in Appendix VIII.

*The next day I was notified that he would be again tried before a legal tribunal, viz.: the governor and the United States consul. The day after, he was accordingly sent on shore to undergo a trial, which he himself wished, for the purpose of proving whether he was guilty and subject to the fine. The trial of Herron took place in the grass-house of the king, that has been before described; the scene was characteristic, and will show the manner of conducting trials in the Hawaiian Islands. Governor Kekuanaoa, the American consul, Captain Hudson, Dr. Judd of the American Mission, who acted as interpreter, and several officers belonging to the squadron, as well as those of the government police, numerous residents, of all colours and classes, the prisoner, his friends and accusers, were present. At one table the governor and Dr. Judd were seated, at another the consul and Captain Hudson, while the prisoner and witnesses, with the spectators, were standing in groups around. The court was opened in due form, and Dr. Judd stated the indictment, to which Herron pleaded not guilty; every thing was conducted with due solemnity; the oath was then administered by the American consul, to the witnesses on both sides. Dr. Judd examined and interpreted the whole. During this proceeding all were deeply intent in ferreting out the truth, with the exception of his excellency the governor, who was occupied most of the time in*