







Hawaiian Gazette.

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TUESDAY MARCH 5

DISPENSARY VS. SALOON.

The Advertiser wishes to open its columns to the fullest discussion of the Dispensary vs. the Saloon. As a beginning it presents a paper read last evening at the Research Club and would be glad to follow it with letters from men and women who have rational ideas or useful facts to impart.

The main point about the dispensary is: "Would it, by displacing the saloons, lessen the evil of drink? Upon that point the Advertiser is not yet prepared to offer an opinion. The experience of South Carolina goes to show that since the dispensary was started drunkenness—that is to say, public drunkenness—has practically become unknown and crime due to drink has decreased thirty per cent. The absence of the saloon and the inability to "treat" at a bar and the absence of those causes of crime which are found in the assemblage of men where, through common drinking, they are made quarrelsome, surely counts something for temperance. Other causes which reduce the consumption of liquor are: The elimination of the element of personal profit which also removes the incentive to increase sales; limited hours for buying liquor, thus decreasing sales; the uniform rule under the dispensary system of selling for cash; the absence from the dispensary counter of lemons, ice, sugar and other visual incentives to thirst.

We must, however, study local conditions as well as conditions elsewhere to determine whether the South Carolina system would lessen the aggregate consumption of liquor here. The heaviest drinkers among us draw from the bottle rather than from the bar and the cheaper they can get their liquor in bulk the more they may buy of it. We refer, of course, to the natives. These people do not care much for bar drinks at twenty-five cents apiece. The drinking Hawaiian likes to buy a quart of gin and carry it home to his family, where all hands turn in to consume the beverage. Now as dispensary liquor is sold elsewhere at a much smaller margin of price than saloon liquor, and assuredly it would be sold that way here under any system this Legislature might frame, it follows that the native who now gets a quart of poor gin for \$1 might get three pints of good gin for the same money, and thus would drink so much more.

Now we come to the sideboard. Next to the bottle trade the use of liquor in private rooms must be considered. If pure liquor can be bought here less the great margin of profit demanded by private dealers, one would think that more of the stuff would appear on the sideboards and that it would be more lavishly used. Francis Murphy thought Honolulu's sideboard a greater curse than the saloon and perhaps he was right. Assuredly the private stock of wine, beer and spirits is enormous. The saloon having been displaced by the dispensary, the patrons of saloons will strive to get liquor elsewhere. What their chances would be for buying by wholesale as much as they were previously accustomed to buy at retail we cannot say. It would be a rule of the dispensary, if the South Carolina law were followed, not to sell to habitual drunkards or persons whom drink makes dangerous. What would be the effect of such deprivation upon the growth of an illicit liquor industry?

It is well known that the chances of a dispensary law passing this Legislature are much increased by the opinion that it would enable the consumer of liquor to buy more for his money. These are the facts and arguments pro and con as the Advertiser finds them. The facts seem well attested; the arguments may be open to amendment. For that purpose any one who can throw light upon the general subject is welcome, within reasonable bounds of space, to use this paper as a medium.

The greatest River and Harbor appropriation ever made by Congress leaves Hawaii out. That is what comes of sending a Delegate to Washington who has no influence and can get none. Wilcox's only achievement, so far, has been to cash the largest mileage bill ever presented to the disbursing officer of the House of Representatives.

The fact that King Edward's "Prince Hal" days are over appears in his desire to have the social government of his Court reside in the sovereign hands of Queen Alexandra. Such an arrangement would go far to increase the King's popularity, especially among the perturbed British matrons who feared that Windsor Castle might be made over into another Tranby Croft.

The China Gazette of February 2 has the following paragraph which it publishes without such comment as any Asiatic paper ought to be able to supply: "Straits papers report in Kuala Lumpur, rats were dying wholesale there last month—in some shops five to ten have been found dead in a single day. In one shop over a hundred dead rats were found." It is not surprising to hear through American papers subsequently received that the Straits Settlement is now having a run of bubonic plague.

AUSTRALIA'S FUTURE.

The Australians, having acquired a Federal government, are interesting themselves in the choice of a "national" flag. In fact the idea of nationality has spread so widely during the past few years and has brought about such a vital union of the colonies, that a flag other than that of the mother country seems to be its proper and necessary emblem. How much farther this idea may go and what it may lead to in the direction of complete political independence no one can yet tell; but that it is full of portents to the integrity of the British Empire, appears in the eagerness of Joseph Chamberlain to press his scheme of imperial federation and draw the people of Australia and other outlying dependencies into a single great nation having the British Isles as a pivotal base.

There are many things in the way of imperial federation—things that may become insurmountable. In the first place the people of Great Britain and Ireland do not want to lose control of the imperial Parliament at Westminster, as they would surely do if the colonies were permitted to send members there in the same proportion to the number of inhabitants which obtains in Great Britain and Ireland. Insisting as they do upon the control of Parliament they would deny colonialists the full vested rights of a British elector, discriminating between the home-born Englishman and the British Highlander, somewhat as did the late government of the Transvaal between the burgher and the foreign resident. Naturally the effect of such discrimination would be the same in one place as another. We cannot imagine that Australia or Canada or any other part of the so-called British Empire would accept the actual community of empire which Mr. Chamberlain proposes, while bereft of the vital privileges involved. To become a real empire of the Anglo-Saxon citizen, Great Britain must make every citizen equal in his political opportunities.

There are, moreover, strong objections to imperial federation on the other side. As the premier of Canada substantially said not long ago, speaking of the possibility that Great Britain might ask Canada to supply it with an army corps for South Africa, "We will defend our own part of the Empire; we cannot levy troops for the defense of other parts although we might supply some volunteers." Surely that would be a very loose empire indeed which could not mass all its forces or at least draw upon all, for the defense of any threatened point.

The colonials object, also, to a common tariff. Their interests demand economic protection, while those of Great Britain require free trade. An empire with its component parts engaged in hindering each other's trade would be an anomaly. The true empire, such as Chamberlain dreams of, must be homogeneous. If it is not, its status is that of a confederacy; and as Great Britain and her colonies have a confederate relation now, why not let it stand rather than go to the trouble of establishing the same thing over again under another name?

The truth seems to be that Chamberlain's idea is an iridescent dream, which will vanish when the stubborn economic and military facts of the situation are encountered. What then? Must not the British Empire continue practically as it is, a congeries of States bound together partly by tradition and mainly by self-interest, but ready where self-interest is violated to fall apart into separate Anglo-Saxon nations, majestic in their racial fraternity but unalied in political purpose? In the light of all past history and future probabilities, such would seem to be the natural fate of that mighty power. We may well anticipate that if ever Great Britain stands ringed by enemies, its colonies will be glad to stay out of the bloody press if by so doing they can get immunity from harm and a chance to work out their own salvation.

When that day comes it will be but the severing of a single weak tie for Australia to become a republic and take in her own hands the lighted torch of progress passed to her willing hand by other great free States.

THE CIRCUIT JUDGESHIP.

The middle judiciary of Hawaii has never at a lower ebb than it is now and there seems to be no immediate prospect of a rise in its moral and intellectual tides. The initial blame is partly chargeable to Congress and partly to the apathy of those among us, including the Bar Association, whom Congress would listen to if they would only speak.

When the Organic Act was framed the salary of Circuit Judge was put at \$3,000, a sum which a first class lawyer, practicing in Honolulu, may easily earn in three months. It followed, therefore, that the only lawyers likely to accept appointments to the bench are of the following classes:

- I. Those whose public spirit prompts them to leave a rich and growing practice for the sake of securing an honest or efficient administration of justice.
- II. Those who want the title of Judge to help them in their future practice and whose stay on the bench would necessarily be short.
- III. Politicians who conceive that the bench would be a stepping stone to higher office and who would carry the arts and methods of politics to the waterside.
- IV. Shysters who need a judgeship for their salary.

There was no protest lodged against Humphreys, though he had been a street brawler here and had left Arizona for Arizona's good, running from the public press, will read like a leaf torn from the records of Pinkerton's bureau. Little, whose mainland career was well known, and Edings, whose qualities even Humphreys rushed into print to criticize, were permitted to apply for judgeships without a word of objection from any one. People of the strongest character here might have saved President McKinley from the consummate error of these appointments; but they were too busy with their private affairs to bother about it and may, therefore, when some of their important causes are sacrificed by a bad judge or a weak judge, suffer for their neglect of public duty.

In some respects the worst appointment of all is the latest one, that of George D. Gear, a lawyer who belongs to the third and fourth classes described above. His practice, as we showed when his record was contrasted in these columns with the one of Mr. De Bolt, was that of an attorney who had been employed upon very few cases in the Supreme Court and had lost most of them. Politically, Mr. Gear was a bolter last fall, his influence, such as it was, going against the election of a Republican Territorial Senator. If it was the President's belief that it would strengthen the party to give the Humphreys-Gear faction another judgeship, he was woefully misled; for no native Hawaiian, belonging to the Home Rule party, will have much to do with an organization whose leader, the President of the United States, has highly rewarded the man who went to Washington to unseat Delegate Wilcox; and the party as a whole will be hurt by having to bear the odium of the Gear preference. To sum up, there is neither a lawyer's reason nor a politician's reason why Mr. Gear should be made a circuit judge; on the contrary, there is every lawyer's reason and every politician's reason why he should not have been appointed, and should not be confirmed.

WIRELESS TELEGRAPHY.

The Electrical World and Engineer is not impressed with the present state of wireless telegraphy whatever it may think about future possibilities. In ridiculing some of the newspaper stories about the feats of Tesla and Marconi it goes on to say:

Meanwhile, in those corners of the world in which the wireless telegraph is really needed things appear to remain in statu quo. In pursuing our inquiries, we found that a number of wireless telegraph sets had been sent to the seat of war in South Africa, and had been successfully used in communicating between warships sufficiently far removed from the front line. Meanwhile the search for De Witt goes merrily on, and the only hopes found are discovered after the manner of carpet-tacks on one's bedroom floor. It is all very interesting and instructive, of course, to learn that the wireless telegraph is at the front, but what is it doing there? Also in the Chinese campaign, we found that what little communication was established at all was due to the dexterity of the wideawake little Japanese in running telegraph wires. In the practical work of a campaign, the new method seems as yet to have found no place. We learn that our army authorities are doing some capital experimental work, but in spite of the work done nothing published here or elsewhere seems to indicate very startling success in the line of military communications. For special commercial purposes between fixed and not too distant bases the outlook seems rather better, but of definite achievements we hear but little. An exception to the rule should be made in the case of Professor Fessenden's work for the Weather Bureau, which promises to result in the first real practical application of wireless telegraphy in this country to useful purposes.

We are quite of the opinion that, the principle of wireless telegraphy having been discovered, the successful application of it must follow, providing the inventors do not pigeon-hole their patents for pay. But it is not necessary to jump into every undertaking which promises wireless telegraphy or even achieves it under exceptional conditions. There is a vast amount of humbug in the manipulation of wireless telegraphy schemes, but in the end there ought to be a sound result from the general scientific proposition.

Hiram R. Revels, whose death is just announced, was a negro Senator from Mississippi in reconstruction days and a protégé of Charles Sumner. Those who saw him in Washington or elsewhere during Grant's first administration recall him as a quiet, unassuming man, diplomatic of manner and averse to heated politics. On the whole he was a much more respectable man than the present Senator Sullivan of Mississippi, who, in the intervals of his efforts to confer ring rule on Hawaii, lately stopped a woman in the streets of Washington and slapped her face.

The advent of the rubber tire for carriages is doing much to keep the highways of Europe and America from going to pieces. Eventually heavy vehicles will have them with benefit not only to the thoroughfares but to human nerves.

It is suspected that Pettigrew finally settled his old score with Hawaii by making a deal through some Senator who could reach the White House, in favor of Gear for Judge. The appointment has the unmistakable Pettigrew smell.

There is an awful state of suffering from hunger and sickness in various Baltic provinces, but the fact does not interrupt the prodigal outlay of the Czar's government for the army, navy and strategic railroads.

The Commoner seems to be having the same trouble that Bryan's Nebraska regiment had during the Spanish war—it needs a man who knows how to run it.

For a dead man Li Hung Chang is stirring around more than seems really decent. E. A. Cudahy has received a letter from Pat Crowe, stating that he will be publicly appear and prove his innocence in the kidnapping of Cudahy's son.

HAWAIIAN LANDS. "He is Wise Who Talks But Little." This is only a half truth. If wise men had held their tongues, we should know nothing about the circulation of the blood. If it were not for this advertisement you might never know that Hood's Sarsaparilla is the greatest medicine in the world to purify and enrich your blood, create an appetite, give you strength and steady nerves.

WASHINGTON, D. C., Feb. 14.—Nothing more than the providing for an investigation of the public lands of Hawaii by a commission will be done at this session of Congress. This was settled by the action of the Senate committee on Pacific Islands and Porto Rico at its meeting Monday, when the Hansbrough bill, providing for the extension of the present public lands system of the United States to the Islands was not even considered. To emphasize the matter the opinion of the Interior Department is that there can be no absolutely careful or comprehensive legislation without such investigation.

There is now before the Interior Department a bill introduced in the Senate by Senator Sullivan, of Mississippi, at the request of Delegate Wilcox, which was sent to the public lands committee, and by that body sent on to the department, which will bring in the shape of recommendations the full views of Commissioner of Public Lands Herman. This means the view which will prevail should there be legislation on the subject without any more consultation; and the result of the reason becomes more valuable, though it must be understood that there are points on which the commissioner is still ready to hear argument and weigh it, before even framing his recommendations. Commissioner Herman talks to me very freely on the matter, and said at the beginning, and often thereafter, that in the filling up of the public lands and the encouraging of full citizenship only, lies the hopeful future of the Territory of Hawaii. He said:

"We would find great difficulties should there be an extension of the public lands acts to the Territory without some changes, for the conditions which obtain there are so greatly different from those which have brought about the laws now governing the public lands of this country. There, so many conditions of fertility and peculiar fitness for several products, that it would be folly to attempt to apply our conditions to the Islands. I have had great interest in the land question of the Islands, and I am still gathering all the information that I can. I believe that the only way that we can act finally with justice, will be to send a commission to investigate the entire question and report to Congress on the various conditions, and what sort of lands will best preserve to the people the public domain.

"I would say from my studies that the lands would have to be divided into several classes. First, there would be the fertile and highly valuable lands, which lie close to and are watered by the streams in the various Islands, the lands which are capable of high cultivation. These are of such a character that a few acres would be sufficient for the cultivation of a family, and it might be found that there should not be more than twenty, or even ten acres, given to one holder. In many instances, perhaps, the tracts would be so small that the divisions could include the smaller amount of such land, with an adequate amount of less fertile lands to place with these, so as to make a good homestead for a family. After these would come the lands which are susceptible of little cultivation; lands which might afford forage for cattle, and nothing more, and in such cases there would have to be a larger amount given to induce homesteaders to take up the lands. Perhaps it might be found that there would be fair divisions of such lands, these lands be cut up into homes of 500 acres each. Then would come the lands which are capable of irrigation, and there again in justice to the homesteaders, there would have to be a new division of acreage made, and the lands might be found to be best capable of supporting the people when given in 100 or 150 acres to each. These are only the sizes which occur to me as possibilities, and are not to be taken as my final decision, even with the aid of some other intelligent men of other class of lands to which I would give much attention, is the forest lands. There must be close attention paid to the preservation and extension of the forests, and the first duty of the lands administration would be the taking of steps to set aside reserves, and provide for the care of the forests, and for the preservation of the water supply.

"As to the class of lands which are used only for grazing, it is, of course, possible, a bill now before the Congress may have something to do. It is proposed in the bill introduced by Senator Warren, to set aside the monies received from public lands in the arid zone and Territories for the purpose of providing storage reservoirs and canals, for the distribution of the water so stored over the lands. This is one of the ways in which it is thought that the Congress will give the money needed for an irrigation of the lands without any appropriation of new funds. Of course, it amounts to the same thing in the long run, for the most of the lands now owned by the Government lie in the arid States, so called. It may be that in the adoption of this plan for the reclamation of the western lands there will be formed a basis for the caring for the lands of Hawaii which are in need of irrigation.

"As to the lands which are now held under lease by the large corporations, more information is necessary before one could give an absolute opinion as to the plan to be followed. Speaking generally, I should say that there would be necessary in the homestead agreements a clause allowing the leasing of lands for a fair rental value for the purpose of cultivating same, or perhaps, such clauses as would permit the homesteader to grow cane under an agreement with the plantation owner without residence upon the land, but in continuity to it. There would be need of some such plan to prevent the assembling of large tracts in the hands of the plantations, or men connected with them. Primarily, the laws which are needed are those which will place on the lands of the Territory a population which will till the soil, and which will be attached to it and make a population which will fill up the Territory with good American families.

"As to the administration of the laws there I would favor the present American system. This is the placing in the land offices of the Territory a register and receiver for each district. This forms a poor man's court. In case of trouble there would be necessary no expense to decide any question which may arise. The settler can now, in any land office, file his claim, which is first adjudicated by the officers named. In the event of any disagreement or dis-

FILIPINO LAWS.

MANTLA, Feb. 23.—Commissioner Worcester is preparing a bill for submission to the commission, permitting the leasing of land until a government shall have been established which shall have authority to alienate the lands for mining claims. Many squatters have settled in the province of Benguet and Lepanto and are mining gold and other metals, which abound. The leases authorized by the proposed bill will not permit the carrying out of mining operations or the cutting of timber, but will give the lessees other advantages in the direction of ownership.

Thousands of men are working upon the government wagon road between Dagupan and Baguio, the capital of the Benguet province, which is being constructed at a fractional part of the cost estimated by army engineers. The records of temperature at Baguio for December and January show the weather to have been remarkably cool and salubrious. A health resort for soldiers and civilians is soon to be established there. The Twenty-third Infantry will sail on the transport Logan March 1, stopping at Vigan to take companies C, E, and M, which have been detained at Ilocos by smallpox, provided the quarantine has been raised.

IMPROVEMENTS IN LOCAL POSTOFFICE.

Louis Kenake, assistant postmaster of Honolulu, taller but fatter than ever, returned on the Mariposa from a two week's visit in California. He went at once to the office, rolled up his sleeves and began his work where he left it several weeks ago.

Prior to the departure of the Mariposa from San Francisco he was a constant visitor at the morgue in the hope of identifying the bodies of Honolulu victims of the Rio disaster should they be found. But after the first bodies were brought in, whose names have been published, none other was discovered. Mr. Kenake, who is a Mason, left orders with the San Francisco lodges to keep a close watch for the body of William A. Henshall and to take charge of it if found.

As to the mail the Rio carried, Mr. Kenake says that most of it will probably be a total loss. A few sacks were recovered. Some of the registered mail pouches were found but they had been cut open and the contents stolen. The value of this mail is problematical and may never be ascertained. Kenake says he saw more California postmasters than he ever expected to meet in his lifetime. He journeyed from one end of the state to the other and visited every postoffice that his itinerary would permit. He was greeted everywhere and given every courtesy and returned chock full of information about the running of postoffices. Before long there may be a number of changes here beneficial to Honoluluans.

"I went through the San Francisco, Los Angeles and dozens of other post-offices in the state," said Kenake, "to see how they work the office, mails and money departments. The general system followed in the local postoffice is about the same as those I visited. There are a few changes which could be made here, especially in the registry division, which would greatly improve our service.

"As to the free delivery system, I saw J. N. Erwin, chief of the western division of free delivery systems, and consulted with him on the needs of Honolulu in that regard. From what he told me I am convinced that nothing will be done about it before July. Mr. Erwin said that so far nothing had been done about it and he was doubtful if the matter would receive much attention before the middle of the year.

"From our conversation and from what I saw in California, the free delivery system in Honolulu will be a very hard proposition as compared with that elsewhere. This will come on account of the irregularity with which the mails arrive in Honolulu. For instance, the mails arriving here on Sundays will have to be delivered, not from the general delivery window but from the carriers' window. The whole system will have to be changed and will require careful study. Then there is the difficulty of receiving so much mail in a bunch of days, while on other days they will not have enough work to keep them busy during the requisite number of hours.

"It may be that some special legislation may be required in regard to Hawaii's free delivery system. The system in other cities is that the carriers work eight hours a day. If by chance he has sufficient mail one day to make him work nine hours, the next day he will work only seven hours. If the business permits, by law he is required to work only forty-eight hours a week." Mr. Kenake was entertained at Los Angeles by Inspector Flint, who took charge of postoffice affairs in Hawaii when the group became a Territory. The Southern Pacific gave the genial Louis a pass over its system during his entire stay and Louis says he "worked it overtime." The night before he sailed for Honolulu he met Ben Naphtaly in a very genial mood.

FRIEND TO FRIEND.

It is not so much what the newspapers say as what neighbor says to neighbor, or friend to friend, that has brought Chamberlain's Colic, Cholera and Diarrhoea Remedy into such general use. It is as natural for people to express their gratitude after using this remedy as it is for a man to flow down hill. It is the one remedy that can always be depended upon, whether a baby be sick with cholera infantum or a man with cholera morbus. It is pleasant, safe and reliable. Have you a bottle of it in your home? For sale by Hanson, Smith & Co., Ltd., sole agents Hawaii Territory.

NEED OF A BAR.

That the Board of Health's determination to bar from Hawaii those afflicted with tuberculosis who seek to come here from other lands, is founded upon a crying need for the stamping out of the germs of that dreadful disease in the Islands, is proven by the monthly death-rate.

During the month of February, seventeen persons died in Honolulu alone of consumption. Pneumonia, of which there was an epidemic, claimed barely more than half that number, nine deaths being laid to it, while inflammation of the bowels carried off nine also.

The total deaths for February were 92, a monthly rate of 231 per 1,000 of population, the population of Honolulu being set down at 32,926. Fifty-two Hawaiians died during the month, 11 Chinese, 6 Portuguese, 1 Japanese, 2 Brits, 5 Germans, and 4 of other nationalities. Of the 51 who passed away during February 50 were males and 32 women. Ten males and 10 females were under 1 year of age; 2 males and 7 females were between 1 and 5 years; 7 males and 1 female between 10 and 20 years; 10 males and 4 females between 20 and 30 years; 7 males and 2 females between 30 and 40 years; 8 males and 2 females between 40 and 50 years of age; 3 males and 1 female between 50 and 60 years of age; 5 males and 3 females between 60 and 70 years of age, and 7 males and 2 females over 70 years.

There were 32 marriages reported and 29 births. Referring to the above statistics, it will be remarked that which barely more than half as many females as males died between the ages of 1 and were over three times as many females as males died between the ages of 1 to 5 years. Between the years of 10 and 20 seven times as many males died as females.

The following were the causes of death: Malaria fever 1, typhoid fever 2, diarrhoea 3, dysentery 4, syphilis acquired 1, septicaemia 1, inanition 2, anaemia 1, cancer of liver 1, cancer of stomach 1, cancer of womb 1, pulmonary tuberculosis 17, senile marasmus 3, old age 3, epilepsy 2, brain congestion 1, brain hemorrhage 1, convulsions 1, tetanus 1, fatty heart 1, bronchitis 3, pneumonia 5, pulmonary congestion 1, gastric ulcer 1, gastro-enteritis 4, inflammation of intestines 2, obstruction of intestines 1, enterocolitis 2, inflammation of liver 1, vesical calculus 1, chronic nephritis 2, Bright's disease 1, childbirth 1, puerperal convulsions, peritonitis 1, shock 1. Summary—Fever 3, diarrhoea 7, venereal 3, apople 1, dietetic 2, constitutional 21, developmental 6, nervous 6, circulatory 3, respiratory 13, digestive 15, urinary 4, reproductive 3, accident and violence 1.

The following reports for February were made to the Board of Health: Plumbing Inspector—Plans filed, 88; permits issued, 86; inspections made, 247; final certificates issued, 57; sewerage connections approved, none. Garbage Department—Cesspools pumped, 183; loads of garbage removed, 560; scows loads garbage to sea, 120; dead animals removed, 6.

Meat and Fish Inspectors—Animals examined, 1,571; carcasses condemned, 7; tubercular cattle destroyed, 1; fluke, liver, 108; fish examined, 108,648; fish condemned, 1,427. City Sanitary Officer—Building permits approved, 36; recommendations made, none; cesspools located, 14; building permits inspected, 3; inspections made, 22; prosecutions in court, none. Sanitary Inspectors—Nuisances reported, 876; complaints filed, none; nuisances abated, 495; inspections made, 2,768.

City Physician—Patients visited, 62; patients sent to hospital, 1; patients treated at office, 48; prescriptions filled, 49. Food Commissioner—Samples of milk tested, 72; prosecutions made, 2; samples of food tested, 11; chemical analyses made, 1; adulterations detected, 16; samples of drugs tested, 14. Pheasant Shooting. Pheasant shooting is over, but plover and foreign duck may be shot until the end of April. Large quantities of plover have recently been seen near town. Sidney Jordan has sent to the Coast for a calligraphic rubber boat which he will use for hunting purposes.

NEWS OF MAUI.

(Special Correspondence.)

WAILUKU, Maui, March 2.—Last evening a large number of Spreckelsville and Makawao district people assembled in the spacious rooms of the new Maunaloa Seminary, Sunnyside, Paia, the occasion being the monthly meeting of the Makawao Literary Society.

The blue print programs of the evening's entertainment were artistic in design, and somewhat unique in their nature, as can be seen from the following:

Plano Solo..... Kate Ivorak Watson She plays with the ease of a pianist. Mrs. F. F. Baldwin Camille D'Arville's great rival. Ben Bolt..... Mr. Geo. H. Baldwin Don't bolt until he is finished.

"BOX AND COX." A Romance in Head Life, in One Act. Box..... Mr. R. S. D'Alton From the Theatre Francaise. Cox..... Mr. Geo. H. Baldwin From the Dream Lane, Linnon, and.....

Mrs. Boucher..... Miss Hart From the Folies Bergeres, Oberlin. Hawaiian Songs..... Munnahou Girls The management guarantees them both genuine.

The famous old play, "Box and Cox," was well rendered, and its many humorous incidents gave great pleasure to the audience. The stage setting of the piece—the mock fire-place, the windows, etc., merit especial mention. The singing by the Seminary girls was much appreciated, as in truth was every number of the program.

On Wednesday Miss Nellie Smith, of Hamakua, returned to Maui, after a year's absence at the Hot Springs, in Arkansas. Her friends are pleased to notice a great improvement in her health.

On the evening of February 23d a "Heart" party was given by Mr. and Mrs. F. W. Hardy, of Makawao. The event was postponed from the 14th on account of inclement weather.

A lunch party was given Wednesday by Mrs. F. F. Baldwin, of Paia, in honor of Mrs. H. P. Baldwin. The table was beautifully decorated. The following ladies were present: Mesdames H. A. Baldwin, F. F. Baldwin, H. A. Baldwin, D. Loveland, M. Dowsett, H. C. Lindsay, W. O. Aiken, W. F. McConkey, W. E. Beckwith, F. W. Hardy, and Miss Mosser.

By today's steamer Mr. and Mrs. H. A. Baldwin, of Hamakua, depart for a brief trip to California. Mrs. H. P. Baldwin, of Hailku, will go to Honolulu today, to remain during the session of the Legislature.

Tuesday evening the young people of Makawao District will participate in a clam bake at Maliko gulch. Query: What about the clam?

Friday evening the Makawao Debating Society will hold a discussion in the parlors of the Foreign church. Rev. Mr. Kincaid did not arrive by the Claudine, as expected, so it is probable that Rev. Mr. Leedingham will again conduct the services at Paia Church during the 3d.

On Wednesday the Mauna Lei property was sold at sheriff's sale, Mr. J. M. Dowsett being the purchaser for the sum of ten thousand dollars. The property was sold in one lot. The judgment on which execution and sale was had amounted to fifteen thousand dollars.

The two Stables stage line between Wailuku and Lahaina began to run regularly today. An injury to the boat used out by the Wailuku Plantation Company to stop the construction of the H. C. & S. Co's tunnel, commenced at the Iao bridge, and a bond of \$2,000 filed. Unless a counter bond is allowed, work will be suspended during the determination of the respective rights of the parties.

Another kona storm on Maui this week, but it was a little one, and did no harm. The road between Wailuku and Lahaina is now in fairly passable condition for carriage travel.

Arthur Wall, postmaster at Lahaina, received his commission from Washington last Saturday. Lieutenant McLeod, of the Salvation Army, leaves today for Honolulu, where he will be taken in charge of the work on Maui by Lieutenant Heisterath, of Kona, Kauai, who will arrive on Wednesday's Claudine.

Thought Them on the Rio. Mainland friends of persons living at present in Honolulu have been much concerned over their probable fate. The San Francisco coroner was besieged with letters in which were the names of people expected to return from Honolulu to the Mainland by the Rio. Among these were Professor Sharp, of Wailuku; Nicholas Company, and his wife, following is the list which appeared in the Examiner, some of whom, however, was on the Rio:

Clifford Morton, 22 years, waiter on steamer; reported missing by his father, Edwin B. Morton, 206 Oak street. Mrs. Robbins, 28 years, widow, Salt Lake City; returning from Hongkong; reported missing by C. C. Eason, 122 South Park.

Miss Robina Robbins, 22 years, Salt Lake City; returning from Hongkong; with her mother; reported missing by C. C. Eason.

George Hayes, 35 years, Los Angeles; returning from Hilo; reported missing by Herbert Lippmann, 116 Geary street. Miss Carrie Eitter of Indianapolis, Ind.; returning from Honolulu; reported missing by Joe Eitter, Carriers, Cal., at Winchester Street.

George Ripley, 35 years, returning from a visit to Honolulu; reported missing by C. H. Ward, 33 Pine street. John Hammersmith, 22 years, older on the steamer; reported missing by J. S. Preston, 511 Taylor street.

Frank Wentworth, Chicago, bookkeeper, returning from Honolulu; reported missing by P. J. Hart, 136 Ellis street. Harry Austin, 22 years, 549 Polson street; reported missing by G. A. Hanks, 54 Polson street.

Mr. and Mrs. Charles Bush of Salt Lake, young married couple returning from Honolulu; reported missing by W. W. Funge, 136 Golden Gate avenue; not known that they were on the steamer. Wm. McConnel, 17 years, employed in the team of the Rio, wrote to his father, Edwin McConnel, 23 Stearns street, that he was coming home on the steamer.

Frank Haddock, 41 years, of Honolulu, was a passenger on the steamer reported missing by Frank Miller, 519 Ninth street. William Ayers, 26 years, blacksmith; has lived in Honolulu for two years; reported back on the Rio, reported missing by J. J. Moore, 900 Railroad avenue. Otto Berger of Yonkers, N. Y., wrote to Lawrence H. Ward, 116 Sacramento street, that he was coming to San Francisco on the steamer.

John Mitchell, 26 years, of Honolulu, had written to E. H. McFarlane, 44 Jessie street, that he would come to California on the Rio. He was reported missing by Henry G. Brulon, 1317 Powell street.

Jessie street, that he would come to California on the Rio. He was reported missing by Henry G. Brulon, 1317 Powell street. Professor and Mrs. William E. Sharp of Honolulu, reported missing by Frank Sharp, 468 Twenty-sixth street. Professor Sharp was leader of the orchestra in the Orpheum Theater, Honolulu.

Rio Famous Ship. CHESTER, Pa., Feb. 23.—The steamship Rio de Janeiro was one of a fleet of Pacific Mail steamships built at the Roach shipyard in this city, although the work was not contracted for by the Pacific Mail Company, at the time of her building.

In 1887 the late John Roach conceived the idea that a fleet of first-class American ships running to South American ports would build up American trade in that section and prove a profitable investment, and he organized a company among his friends and built and equipped two fine ships for the trade as his share of the capitalization. It was believed that Congress would aid the enterprise by giving the line a subsidy for carrying the mail, and the new ships City of Rio de Janeiro and City of Para were built for the service.

The City of Rio de Janeiro was launched on March 6, 1878, and just one month later, on April 6, the City of Para was launched. This was a great occasion in Chester and President Hayes and several of his Cabinet were present as guests of the veteran shipbuilders, President Hayes stood on the deck of the City of Rio de Janeiro and from this point saw the Para slide down the ways.

In speaking of the loss of the City of Rio de Janeiro, John B. Roach, president of the shipbuilding company, said: "The rapid sinking of the ship was due to the fact that she was not built as modern ships are, with water-tight bulkheads dividing the vessel up into comparatively small compartments. At the time the Rio was built this practice of insuring the safety of vessels had not been developed as it is today. The Rio was a staunch and steady ship, splendidly constructed and had proved her seaworthiness in a dozen typhoons, but the lack of water-tight bulkheads was a fatal defect in case the ship struck a reef."

OCEANIC STOCK TOOK BIG DROP. SAN FRANCISCO, Feb. 21.—A hard shock was given to the investment world yesterday by the announcement that the board of directors of the Oceanic Company had levied an assessment of \$10 a share on the capital stock, payable at once, and delinquent in sixty days. This action had been taken on the day previous, and those who were informed of it took advantage of their knowledge to unload their holdings at 95 and over, while the far greater number of shareholders who desired to sell were forced yesterday to accept prices which ran as low as 87 1/2. On Monday Oceanic stock was \$89 bid and \$101 asked, so that the decline in twenty-four hours was \$20 a share, equivalent to 25,000,000 of the total capital of the company. The effect was felt on almost the entire list of securities listed on the Stock and Bond Exchange, but, apart from the Oceanic, is likely to be only temporary in character.

In the absence of John D. Spreckels, president of the Oceanic Steamship Company, who departed some days ago on the steamer Ventura for Sydney, his brother, Adolph Spreckels, was questioned as to the cause for the levying of the assessment. He gave several reasons. The first was the depletion of the Cramps in delivering the three new steamers, thereby preventing the earnings anticipated from that source. Then the expense of fitting out and bringing the vessels to San Francisco had been greater than had been expected. Another reason was the taking up of \$100,000 of the bonds of the company in advance of its being able to place any of the steamers on the route. Still another cause was the expense of \$25,000 for work on the Alameda and Matipoua, and finally the depletion of the reserve fund to a comparatively small sum.

In reply to criticism which had been made at the company's paying out \$150,000 in dividends last year when its earnings for the twelve months were only \$97,000, A. B. Spreckels said that the money for the dividends had been taken from the earnings of the new and larger steamers, but that, although they would be larger than those of the older vessels, and expressed the opinion that the payment of dividends would be resumed in the course of a few months.

As there are 25,000 shares of stock in the Oceanic Steamship Company, the assessment will produce \$250,000. Its capital stock at par is of the value of \$2,500,000, and, as it has a bond issue of that amount, it could not raise the money desired by further issue of bonds. The profit and loss account for the year ended on January 31st last showed a debit balance of \$31,430.07 carried forward. The total assets of \$23,284.90 cash on hand, while the liabilities consisted of \$2,405,000 first-mortgage bonds outstanding, leaving the net assets of the Oceanic Company \$1,774,908.93.

THREATS AGAINST HIS FORMER WIFE. H. Z. Austin of Honolulu has, by his reported threats to kill her, compelled his wife, Ella L. Austin, principal of Waikapu School, to seek the protection of the police. Several months ago Mrs. Austin secured a divorce from her husband on account of his failure to provide for her. The divorce was procured in Waikapu, and the husband immediately moved to this City and engaged with a local tobacco store.

About two months ago he married again and has since threatened his former wife with murder if she did not resume her maiden name. The right to do this was not embodied in the divorce decree, so she has refused to comply with his demands.

She has received several letters from Austin concerning the matter and the last one so frightened her that she complained to Deputy Sheriff Hayesden at Wailuku, and a warrant will probably be issued for Austin's arrest, and he will be placed under bonds to keep the peace.

Morgan on the Canal. WASHINGTON, Feb. 22.—In the Senate today Mr. Morgan, in a speech denouncing the Nicaragua canal bill, stated that the regular critics of the Senate said that every parliamentary strategy was being used to defeat the bill. He thought it time for plain talk, while some of our people in authority were being kicked and cuffed about by the "strong arm" of the law, and it was time for some one to give to this country American enterprise.

THE REAL THING.

HILO, Hawaii, Feb. 28.—Papa Ika, the fire-walker, exhibited to about 200 persons, mostly Hawaiians, on the lot at Waiolama last Saturday night, says the Herald. The affair was a success in every particular, and barring a slip in which the old gentleman's knee touched the baking stones and made him jump, the exhibition passed off pleasantly. The audience was satisfied that the affair was not a fake.

The Washington Birthday at the Hilo Hotel last Friday night was a social success far beyond the expectations of Manager Card. There were about 150 persons present, many of them coming from the outer districts. The verandas and dining room were tastefully decorated with lighting and palms, and these combined with the handsome toilets of the ladies made a brilliant scene. Manager Card received hearty congratulations upon the success of his introduction to Hilo society.

Kaiser, of Hyman Brothers, is in town. J. G. Pratt will leave for Honolulu tomorrow. Mr. and Mrs. S. S. Peck are at the Volcano House.

Contractor Erickson returned from Honolulu yesterday. M. F. McDonald expects his family in Hilo in a short time. Dr. Irwin's horse was seriously injured in a runaway last Monday.

J. L. Robertson secured the handsome punch set painted by Mrs. Bosworth. The work of laying ties on the Hilo Railway to Puna has been completed. Olaa stores at nine miles and Mountain View are now under control of the Olaa Sugar Company.

George Warfield, son of the manager of the Captain Hotel, was a passenger for the Kilauea. A sailor caught pilfering at the residence of William Downer was arrested Saturday night.

The ship Falls of Clyde will clear for San Francisco tomorrow, and will probably sail on Saturday. The thermometer at Mountain View Saturday ranged from 51 degrees at 6:20 a. m. to 88 degrees, at 2 p. m.

Captain Gillette and family, of the Salvation Army, intend leaving in a steamer for Honolulu, where they will be employed in the sugar mill company's saw-mill.

A. B. Loebenstein has moved the Catholic fathers' old house from King street to his lot on Pitman street, and is putting it in order for occupancy. Sheriff Andrews has secured office a piece of sugar cane fifteen feet long. It was grown in Kaunama.

Superintendent Lambert has finished the plans for the depot at Mauna Lua, and construction of the building will begin next week. The new power house is being put up. There is a new surveyor in the Walker family in Olaa.

Captain Ed Hitchcock has been ill for ten days past. The lack of a great scarcity of whole corn in this market. H. S. Pratt and wife leave for the Coast by the Falls of Clyde. W. H. Shipman has purchased the handsome residence of J. R. Wilson.

O. H. Gulick, who has charge of Japanese work in these islands, is in Hilo. The Japanese who entered into a contract to float the Kilauea Hou have given up the job. Arrangements will probably be made with a local builder to complete the work.

The wife of W. W. Keene, Chinese merchant in the Spreckels' block, died on Tuesday and was buried by Undertaker Lockington yesterday. The funeral was largely attended.

THE LEPERS WANT MUCH. LEPERS at Molokai want self-government. They have expressed their desire to manage their own affairs by the appointment of a commission from among their ranks, to whom shall be referred all matters pertaining to the welfare of the inmates. They have asked that the Legislature require the Board of Health to perform many things for the benefit of the settlement at large. The lepers desire to be freed from the payment of freight charges for goods sent them. They believe that the Board of Health has no right to claim any of the tax produced by the farmers at Wailuku. It is their earnest request that the children born of leprosy women have full allowance of food, fish and clothing. It is burdensome to the lepers to have to pay postage on their letters, and they wish an act promulgated by which their letters shall be mailed free.

R. M. Kaooao, the chairman of the committee appointed by the lepers, who met in Beretania hall, Kalaupapa, sent the following report of the proceedings of the meeting, together with their memorial, to the Legislature, yesterday: At a public meeting held in the Beretania Hall, at Kalaupapa, Molokai, February 26, A. D. 1901, it was resolved that the accompanying petition be placed in the hands of a committee of fifteen members, and praying:

1. That the local management of the Settlement be given by a law to be enacted therefor to the persons segregated here.

2. That a liberal appropriation be made to increase the water supply of the Settlement.

3. That a steam vessel be purchased for the Board of Health to be used for the transportation of freight from the other Islands to the Settlement.

R. M. KAAOAO, Chairman of the Committee. To the Legislature of the Territory of Hawaii, Greeting: We, leprosy persons residing at Kalaupapa and Mokuauia, Islands of Molokai, United Representatives, Election District, respectfully pray as follows:

1. That the Board of Health be prohibited from claiming any share in the tax produced by the farmers at Wailuku.

2. That the Board of Health be made to pay for the carriage of freight for the lepers sent from all the Islands of the group.

3. That the Board of Health paint and whitewash all the buildings occupied by the lepers.

4. That the children born of leprosy women be given full allowance of food, fish and clothing.

5. That the children born of leprosy women be given full allowance of food, fish and clothing.

6. That the children born of leprosy women be given full allowance of food, fish and clothing.

7. That the children born of leprosy women be given full allowance of food, fish and clothing.

8. That the children born of leprosy women be given full allowance of food, fish and clothing.

9. That the children born of leprosy women be given full allowance of food, fish and clothing.

10. That the children born of leprosy women be given full allowance of food, fish and clothing.

11. That the children born of leprosy women be given full allowance of food, fish and clothing.

12. That the children born of leprosy women be given full allowance of food, fish and clothing.

women be given full food and fish allowance, as well as wearing supplies not to exceed the value of ten (\$10) dollars a year.

3. That the cloth allowance of the value of ten dollars be made in coin.

4. That the Superintendent of Public Works, with the approval of the Board of Health, permit the erection of stores other than that of the Board of Health.

5. That the letters of the lepers be mailed free of postage.

6. That each leper be given once a month one-quarter (1/4) of a cord of wood for fuel.

7. That the importation of awa into the Settlement be permitted, but not to exceed two stumps at each sending.

8. That the Board of Health be made to pay the expenses of digging the graves of deceased lepers.

9. That an appropriation be made for the erection of a Home for the sons of lepers.

10. That the taro-planters of Wailuku be made to cook and make into "palai" and deliver at the food dispensary at Kalaupapa.

11. That a judge and sheriff be stationed permanently at Kalaupapa.

12. That a law be enacted providing for the examination of the clean lepers biennially.

13. That an expert on leprosy be procured for the cure of this dread disease.

14. That the weight of the palai be increased from twenty-one pounds to twenty-five pounds.

15. That the Board of Health permit helpers (persons who are not diseased) to visit their sick twice a year under their own expenses, without hindrance.

16. That the appropriation of for the Settlement be increased.

17. That the words of the last portion of section 1002 of the Penal Laws, as compiled, relating to helpers be repealed. Thus, "But, such punishment shall not exceed his expulsion from the premises of the Board of Health."

18. That the Letter Settlement be provided with No. 1 flour, rice No. 1, good salmon, and with fat beef.

19. That lepers be allowed to appeal from decisions rendered, and that such appeal be heard by the Circuit Judge at Kalaupapa.

20. That the Settlement be provided with live sheep, delivered at the Settlement once every six months.

21. That each leper be supplied with one (1) quart of oil once a month.

22. That each leper be allowed one pound of sugar and tea of good quality once a week.

23. That lepers who have no horses be allowed to import one horse each from anywhere outside.

24. That helpers be permitted to accompany and reside with lepers when they are segregated.

Signed: R. M. Kaooao, Thos. K. Nathaniel, Andrew Auld, W. K. Makokoa, G. W. K. Paluauale, Kimo Kuale, J. H. Hulihua, Chas. M. Brewster, Geo. J. Hulihua, William Kapela, Jr., J. M. Kallimani, J. P. Preece, John Kaabiki, Wm. Keaouli, J. Harret.

STEAMER MAY HAVE FOUNDERED. PORT TOWNSEND, Wash., Feb. 23.—An account of what may turn out to be another marine disaster and mysterious disappearance of a big steamer while crossing the Pacific is given by Captain Morris of the transport Port Albert, which arrived from quarantine today. Captain Morris says that while in mid-ocean his mate sighted a two-masted steamship ahead of the Port Albert, about two miles distant. The weather was hazy but it could be seen that the steamer was in trouble of the sea and laboring fearfully. The sea was running high at the time and it was all that could be done to keep the Port Albert head-on. The mate went below to get his glasses so he could see the vessel, but when he returned it set in thick. In less than half an hour the weather cleared but no vessel could be seen. Both steamers were traveling in the same direction and Captain Morris expresses the opinion that the unfortunate vessel may have foundered. The Port Albert expects to be rechartered by the Government to load animals at Pordan, Ore., for the Philippines.

SENATOR WHITE DEAD. Expired on Washington's Birthday at Los Angeles. SAN FRANCISCO, Feb. 22.—Ex-Senator Stephen M. White, the "Little Giant of California," as his admirers delighted in calling him, died at his home in Los Angeles this morning. Death was due to ulceration of the stomach. He was 43 years of age. Though naturally rugged, the incessant labor with which he pursued his profession—that of law—made great inroads upon his health during the past few years.

His life was insured for \$43,000. He was one of the prominent factors in the Chicago convention in 1896 as chairman and he seconded Bryan's nomination for the Presidency at the Kansas City convention last year. He retired from the United States Senate in 1899, having served his state as such since 1895.

Starvation in Russia. LONDON, Feb. 23.—The Daily Express publishes the following from its Odessa correspondent: "Several of the Russian provinces are still suffering acutely from famine. In the Government of Kherson and Bessarabia tens of thousands are famishing. Amid the additional hardships of the severe winter hunger-torments is rapidly spreading also. The condition of the peasantry in the famine districts of Southwestern Russia is equally lamentable, but it is worst of all in the northern and east Volga provinces, where the people for two months have been subsisting on roots, grasses and offal, and are now dying of sheer starvation. In addition to the absence of sufficient rolling-stock prevents a distribution of stored grain to the famine districts."

Rescue of Miners. TURCALOORA, Ala., Feb. 23.—After sixty-three hours underground, for the greater part of the time in water, ten of the thirteen negroes caught in the Asylum mines by a sudden inrush of water, were rescued today. When they reached the light they were exhausted and nearly blind. It is hoped to rescue the remaining three during the day, after a large pump, in addition to the others already in operation, has been put to work.

A New Star. BOSTON, Feb. 23.—Harvard College Observatory this morning announced that a new star, observed February 22, is the brightest one discovered in three centuries. It is in constellation Perseus. It is of first magnitude and in three days has emerged from total invisibility.

WAILUKU CASE.

IN ANSWERING the bill for injunction brought by the Wailuku Sugar Company of Maui, in which it seeks to have a permanent injunction issue from the Circuit Court to prevent the Hawaiian Commercial and Sugar Company from interfering with or obstructing the flow of water in the Wailuku river, the defendant makes a lengthy statement of its side of the case in its statutory reply filed yesterday.

The defendant company admits that the plaintiff is the owner and in possession of two certain pieces or parcels of land situate at Wailuku, Island of Maui, Territory of Hawaii, to-wit: Apana 1 of Land Commission award 3231, Royal Patent 7026, to Opanui, and Apana 1, Land Commission Award 5228, Royal Patent 1998, to Kuehlanui.

That this defendant denies that the said two parcels of land adjoin each other in the middle of the Wailuku river, as averred in said bill of complaint.

This defendant admits that it has commenced the digging or construction of a certain tunnel below or near the bed of the said Wailuku stream and to makal of the said two parcels of land; but this defendant denies that it is digging said tunnel directly toward said parcels of land, or that this defendant intends or threatens to construct said tunnel under, through or across said parcels of land so owned and possessed by the plaintiff, or to recover therefrom earth, stone or gravel, or to erect structures of wood within said tunnels where crossing said parcels of land, or otherwise to trespass upon or in any way injure said lands.

The defendant further states that it has for several months been engaged in making the said tunnel, and that its plans concerning the course and direction of the same have always been mentioned freely to any persons concerned or interested in the same and that such information has always been available to the plaintiff and that the plaintiff, its manager, officers and agents have at no time intimated to the defendant, until the service of the injunction obtained by the suit, that they, or any of them, supposed or believed that the said tunnel was intended by the defendant to extend over, across or under any of the lands of the plaintiff.

In further answer to the complaint the Hawaiian Sugar Company states that a map of all the Apanua of Wailuku was made some time in the year 1882 by M. D. Monsarrat, surveyor; that a copy of the map has for many years been on file in the survey department of the Hawaiian Islands, and to which, for greater certainty, the defendant prays leave to refer, and other copies of the map have been used by the plaintiff as well as by the defendant, and its grantor, Claus Spreckels, the former owner of said Apanua of Wailuku, each of the parties adopting, using and ratifying the map on all occasions in transactions with each other or with other persons interested; and that, according to this map, the two parcels of land do not adjoin each other, but, on the contrary, a wide strip of land intervenes between the same, marked as the property of the Koaohiki, or owner of the Apanua, which is now the defendant.

The defendant submits to the court that if the plaintiff proposes to dispute the title of the defendant, as shown by said map, it should first bring an action of law for the purpose of ascertaining its claim of title therein.

Alfred S. Hartwell is the attorney for the defendant company.

WANT INJUNCTION DISSOLVED. In another document filed yesterday in the Circuit Court by the H. C. & S. Company in its reply to the bill for injunction brought by the Wailuku Sugar Company, the defendant moves the Circuit Court that the temporary injunction made and ordered on February 25, be dissolved, and, as cause for granting the motion, refers to accompanying affidavits of H. P. Baldwin and A. N. Kepokai. Mr. Baldwin says that during the time intervening from the evening of Monday until the evening of Wednesday of the week now last past, he was at Wailuku, and personally inspected the work done on said tunnel and conversed personally with the contractor in charge of the work, concerning the plan for continuing and completing the same. Mr. Baldwin says he knows from this, as well as from conversations with W. G. Lowrie, manager of said company, that the tunnel is not and never had been intended to be extended in any part or portion upon, under, over or across of the plaintiff's land.

On Wednesday, February 20, the defendant, in company with said contractor and Alfred S. Hartwell, one of the defendant company's attorneys, visited the locality where the tunnel is now constructed, and inspected it. There were also present C. B. Wells, manager of Wailuku Sugar Company; G. H. Robertson, its treasurer, and S. M. Ballou, one of its attorneys, and that nothing was then said or intimated by the defendant or by any one present, showing, or in any way indicating, that it was intended to be extended over plaintiff's land. He heard Mr. Ballou state that the Hawaiian Commercial and Sugar Company was dumping the debris from the tunnel into the bed of the Wailuku river and obstructing the highway above the Government bridge, to which Mr. Hartwell had replied he thought there would be no difficulty about the debris and that it be kept along the side of the land of the Hawaiian Commercial and Sugar Company, and that as to said highway the dirt would surely be levelled off immediately and all obstructions removed or words to that effect. The defendant says instructions to have the same done on that day.

A. N. Kepokai says he is familiar with all the lands owned and controlled by the Wailuku Sugar Company and also with those of the Hawaiian Commercial and Sugar Company, and assisted John Haddock, agent of Claus Spreckels, when Spreckels was the owner of the Apanua of Wailuku, in collecting rents for the several pieces and parcels of land then owned by Spreckels. The applicant land is located on the river side, and that between the fence and the Wailuku river is a considerable strip of land owned and controlled by the said Hawaiian Commercial and Sugar Company, and the second on which the tunnel is proposed to be extended in no way touches upon or encroaches upon the Opanui land.

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# LEGISLATORS OF HAWAII LEAVE TO INVESTIGATE AFFAIRS OF THE MOLOKAI LEPER SETTLEMENT

## They Sailed on the W. G. Hall Last Night.

### WILL RETURN ON SUNDAY EVENING

#### Senate Wanted Secretary Cooper To Vacate His Office.

#### House Hears Petition From Kalaupapa Unfortunates Asking for Many Changes.

(From Saturday's Daily.)

**W**HEN the Senators and Representatives of the Territorial Legislature arrived on the Inter-Island wharf shortly before the time set for the sailing of the steamer W. G. Hall for Molokai last night they were confronted by two big native policemen at the foot of the gangway, who barred their passage to the deck of the steamship.

Speaker Akina started to go on the vessel. He was anxious to get on the boat that he might deposit his baggage in his cabin. He was stopped at the foot of the gangway, however, and told that he would not be allowed on board.

There were about twenty Representatives and Senators gathered around the gangway by this time and they received this news with anything but good grace. What was the reason that they were not allowed upon the vessel? Who was responsible for this disgraceful state of affairs and what did the two big policemen mean by refusing them admittance to the W. G. Hall?

The large and stern guardians of the peace explained that they had received orders from Representative William Hoogs of the transportation committee to the effect that no one be allowed on the boat until further orders. Whereupon the twenty Representatives and Senators were very much insulted and said that they did not care whether they went to Molokai or not, and forthwith called many hacks and hurried back to their various homes.

A little while after this High Sheriff Brown came hurrying down to the wharf. William Hoogs and Frederick Beckley had arrived on the scene a few moments before the Sheriff made his appearance. The Sheriff immediately demanded of the policemen the reason of their keeping people off the boat. They told him that William Hoogs had ordered that no one be allowed on the vessel. Then the Sheriff directed his conversation to William Hoogs and wanted to know why it was that he had given any orders to the police, at the same time telling the police that they ought not to have taken any orders except from himself.

There was considerable conversation on the subject and the upshot of the matter was that everybody and anybody was allowed on the vessel and the officers were stationed at the gate of the wharf to keep loafers and hacks off.

Quite a crowd gathered around the Sheriff, William Hoogs and Frederick Beckley while the matter was being discussed.

Frederick Beckley, after the Sheriff had finished talking to William Hoogs, had a long argument with Mr. Hoogs, saying that the law-makers had been very much insulted by the policemen and that they felt so badly over the matter that they had all gone to their homes.

It seems that the Sheriff had sent word to the police station that two policemen were to be sent down to the wharf to maintain order. William Hoogs went into the police station a minute or so afterwards and said that he wanted two policemen at the gangway to see that no one was allowed on the vessel. The two officers were sent to the wharf and proceeded to carry out the orders of William Hoogs.

Ten o'clock arrived and no law-makers were on hand to go out on the W. G. Hall. Hacks were immediately started all over town, containing messengers charged with the work of hustling the offended statesmen out of bed and convincing them that no offense was intended and getting them down to the wharf and aboard the vessel.

Kalaupapa was the last of the law-makers to be found and it was almost midnight when he got aboard of the Hall and she tooted her last whistle and got away for Molokai. There was one of the Representatives who did not go. He could not be found anywhere.



UNCLE SAM--Dew Tell! Be you one of them fellers in Honolulu who air goin' to repeal Acts of Congress?

the Aloha Aina; John A. Baker, representing the Chinese News; Shizawa, representing the Hawaii Shippo; J. K. Kaula, representing the Kuokoa Home Rula; Rev. Father J. P. Juliette, J. K. Kaahawai, S. Meheula, clerk of the House; Edgar Cayless, clerk of the Senate; Rev. J. K. Kekipi, J. Cornwall and W. J. Coelho, representing the Kuokoa.

## SENATE RULES ARE FINISHED

**N**OW it is the Senate's turn to get after Secretary Cooper, and the Secretary of the Territory is scratching his head in the endeavor to think of some reason why the members of the House and the Senate are so determined to have his scalp.

John T. Brown was the disturbing element this time, for it was due to his motion that the resolution introduced several days ago, to the effect that the Senate procure better quarters and which was tabled, be again taken up for discussion that inspired Senator White to say: "We have the right to turn out the Governor, the Secretary, or anyone else occupying rooms in this building if we wish."

This remark was pronounced "treason" by Cecil Brown, who claimed that the proper course would be to appoint a committee to confer with the Secretary and ascertain what could be done, without forcibly ejecting that gentleman.

Business was transacted with unusual dispatch for the Senate, and when the time for adjournment arrived in the afternoon the rules were completed and the Senate may now be said to be organized and ready for the volume of business which will be brought before it.

The Senate convened at the usual time yesterday morning and spent the first hour in the reading and translation of the minutes.

Achl moved that the secretary be instructed to have printed 100 copies of the Governor's message so that the Senators could mail them to their friends. The motion was carried.

Baldwin said that as chairman of the committee of three to confer with the House committee on transportation to Molokai, he wished to report that the following propositions had been received from the Inter-Island Steamship Company: W. G. Hall, \$250; Nihau, 200; Waiakole, \$175. These figures were for daily expenses.

President Russell: Senators Kalaupapa, Kaine, Kanuha, Kaohi and Baldwin. Kanuha asked to be excused and Carter's name was substituted.

Cecil Brown moved that the rules be taken up. J. Brown moved that the resolution in favor of more commodious quarters for the Senate, which was tabled during the second day's session, be taken from the table and discussed. The motion carried.

The resolution was read by the secretary and C. Brown suggested that a committee of three be appointed to wait upon the Secretary of the Territory and report back to the Senate. He stated further that since the resolution had been introduced he had looked into the matter and thought that the Senate was already housed as well as was possible.

White proposed that the Secretary of the Territory be requested to move his office force into the hallway now occupied by the Senate, and that the Senatorial body take possession of his quarters.

"We have a right to turn out the Governor, the Secretary or anyone else occupying rooms in this building if we wish," continued White.

"That's treason," shouted Cecil Brown.

"I don't think that my resolution or speech contains any sentiments which can be considered treasonable," replied the Senator from Lahaina.

A few more Senators joined in the debate but the motion of Senator Cecil Brown prevailed. The following committee was named by the chair: Wm. White, H. P. Baldwin and Kalaupapa.

Article No. 88 of the rules of procedure was read as follows:

INTERPRETER. Unless the Senate otherwise orders, the president shall on the first day of session appoint an interpreter and translator, who shall be deemed an officer of the Senate, and who shall receive such salary as the Senate shall vote.

Cecil Brown immediately moved that the rule be stricken out, as he wished to go on record as having opposed its passage. Carter moved that the ayes and noes be taken. The usual vote of eight to six against the motion was cast. President Russell arose from his chair and said: "The noes have it."

White moved that the secretary have 100 copies of the rules printed in the Hawaiian and English languages, and the same was carried.

With the long-winded discussions concerning the rules of procedure finally adopted, the Senate drew a long breath of relief and by unanimous consent adjourned until Monday morning.

Cecil Brown moved that the report of the committee be accepted and that the same committee be authorized to close the arrangements with the Governor and the Senate take immediate possession.

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Makokau moved a recess be taken until 1:30 o'clock.

Then Robertson gave notice of a bill to amend procedure in the Circuit Court.

Mossmann gave notice of bill to put all electric wires underground in towns of over 500 population, as follows: Mr. Speaker.

Dear Sir—I hereby give notice of my intention to introduce an act entitled, "An Act relating to the time within which all wires used for telegraph, telephone, or for the purpose of operating street railways, or for lighting in cities and towns of over 500 population, shall be placed not less than two feet underground."

Wm. MOSSMANN, JR., Representative, Fifth District. The following communication was read:

To the Honorable Speaker and Members of the House of Representatives:

I have the honor to advise your honorable body that Senators Kalaupapa, Kaine, Carter, Baldwin and Kaohi, have been appointed a sub-committee to act with the committee of nine of the House of Representatives to go to Molokai and investigate the conditions there, and report to the Senate. I have the honor to be, very respectfully, EDGAR CAYLESS, Clerk of the Senate.

The following notice was read: Hon. J. A. Akina, Speaker, House of Representatives.

Sir—I hereby give notice of my intention to introduce the following bills: 1. An act relating to practice and procedure in criminal cases, and amending sections 1, 2, 3 and 4 of chapter 49, of the Session Laws of 1897.

An act relating to the criminal jurisdiction of district magistrates, and amending section 1, of act 4, of the Laws of 1896, and section 11, of chapter 37, of the Laws of 1897.

A communication from the clerk of the Senate was read, informing the House of the appointment of a Senate committee to act with the House committee of nine on the visit to the Leper Settlement. Robertson moved that the committee of nine be instructed to act jointly with the Senate committee.

Chairman Prendergast, of the printing committee, reported House Bill 6 printed.

The committee on transportation for the Molokai trip, reported they had secured the W. G. Hall, which would leave at 10 p. m.

The report of the transportation committee was adopted.

Robertson asked that Bill 6 be read for the second time. It repeats sections 1375, 1396, 1387, 1388 and 1389, of the Civil Code, relating to the sale of real estate in this Territory by foreign guardians.

Faie said the House could not consider this bill until it had sufficient copies of the code.

Robertson said this was a foolish idea.

Kanoho asked the speaker to rule that such "indecent language as foolish" should not be uttered in the House.

Robertson again said it was "foolish," and the House grinned. Owing to the fact that only a few copies of the Civil Code could be obtained, a resolution of a few days ago that each member be provided with a copy, could not be carried out.

On motion of Dickey, and amendment by Makekai, Bill 6 was read, section by section, and referred to the Judiciary committee.

The following motion was introduced by John Emmeluth: "That S. K. Pua, assistant clerk, be designated the Journal Clerk of this House."

That as such clerk he shall—under direction of the printing committee—have printed the daily journal of proceedings of this House, copies of such journal to be on the desk of each member at the time of reading and final approval of said proceedings.

Emmeluth said his idea was to yield to the Secretary of the Territory a daily copy of the House Journal. He did not consider they must do this, but as it was the usual course in the States, he believed it would be wise.

The motion was carried.

Emmeluth introduced the following: "That the Speaker of the House of Representatives be hereby instructed to deliver to Henry E. Cooper, Secretary of the Territory of Hawaii, such number of copies of the printed and approved journal of proceedings of this House as the Secretary may request."

The motion was carried.

Emmeluth introduced the following joint resolution at the instance of the Superintendent of Public Works: "Resolved: The Superintendent of Public Works is hereby directed to issue no further building permits, unless it be for a fire-proof building, in accordance with the existing laws for the erection of fire-proof buildings, for the locality known as the burnt district in the city of Honolulu, until an investigation has been made by a committee of the Legislature as to the sanitary condition of said locality, as well as to the advisability of including the same within the boundary of the fire limits of the city of Honolulu."

Hilio moved that the resolution be tabled.

Emmeluth said the resolution was a good one and should be passed. The future sanitary condition of Honolulu depended on it. If there were any objections to the resolution he would like to know them.

Mossmann said the resolution attempted to limit the fire-proof district. It was not proper, either to prohibit people from erecting buildings in the burnt district.

Hilio said that in the burnt district were many poor people, and the resolution would oust the poor and help the rich. The members should visit the district and determine for themselves the fire limits.

Monsarrat spoke for the resolution. Robertson said the resolution should be referred to a committee.

After a hot discussion on the aye and nay vote resulted in Dickey, Emmeluth, Gillfillan, Hoogs, Monsarrat, Robertson and Wilcox voting nay, and all the others, aye.

## AGE NO BAR.

It Does Not Enter Into the Question You may have it and not know it. You may be young; you may be old. Symptoms the same in both.

A babe with weak kidneys has backache. A man of 60 or 80 with weak kidneys has backache. That's the way it talks with all ages. Doan's Backache Kidney Pills cure the babe and the man. That's the way they do in all ages. No wonder, though, they're made for it. They couldn't cure a simple case of colic. But they cure bad cases of kidney trouble.

If your back aches, try them. Writing under date January 10th, 1899, Jurgen Walter of this city tells us as follows: "My age is 79—well past the ordinary span of life, and I am the parent of eight children. Being so far advanced in years, I regard the relief obtained from Doan's Backache Kidney Pills.

I suffered from a lame back for years, but after taking some of the pills (procured at Hollister's drug store) was greatly benefited, and I am satisfied the pills did me much good."

Doan's Backache Kidney Pills are becoming popular in Honolulu because they are always endorsed by Honolulu people.

Our kidneys filter our blood. They work night and day. When healthy they remove about 500 grains of impure matter daily; when unhealthy some part of this impure matter is left in the blood. This brings on many diseases and symptoms—pain in the back, headache, nervousness, hot, dry skin, rheumatism, gout, gravel, disordered eyesight and hearing, dizziness, irregular heart, debility, drowsiness, dropsy, deposits in the urine, etc. But if you keep the filters right you will have no trouble with your kidneys.

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, or will be mailed on receipt of price by the Hollister Drug Co., wholesale agents for the Hawaiian Islands.

REMARKABLE CURE OF RHEUMATISM. From the Vindicator, Rutherfordton, N. C.

The editor of the Vindicator has had occasion to test the efficacy of Chamberlain's Pain Balm twice with the most remarkable results in each case. First, with rheumatism in the shoulder, from which he suffered excruciating pain for ten days, which was relieved with two applications of Pain Balm, rubbing the parts afflicted and resting instantly, benefit and entire relief in a very short time. Second, in rheumatism in thigh joint, almost prostrating him with severe pain, which was relieved by two applications, rubbing with the liniment on retiring at night, and getting up free from pain. For sale by the Hawaiian Dispensary, Ltd., sole agents Hawaiian Territory.

FIRST BILL OF SESSION PASSED

(Continued from Page 1)

prayer and reading of the minutes, made its appearance in the form of a communication from the lower House, as follows: "Resolved by the House of Representatives, the Senate concurring: "First—That a committee be appointed, those members to be appointed by the Senate, to investigate the Tax laws of this Territory and ascertain the manner to which they have been actually applied, and the results thereunder. "Second—That said committee report such defects as they may find in said laws, or in the method of administering the same, together with such recommendations for immediate legislation as will secure for this Territory a just and wise system of assessment and taxation. "Third—That said committee be and is hereby authorized and empowered to retain counsel and to send for persons and papers, and to administer the usual oath to persons testifying before it, and they are hereby directed and required to report the result of their investigation within thirty days after their appointment. Cecil Brown moved that inasmuch as this was very important, that it be made first in the order of business for tomorrow morning, and that the secretary be instructed to have copies printed in Hawaiian and English. The motion was supported by Senators White and Achi, and eventually carried. Senator White introduced the following resolution: "Resolved, That the clerk of the Senate be instructed to cause 100 copies of the Journal to be printed daily and further notice, in both Hawaiian and English languages. Carter supported the resolution, saying that he thought it would be a good idea to have the Journal of the House printed, so that it could be placed in the hands of their constituents without cost and without any evidence of party feeling. Achi raised a point of order, saying that according to the rules of procedure the question of resolutions was out of order. The chair sustained Achi, and discussion was dropped for the time being. Senator Kalaokalani, as one of the members of the committee to Molokai, asked for more time. He was interrupted by White, who brought up the deferred question of new quarters for the Senate. The room proposed on the second floor of the bungalow was considered insecure until it had been supported by additional uprights from underneath. White was ordered by the chair to consult with the Board of Public Works concerning the safety of the building. Senator White's resolution was taken up, and on suggestion from Cecil Brown it was agreed to print 500 copies of the Journal, one-half in Hawaiian and one-half in the English language. Senator Brown gave notice of his intention to introduce the following bills: "1. An act to apportion the term of office of seven Senators elected at the first general election. "2. An act to regulate the employment of labor on the public works of the Territory of Hawaii. "3. An act to amend section 2070 of the Civil Laws of the Territory of Hawaii. "4. An act relating to exemption of certain property from attachment and execution, repealing section 1483 of the Civil Laws. "5. An act to define the Biennial Fiscal Period of the Territory of Hawaii. "6. An act to repeal sections 1617, 1618 and 1619 of the Penal Laws, relating to Forfeiture of Goods. Mr. C. Brown gave further notice of his intention to introduce the following bills: "1. An act to amend section 85 of the Penal Laws relating to the concealment of death of a newly-born child. "2. An act to amend section 3 of the Penal Laws relating to crimes and misdemeanors. "3. An act to amend section 132 of the Penal Laws relating to the punishment for larceny. "4. An act to amend section 68 of the Penal Laws relating to the punishment of the offense of deforming the feet of girls under the age of eighteen years. "5. An act to amend section 91 of the Penal Laws relating to the punishment of assault or assault and battery on an officer. "6. An act to amend section 200 of the Penal Laws relating to malicious injury. "7. An act to amend section 182 of the Penal Laws relating to gross cheat. "8. An act to amend section 174 of the Penal Laws relating to the offense of receiving stolen goods. "9. An act to amend section 424 of the Penal Laws relating to the illegal manufacture for sale of spirituous liquors and substances. "10. An act to amend section 425 of the Penal Laws relating to the distillation of spirituous liquors. "11. An act to amend section 986 of the Penal Laws relating to the protection of the places of sepulture. "12. An act to amend section 584 of the Penal Laws relating to the jurisdiction of district magistrates. "13. An act to repeal section 463 of the Penal Laws relating to importation of spirituous liquors. "14. An act to amend section 255 of the Penal Laws relating to bribery. "15. An act to amend section 246 of the Penal Laws relating to criminal conduct of an officer in regard to prisoners in his custody, or committed thereto. "16. An act to amend section 238 of the Penal Laws relating to trusts and monopolies. "17. An act to amend section 215 of the Penal Laws relating to the illegal marking of live stock. Mr. Achi gave notice of his intention to introduce the following bills: "An act to repeal section 806 of the Civil Code relating to the poll tax. "An act relating to the estate of adopted children. "An act to repeal Laws of 1896, act 31, section 17, Civil Laws, section 820. "An act to provide a commission to take evidence concerning injuries to property caused by the action of the Board of Health in connection with the suppression of bubonic plague in Honolulu and elsewhere in this Territory, and by the configuration in Honolulu on January 20, 1900, and to report thereon. Senator White moved that Achi's resolution be laid upon the table, and be taken up at some future time. Discussion on this subject was stopped by Senator Kauea, who pointed out that according to the rules governing the Senate the introduction of the resolution was out of order. The chair sustained the point. Cecil Brown moved that the appropriations suggested by the Governor become the order of the day at today's session. Carter suggested that the chair appoint the standing committee, but Russell replied that for two days he

had been at Molokai, working hard, and consequently was not ready. The session then took a recess until 1:30 o'clock. AFTERNOON SESSION. The chair declared his readiness to announce the names of the standing committees, but as many of the senatorial chairs were vacant, Russell proposed waiting for a few minutes until the tardy ones arrived. After a wait of nearly ten minutes, White moved that the names be read. President Russell remarked that it had been extremely difficult to arrange so many committees out of fifteen men, but that he had done the best he could. The committees appointed were as follows: Committee on Ways and Means—Senators D. Kanuha, G. R. Carter and S. E. Kauea. Committee on Judiciary—Senators William White, C. Brown and S. E. Kauea. Committee on Public Expenditures—Senators D. Kalaokalani, H. P. Baldwin and D. Kanuha. Committee on Public Lands, Public Works, and Internal Improvements—Senators J. B. Brown, John D. Paris and L. Nakapahu. Committee on Agriculture, Forestry and Manufactures—Senators J. B. Kaohi, H. P. Baldwin and L. Nakapahu. Committee on Public Health and Education—Senators D. Kanuha, H. P. Baldwin and D. Kalaokalani. Committee on Enrollment, Revision and Printing—Senators D. Kalaokalani, W. C. Achi and J. B. Kaohi. Committee on Accounts—Senators D. Kanuha, John D. Paris and John T. Brown. Committee on Rules and Joint Rules—Senators C. Brown, William White and S. E. Kauea. Committee on Miscellaneous Petitions—Senators W. C. Achi, L. Nakapahu and J. B. Kaohi. Committee on Claims—Senators William White, C. Crabbe and S. E. Kauea. Committee on Military—Senators George R. Carter, I. K. Kahilina and D. Kanuha. Committee on Intoxicants—Senators S. E. Kauea, C. L. Crabbe and John T. Brown. Committee on Elections—Senators William White, C. L. Crabbe and John T. Brown. Committee on Municipal and County Laws—Senators D. Kalaokalani, C. L. Crabbe and I. K. Kahilina. Committee on Food Adulterations—Senators George R. Carter, J. B. Kaohi and L. Nakapahu. Kuea attempted to remonstrate with the chair, saying that he had been appointed on five different committees, but was stopped by Senator White, who proposed that the Senate adjourn for the remainder of the day, in celebration of the inauguration of President William McKinley. His motion was accepted.

MAGISTRATES' LIMITATIONS

The following bill was introduced into the House yesterday by Representative A. G. M. Robertson, Republican, from Honolulu, and read for the first time, as follows: An Act Relating to the Criminal Jurisdiction of District Magistrates and Amending Section 1 of Act 40 of the Laws of 1896 and Section 11 of Chapter LVII of the Laws of 1892. Section 1. That section 1 of Act 40 of the Session Laws of 1896 is hereby amended so as to read as follows: "Section 1. District Magistrates shall have jurisdiction of, and their criminal jurisdiction shall be limited to, criminal offenses punishable by fine only, or by imprisonment not exceeding one year with or without hard labor or with or without fine; provided, however, that they shall not have jurisdiction over the accused, and each indictment when found shall be endorsed a true bill and such endorsement shall be signed by the foreman." Section 2. That section 3 of said chapter is hereby amended so as to read as follows: "Section 3. The failure to prosecute upon an information or indictment at the term at which presentation thereof against the accused is required by section 1 of this chapter, unless the venue be changed, or unless the cause be postponed by the Court, or a failure to sustain the information or indictment upon the law involved, or a verdict of not guilty by the jury, or the successive disagreement of two juries impaneled to try the cause, shall operate as acquittal of the accused, and the Court shall order his discharge from custody." Section 3. That section 4 of said chapter is hereby amended so as to read as follows: "Section 4. The Attorney General or the sheriff respectively on the several circuits shall furnish to the clerk of the court three days before the first day of the term a full list of all criminal cases then known to him or them to be triable by jury at such term, that the calendar may be made up." Section 5. In criminal cases triable in the first instance by a court of record but in which the accused may be held to answer without a presentment or indictment of a Grand Jury, the legal prosecutor may send and prosecute the accused by information or indictment, as the case may be, whether there has been a previous examination or commitment for trial by a Judge or Magistrate or not." Section 6. Chapter XL of the Session Laws of 1897, entitled "An Act to Regulate the Practice and Procedure in Criminal Cases," and all other provisions of law applying to presentments upon indictments, to writs and process thereon, to motions, pleadings, trials and punishments, or the execution of any sentence, shall in all other proceedings in cases of indictment, whether in the court of original or appellate jurisdiction, shall in the same manner and to the same extent as near as may be, apply to informations, and all prosecutions and proceedings thereon." Section 7. This Act shall take effect upon the day of its approval.

AS TO CRIMES IN TERRITORY

Representative A. G. M. Robertson, Republican member of the House from Honolulu, yesterday introduced the following bill which was read for the first time and ordered printed: An Act Relating to Practice and Procedure in Criminal Cases and Amending Sections 1, 2, 3, and 4 of Chapter XL of the Session Laws of 1897. Section 1. That section 1 of said chapter is hereby amended so as to read as follows: "Section 1. In all cases of offenses against the laws of the Territory, triable in the first instance by a court of record, the accused shall be arraigned and prosecuted by an information or indictment by a legal prosecutor of the Territory, as soon after the commission of the offense of which he is accused as may be expedient, but always before the presentation of an information or indictment against the accused shall not be deferred beyond the term of the court being held for the trial of the case, and such indictment shall be signed by the foreman of the jury." Section 2. That section 3 of said chapter is hereby amended so as to read as follows: "Section 3. The failure to prosecute upon an information or indictment at the term at which presentation thereof against the accused is required by section 1 of this chapter, unless the venue be changed, or unless the cause be postponed by the Court, or a failure to sustain the information or indictment upon the law involved, or a verdict of not guilty by the jury, or the successive disagreement of two juries impaneled to try the cause, shall operate as acquittal of the accused, and the Court shall order his discharge from custody." Section 3. That section 4 of said chapter is hereby amended so as to read as follows: "Section 4. The Attorney General or the sheriff respectively on the several circuits shall furnish to the clerk of the court three days before the first day of the term a full list of all criminal cases then known to him or them to be triable by jury at such term, that the calendar may be made up." Section 5. In criminal cases triable in the first instance by a court of record but in which the accused may be held to answer without a presentment or indictment of a Grand Jury, the legal prosecutor may send and prosecute the accused by information or indictment, as the case may be, whether there has been a previous examination or commitment for trial by a Judge or Magistrate or not." Section 6. Chapter XL of the Session Laws of 1897, entitled "An Act to Regulate the Practice and Procedure in Criminal Cases," and all other provisions of law applying to presentments upon indictments, to writs and process thereon, to motions, pleadings, trials and punishments, or the execution of any sentence, shall in all other proceedings in cases of indictment, whether in the court of original or appellate jurisdiction, shall in the same manner and to the same extent as near as may be, apply to informations, and all prosecutions and proceedings thereon." Section 7. This Act shall take effect upon the day of its approval.



NEW JUDGE—Say, Cop, where's the Court House? This is the first time I ever had any business there.

FILES ARTICLES OF INCORPORATION

Articles of association of the Lahaina Ice Co., Ltd., were filed with Treasurer Lansing yesterday afternoon. It is to be a joint stock company, organized under the laws of the Territory of Hawaii, and will have its principal offices at Lahaina, Maui. The purpose of the association is to construct, operate and own an ice and cold storage plant, and in conjunction therewith, to manufacture and sell ice, soda water and other non-intoxicating drinks; to conduct and carry on a general cold storage business; to buy and sell fish, vegetables, fruits and other marketable products; to buy or lease sufficient real estate upon which to conduct and carry on the purposes and business aforesaid, and generally to do all things necessary and proper for the carrying on said business upon the Island of Maui. The capital stock is to be \$10,000, divided into 500 shares of the par value of \$20 a share. The company reserves the privilege of subsequent extension of the capital to \$20,000. The corporation is to have an existence of fifty years. The incorporators, officers and number of shares controlled by each, are as follows: President L. Parkhausen, 166 shares; Vice President William Horning, 166 shares; Secretary and Auditor L. Albert, 1 share. These officers, together with Frank Stark, who owns one share, form the board of directors.

MOSES KEALOHA DEAD.

Old Honolulu Magistrate Killed by Fall From a Horse. Dr. McConkey of Pala, who was summoned to Ulupalakua last week to attend Moses Kealoaha, who had been thrown from his horse, found his patient in a dying condition. Mr. Kealoaha was an old resident of Honolulu. He and several friends were returning from a call upon S. An Mi of Kula when Kealoaha's horse stumbled and threw him violently to the ground. He received a small cut over the left eyebrow but it did not seem serious. Two or three days afterward, however, he was seized with a terrible pain in his head and Dr. McConkey was sent for. The doctor pronounced it a case of congestion of the brain. He died shortly afterward. Kealoaha was admitted to the bar in 1885 and was district magistrate of Honolulu for about twenty-five years, his removal in 1893 having been made by the Provisional Government for taking a stand against it.

PRIVATE ALBERT NOT ON THE RIO

The statement was made yesterday in the Advertiser that C. W. Albert, a soldier of Camp McKinley, who had received his discharge, was one of the passengers on the Rio who went down with the ill-fated vessel. Albert had made preparations to go away on the Rio and had informed his superior officers at the camp to that effect and nothing was seen of him after he bade his officers and comrades good-bye. It was presumed, therefore, that he went away on the Rio. A letter was received from him on the last steamer saying he was safe and sound, and instead of going upon the Rio he had embarked on the Maritima, sailing a day before the Rio, as he had become tired waiting for the latter vessel. His becoming "strayed" in this instance saved his life. He wrote to his friends in Honolulu immediately upon hearing the news of the Rio disaster to inform them of his safe arrival in San Francisco.

AMERICA'S RESOURCES.

LONDON, Feb. 22.—The Outlook, reviewing the trade competition between the United States and Great Britain, says: "After all, the truth probably is that the natural advantages and resources of the United States so far surpass ours as to assure them the same general pre-eminence they are rapidly attaining."

AN HONEST MEDICINE FOR LA GRIPPE.

George W. Wall of South Gardner, Me., says: "I have had the worst cough, cold, chills and grip and have taken lots of trash of no account but profit to the vendor. Chamberlain's Cough Remedy is the only thing that has done any good whatever. I have used one bottle of it and the chills, cold and grip have all left me. I congratulate the manufacturers of an honest medicine." For sale by Benson, Smith & Co., Ltd., sole agents, Hawaii Territory.

LOCAL BREVETS.

Houses are already going up on the Achi tract at Kaohi. J. Morton Riggs has been retired from the money order department of the local postoffice. Decorated china, in cups and saucers, cracked jars and cake plates, at Leonard's special sale, No. 3 this week. George Rolph, secretary of the Hawaiian Commercial and Sugar Company, leaves this afternoon on the Maritima for the Coast. A Japanese cook employed by Mrs. S. N. Gault, who ran away with the wife of her yardboy, was with the woman on board the ill-fated Rio and is supposed to have been drowned. A Chinaman, Lum Ho, had his foot crushed under a Beretania street car yesterday afternoon in attempting to jump while the car was in motion. Amputation will be necessary. He is at the Queen's Hospital for treatment. Herman M. Levy, who was a year ago removed from the Hawaiian Islands to the plague hospital, still suffers from the effects of the serum injected into his leg, and is compelled to wear elastic appliances. He will put in a compensation claim to the Legislature. The Internal Revenue Department will soon commence a system of registration of Chinese on the other islands by the employment of traveling registration deputies. It is expected that about ten more men will be appointed by the collector before March 15. The trouble in some places will be in the procuring of photographs of the Chinese. These are necessary adjuncts to the issuance of the certificates. The memorial prepared by the committee appointed by the Bar Association, has been prepared and was sent off by the steamer America Maru to Delegate Wilcox. The memorial urges the immediate appointment of a Second Circuit Judge, and an advance in the salaries of both judges. It contains a list of cases on the calendar, together with a comparative statement showing that it is impossible for one judge to dispose of the business of the courts. Notice to Shipmasters. U. S. Branch Hydrographic Office, San Francisco, Cal. By communicating with the Branch Hydrographic Office in San Francisco, captains of vessels who will cooperate with the hydrographic observations, by recording in his office, can have forwarded a frame as far as desired port, and free of expense, the hydrographic charts of the North Pacific, and the latest information received by the office, in connection with the work of the Hydrographic Office. The Hydrographic Office is requested to report to the Hydrographic Office, by mail, the names of vessels, and the names of the commanding officers, who will cooperate with the Hydrographic Office, by recording in his office, can have forwarded a frame as far as desired port, and free of expense, the hydrographic charts of the North Pacific, and the latest information received by the office, in connection with the work of the Hydrographic Office. The Hydrographic Office is requested to report to the Hydrographic Office, by mail, the names of vessels, and the names of the commanding officers, who will cooperate with the Hydrographic Office, by recording in his office, can have forwarded a frame as far as desired port, and free of expense, the hydrographic charts of the North Pacific, and the latest information received by the office, in connection with the work of the Hydrographic Office.

NEWS OF WORLD CONDENSED

The Bullion tax was easily defeated in Arizona. Mrs. C. W. Crocker, wife of the California pioneer, is dead. The New York police bill was passed at Albany over the mayor's veto. Helen Dauvray, the actress, has filed insolvency papers, itemizing \$8,000. A smallpox death occurred at Valjeo. The house has been burned. General Otis has denied that he seeks the office of Pension Commissioner. Treat F. Clark, a California pioneer of 1849, died in San Francisco last week. The famous observatory on the Zerbini in Germany, has been destroyed by fire. It is said that Acting-President Schalk Berger, at Pretoria, is contemplating surrender. On February 21st it was said that England may accept the Hay-Pauncefote treaty. Dr. Mayo G. Smith, the original doctor of Mark Twain's "Innocents Abroad," is dead. The report that Rear Admiral Sampson is seriously ill is a mistake, his sickness being slight. The ministers and the Chinese envoys have agreed on the payment of the Chinese prisoners. In the new fortifications at Peking the entire quarter will be surrounded by walls and a wide moat. Brigadier General J. Franklin Bell is to succeed Samuel B. M. Young in command in Northern Luzon. There has been a very heavy snow storm in Pennsylvania, and the snow storms are continuing in Europe. It is thought that the low natives of Cape Town are concealing plague cases, one body having been found. Trouble is anticipated from the Nebraska Indians on account of the recent rulings of Congress at Washington. Don Carlos, the Spanish pretender, has decided to abdicate in favor of his son, who is supported by the Carlist party. Bill Fain, the murderer of Mrs. J. J. Burns, of Arizona, is being sheltered by the Indians, and cannot be captured. Cables report that there is depression in England on account of the American competition in the iron and steel trade. Marshall B. Woodworth has received the appointment for Northern District of California. The name of General Shafter has been sent in the list of recommended officers in the army, naming him for a major general. A New York servant girl after being three days with her employers, opened a combination safe and stole \$4,000 worth of jewelry. The measure cutting the pay for transportation of the mails has been voted, the railroads having made a strong fight and won. The Duke of Anhalt at Bonn, has ordered the members of his royal expedition to make ready for another venture toward the pole. It is said that the Dutch government, fearful of annexation by some European power, has ordered fortifications to be made at Batavia a harbor. Rear Admiral Sampson has expressed his willingness to accept an inferior rank and desires his over-zealous champions to desist in their efforts. Frank Hamilton, a Minneapolis newspaper man, has been found guilty of manslaughter in the death of Leonard Day, the Chicago millionaire. A Connecticut school boy committed suicide because he did not like his teacher. He left a will, bequeathing his toys and books to different children. Mrs. Nation is not depressed because of her imprisonment. She does not seek a postponement of her trial, and addresses the judge as "Your Dishonor." The billion-dollar Morgan steel trust is meeting with strong protest from many Senators and Representatives, and may be compelled to change its plans. Inscribed stone slabs have been recently found in the desert near Phoenix, Arizona, indicating the former habitation of the country by an ancient race. A six-year-old girl of Michigan, after four other attempts to take the life of a smaller sister, finally succeeded in burning her to death in the absence of her parents. A legislative committee in Arizona has been appointed to investigate charges against George W. Vickers, territorial auditor, charged with plundering the treasury to satisfy unjust printing bills. E. Andre, the Belgian consul at Manila, who is suspected of having furnished supplies to the insurgents, has fled, and cannot be found. Mrs. Nation's husband denies that he seeks divorce. He says he is in perfect accord with the doings of his wife. A G. Becker, of the Chicago banking firm of Herrmann, Schott & Co., which failed a few years ago, has taken upon his shoulders the burden of paying a \$500,000 debt of honor. He has already paid off \$100,000, and has a profitable business to continue. Senator Clark of Montana, says that he is not worried about eastern connections, and that the big railroad enterprise will go through. Private Frank Flint was killed by being thrown from his horse at the Presidio encampment last week. He had been drinking, and was racing with his company. It is said that some Americans have struck a rich field of oil near the shore of the Red Sea in Egypt. The fighting has begun in Constantinople. Thirty cases of bubonic plague and three deaths, were reported from Cape Town in 1900. Glanders not Epidemic. Dr. J. R. Shaw, the veterinary surgeon who was sent to Walluku to inspect reported cases of glanders among horses, has returned and reports that there is no danger of an epidemic, though he found two cases of the disease. One of these was found at the Kibid plantation and one in the Iao stables at Walluku. The source of the disease in either case could not be traced. One of the horses was a Hawaiian-bred and the other was brought here several years ago from the Mainland. Both of them were shot. Charges of Captains. Captain Busch has been succeeded as master of the schooner Occidental by Captain Latham, late of the schooner Fortuna, and will take command of the new four-masted schooner now building at Beula for Captain Matthew Turner. The best state of the Occidental takes the Fortuna, Captain Latham being a divorcee. Captain Latham is the son of the late freight transporter Wyfield, succeeding Captain Palmer, who is returning to England.

# LEGISLATOR BACK FROM MOLOKAI

(From Monday's Daily.)

**B**ACK from Molokai, weary and searick, forty members of the Senate and House of the Legislature of Hawaii returned at midnight. Two days were spent in investigating the conditions of the unfortunate people who are compelled to stay on that Island. The Legislature left Friday night on the W. G. Hall.

The trip to Molokai was a hard one for the members of the House and the Senate, at least for those who were not sailors, but the return trip was much harder. Nearly all were more or less troubled with mal de mer and many a legislator wished that he had let his brother worker go in his place.

Testimony of a score of witnesses was taken and the evils existing at present were clearly brought out. Lepers gave the testimony and the committee visited personally all of the public buildings and the stores, where they made a thorough investigation. Others of the committee went to the settlement at Kalawao, while others went to the water works supply. Careful and searching was the investigation, and no stone was left unturned in their search for facts. The hospital intended for the use of anyone sick or helpless was poorly ventilated. The walls are of rough painted boards and the rooms were devoid of any furniture. In the hotel adjoining and intended as an auxiliary to the hospital the rooms were about eight feet by ten feet in size, with painted interiors. They were clean and though not furnished were inviting. There are eighteen of these rooms, all opening out on a lanai which runs completely around the building.

A visit to the taro patches revealed the fact that there was about fifty acres of land under cultivation and this was not enough to supply the settlement. If water is made available there is about 500 acres of good level land suitable for raising taro. If this were done it would be possible to take care of the settlement so far as taro is concerned, and a great saving in rice and flour would be effected for the Board of Health.

The water works are situated on the side of a tall hill about 800 feet above the sea level and about four miles distant from Kalawao and consist of a small cement reservoir which catches the water from two or three small streams wholly dependent upon the surface water. From this an eight-inch pipe leads down into the valley and this is inadequate for the number of people. Even this was not doing its full duty, for when the committee reached the reservoir the screens protecting the mouth of the pipe were stopped up with leaves and moss and only about a two-thirds head of water was running down the main.

This will be remedied by laying a larger pipe and putting into place a screen that will be self-cleaning. Investigation at the Board of Health store showed that a fair supply of staple articles were kept on hand and that the prices were not exorbitant, in many instances being below the prices obtaining in Honolulu.

Various charges were brought against Superintendent Reynolds by lepers, their chief cause of complaint being that he was negligent in attending to their wants when they were made known to him. The investigation was carried on entirely in the Hawaiian language, and when the committee convened in Beretania hall it was packed with lepers of all ages. The legislators were warmly welcomed and were looked upon as a source of relief from the present conditions. The fact that they were careful in going to the bottom of all complaints seemed to gain the respect of the lepers, who took every opportunity to assist them.

If the laws are enacted which the members of the House and Senate stand pledged to enact, the lepers will be given an opportunity to govern themselves before July 1, and the results of their self-government will be watched with interest. As a fitting close to the two days of toll the members of the committee and the press had some exciting experiences when taking their departure from the Island. A heavy trade wind had been blowing nearly all of yesterday and the surf made it impossible for a small boat to land from the steamer. When it was found necessary to get word to the captain to go around to Kalawao, where the surf was not so great, the booming of the surf effectually prevented any conversation between the boat's crew and those on shore.

A kukoa was found who volunteered to swim through the boiling water to the boat and convey the message and when he plunged into the water none on shore expected to see him reach the boat alive. But native proficiency in swimming prevailed and slowly but surely he made his way through the surf, breasting the waves until he was pulled into the boat by willing hands.

Horses were brought into service and all went to the other end of the Island, where the embarkation took place. All were compelled to make their way around a precipitous cliff and descend to the water's edge, where at the risk of their lives they jumped as the opportunity presented itself, into the small boats waiting for them. All were landed on the steamer's deck without mishap and a trip that had been a hard one for the members of the committee was over.

The work was commenced on Saturday morning, when the people met in Beretania hall. When the room had quieted down Senator Kalanikouli opened the discussion, saying: "We have come before you as members of the Legislature, and it is our duty to report to you the conditions of the leper settlement on Molokai."

such as to lead us to pass the necessary laws to aid you." His remarks, Thomas K. National rose to the point of saying "allow me to inform you that I have taken not long ago when we resolved to present a petition to your honorable body, and we earnestly pray that you will answer our prayers, as presented by the members of our committee."

The speaker was followed by V. K. Makakoa, who paid a glowing tribute to Senator Kalanikouli. Turning to the Senator, he said: "Honorable Senator Kalanikouli, who has been called by our beloved people 'The Glad Tidings of Hawaii,' and to the Honorable Secretary and also members of the Senate and House who come here in answer to our call, we want to explain our prayers to you, and in the language of our dear Lord, I might say, 'it is love we cherish, our offerings.'"

"Just as it is written that many have been selected and few chosen, so it is among you; many have sought for honors and few were chosen. So now you have come among us and we ask you to do what is best for us."

"You come with one body and one mind to hear our petition, but we wish to remind you of an act in the past. Our committees coming here heard our prayers, but needed not to be heard of that which we have been refused before. The first of our many prayers is that you grant to us the right of self-government. You have all seen and heard people and lepers, and we believe that if this prayer is granted, the differences heretofore existing will cease forever. These differences have been occasioned in two ways: by those who followed the advice of those sent here to run the Settlement, and by those who have not done so. To the latter class no attention has been paid, and it is this fact which has caused all of the trouble here. For instance, take the water supply; there are many persons so weak that they are unable to walk to the hydrant, although it is only twenty-five yards distant from their houses. We have repeatedly asked that pipes be laid into these houses of the unfortunate, but of no avail."

"Here is yet another important matter. Lepers are compelled to pay at the rate of \$2 per cord for wood for fuel purposes. They generally buy one-half cord and the \$1 given to the secretary is supposed to be turned over to his assistants. After a distance of four miles the wood, I have known people to be compelled to go without wood for three months at a time, just because the secretary would put off from day to day the fulfillment of the order. During the time of time the people were obliged to go without being able to even cook their flour furnished us by the Board of Health."

"Who cuts the wood?" asked Emmelhuth. "Lepers do at \$2 per cord in the Waialeale valley," replied the speaker. Representative Hoogs asked Makakoa to name the persons who had been delayed when they had ordered wood and was given the following names: J. F. Mau, Kamaka, Kaohi Kanu, J. W. Kanani, and J. H. Wahmanoa, who had gone without wood for five months after placing his order.

"Who is secretary at the present time?" interposed Emmelhuth. "A man by the name of Pierce, who is blind and can neither read nor write," was the answer. The witness did not know if he was appointed by the Board of Health or not but thought that if it was left to the people, they could elect a better one. The above testimony was taken before the witness was sworn, so the oath as follows was administered: "You swear that in the matter for which this Court of Inquiry is convened, you will tell the truth, the whole truth and nothing but the truth, so help you God."

The witness then testified that he was a leper, over 40 years of age, and had been a resident of the Leper Settlement for ten years. He stated that he was married to a woman who was now with him, and that he was the father of three children. What little means he had, he had long ago given to his children, and on the Island he was unable to find steady work. Occasionally through the kindness of the captain of the W. G. Hall he was permitted to prosecute cases in court and picked up about \$3 per month that way.

Makakoa claimed in response to an inquiry that he had nothing personal against the agent of the Board of Health, and that all grievances were covered in the petition. Continuing, he said, "I have never had any trouble about obtaining my wood, but the food is bad. The flour is the poorest possible grade and it is all we can do to cook it. The salmon we get is not fit for a dog, most of it consisting of dry pieces of tail. The canned beef is putrid and when a can is opened the stench is awful. The fresh beef is little better, for it is badly preserved and often reaches us in spoiled condition. We would much prefer to have canned salmon."

"The Board of Health claims one-fourth of all the taro we raise and does not pay for it. We prefer to have it made into fuel, and that is why we want our wives and sisters down here, for many of us are unable to do it, owing to the condition of our hands." Frendergast raised the hearts of the lepers by saying that the Legislature would do all it could for them, and resumed his seat amid loud voiced thanks. Kalanikouli asked if all were unanimous in the request that the pot allowance be raised to 25 pounds per week; if they wanted 12 pounds of good flour and 10 pounds of good beef. The assent was deafening and left little doubt of the unanimity of their desires.

R. M. Kaaoa, chairman of the petition committee, stated that they were all present but one, and stood ready to individually support the prayers contained therein. Concerning the prayer for \$10 in lieu of cloth, he said that all did not need clothing, but many needed other articles, and if they had this money they would be able to get what they wanted. A suit cost \$5, and if they only desired a pair of trousers they could not obtain credit for the balance, but were compelled to take all.

His testimony it was ascertained that the Board of Health did not make regular charge for the burial of the dead. "But," said Kaaoa, "if I should die it was known that before death I should own valuable horses, and had I known so, I would have been compelled to delay my funeral expenses."

"The graves of those buried by the Board of Health are neglected, and cattle and horses roam at will over them," Kaaoa made a starting charge. If true, when he said "Many are seen here by the Board of Health who are not lepers, or at least they are cured soon after arrival and are not permitted to depart." The following are the names of those buried at Honolulu on a

The scene was pitiful in the extreme at this time, as several fathers leading their sons by the hand hurried up to the side of the speaker and entreated that he would leave the names of their children mentioned also, evidently thinking that it would open the eyes of the doctor when he came.

After the excitement had abated the witness stated that the lepers had been whitewashed and their clothing had been changed, but that they were still suffering from the disease. He said that the lepers had been given the paint and a brush, but that they were unable to use the brush at all or were too weak to work, so that this had no good effect. One of the reasons assigned for wanting money in lieu of cloth was to enable them to purchase postage stamps, which they were compelled to buy since annexation.

Concerning the importation of a wa into the Settlement the witness said that awa drinkers were just as much liable to die as those who do not drink it, and he did not believe it should be taken away from them. A unanimous vote was taken supporting this statement.

He expressed himself in favor of a home being established for the sons of lepers, but thought that if this was done it should be situated somewhere else, possibly in Honolulu. "But all this will have to come from some source besides the Board of Health," he said, "for they know nothing of our true condition. They come here to make an inspection and instead of doing so, they get on their horses at the dock and ride around a little and then return to their ship. They do not make any examination, and therefore do not know anything about us."

The witness was dismissed and Emmelhuth addressed them as follows: "We hope to give you self-government by July 1, and you can then do as you wish for yourselves. You will be able to graduate the present captain of the company as you will have full charge. The land will belong to all alike and you can do with it as you please."

These sentiments were loudly applauded. J. K. National stepped forward to reply. He said that he had heard of a case where he had violated any of the Board of Health regulations, and that whenever a report of such a violation was made to him, that he would do all he could to adjust the difficulties.

Nathaniel said that he was a leper, 42 years old and was spending his seventh year on the Island. He was brought here by a man who had no children. He taught school in Kalapaupapa and received the sum of \$20 per month for his services. The school was attended by fifty or sixty children and the four or five studies were taught. Concerning other tribes he agreed with the speaker preceding him.

R. M. Kaaoa, when brought before the committee in the afternoon, said that he had been a leper for five years as a resident of the Settlement for five years as a leper. From his long experience in the Settlement he was able to give much additional information. He claimed that many petitions had been sent to the Board of Health, but that they had always been ignored.

In his opinion, about 10 per cent of the people only were able to do manual labor, but notwithstanding this fact he thought that they were given the right to govern themselves, that the well and strong would be able to care for the sick and helpless.

"We have only been examined once in five years, and the last time this took place was in 1898, and since that time we have been clean and yet they are still here," he said, "and to the best of my knowledge they are perfectly healthy. They are Imihio, Kapaun, Bessie McMillan and Kanaiul."

"I went there about two months ago, I bought some fresh potatoes and was asked to pay five cents per pound for them. I could not afford that price, so went to the store, where it is also held at an exorbitant price."

Ambrose K. Hutchinson proved an interesting and instructive witness when called, and was able to give the committee much valuable advice. "I have been a resident of this Settlement for 22 years, but brought here when I was 20 years old. I have made a careful study of the conditions existing and as I have sufficient income to live on, and have been able to do so, I think it a good advantage."

"I have not seen the petition sent to your honorable body and do not know its contents." The petition was read to the witness section by section and his opinion as to the merits of the different prayers. "I am really the father of the first clause," he continued, "for long ago I argued in favor of local self-government. Concerning the prayer to rest in the hands of the Board of Health, I think that the rule of the Board of Health regulations of 1893 should be lived up to and the regulation enforced."

"To enforce the Board of Health not to detain any share in the taro would be good in one way and bad in another. To force the Board of Health to carry freight to the lepers free of charge would be good in one way and bad in another. If this were done it would be an opportunity for people from other islands would send freight here for the lepers to use for trading purposes."

"I do not approve of the Board of Health painting and whitewashing the buildings of the lepers, either, for they are plenty of able-bodied men in this Settlement to do that kind of work. If they will furnish the paint it will be all that is necessary."

"I am in doubt as to the advisability of giving the children of leper parents a full food allowance for if such an act be taken now, when they grow up they will demand more, and the time will come when the Legislature will be unable to supply their demands. Under the allowance of the Government the lepers are provided with an allowance of \$10 worth of cloth per year, and this is plenty to keep them in clothing. If this was turned into cash the people here would spend the money foolishly and would be half clad all of the time."

"I am a taro planter myself and in 1899 I proposed that the taro be converted into paint and a factory was started which was successful. Mr. Reynolds, for the Board of Health, gave me a permit to do so, and I had a great success. The Board of Health then took it up but not long afterwards abandoned it."

"When the Board of Health without asking their simple taste if they wanted any taro patch once and my taro was about half ripe when a policeman called at my door and asked me if I had any taro. I told him that I did not have any and he replied that he had seen the taro patch and that he had a permit to take it. He then took it and I had no knowledge that he came by order of the superintendent, and although the taro was not fit for use he took it all away. I have never received any compensation for it."



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Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

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In this city, and who was formerly Vice Consul under Rouseville Wildman in Hongkong, is still cherishing the belief that the Consul General and his family may have taken to a lifeboat which has been blown out of the harbor, and that they may yet be heard from. Mr. and Mrs. Edwin Wildman, who are now at the Everett House, communicated with San Francisco after the news of the disaster reached this city and spent an anxious day in the vain hope that some definite news of the missing family might arrive. Mr. Wildman was in a very despondent mood last night. "There can be no doubt," said he, "that my brother was on the vessel. Besides the fact that his name is mentioned in the stories of the disaster, I received only a short while ago a letter from him saying that he and his family were going to sail on January 22. The other evening I dined with Third Assistant Secretary of State Crider and he also had a letter from my brother saying he would sail on January 22."

"It is a remarkable thing that this steamer was my brother's pet and he always made it a point to sail on her when crossing the Pacific. When I was last in Hongkong he wanted me to sail on her, too—he was so fond of her. I sailed, however, last November, on the Coptic. The Rio de Janeiro was the largest and smallest vessel of the line and I preferred to sail on a large and modern ship. My brother would take the trouble to miss a steamer in order to go on that ship."

"Captain William Ward, the commander of the ship, was reported to be about the most popular officer in the employ of the line. The fact that he was in charge induced a good many to sail on that particular vessel. My brother was a great friend of Captain Ward. He had taken the entire family, including, consisting of his wife, his two children, Rouseville Wildman, Jr., 3 years old, and Dorothy, 2 years old. They also had with them Katie O'Brien, the children's nurse, whom they took out from San Francisco, several years ago. My brother has worked very hard and he and his family have been under a strain since those troublesome times in China began."

"It was much in need of a leave of absence and thought that the health of the children would be benefited by a change. I understand he was to have returned to Hongkong in about three months. I expected to get a telegram from him upon the arrival of the vessel, telling me whether he would come on to New York or whether I should go to Washington, which was his real destination, to meet him."

Mr. Wildman said that his brother had left Vice Consul William Aldrich, a brother-in-law, in charge of affairs while he sailed for this country. Mr. Wildman said that Mrs. Rouseville Wildman was a granddaughter of the late Lucius Foote, the War Governor of Missouri, and that she was a State because of his strong Unionist sympathies and went to San Francisco, where he afterwards became United States Senator. His son, W. W. Foote, Esq., Wildman's uncle, is now in this city.

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Nickel, Silver, Gold Filled and Solid Gold.  
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ELGINS reach us right.  
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If the use of one of our registers  
Add to your daily profits during a year (30 working days) the sum of  
Five cents, it will pay 7 1/2 per cent annually;  
Ten cents, it will pay 15 per cent annually;  
Fifteen cents, it will pay 22 1/2 per cent annually;  
Twenty cents, it will pay 30 per cent annually;  
Twenty-five cents, it will pay 37 1/2 per cent annually;  
Thirty cents, it will pay 45 per cent annually;  
Forty cents, it will pay 52 1/2 per cent annually.  
Wouldn't it be a good thing for you to investigate our registers?

**NATIONAL CASH REGISTER CO.**  
DAYTON, OHIO.  
F. T. P. WATERHOUSE, Agent.

**DR. J. COLLIS BROWNE'S Chlorodyne**  
Is the Original and Only Genuine  
Coughs, Colds, Asthma, Bronchitis.

**DR. J. COLLIS BROWNE'S Chlorodyne**  
Is a liquid medicine which restores PALE or EXHAUSTED strength, relieves all cases WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. Is the Great Specific for Cholera, Dysentery, Diarrhoea.

The General Board of Health, London, reports that it acts as a CHARM: one dose is perfectly sufficient.  
Dr. Gibson, Army Medical Staff, Calcutta, states: "Two doses completely cured me of cholera."  
**DR. J. COLLIS BROWNE'S Chlorodyne**  
Is the TRUE PALLIATIVE for  
Neuralgia, Gout, Cancer, Toothache, Rheumatism.  
**DR. J. COLLIS BROWNE'S Chlorodyne**  
Rapidly cuts short all attacks of  
Epilepsy, Spasms, Colic, Palpitation, Hysteria.

**IMPORTANT CAUTION.**—The immense sale of this Remedy has given rise to many Unscrupulous Imitations.  
N. B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the inventor, Dr. J. Collis Browne. Sold in bottles, 1s. 1/6d., 2s., 3s., and 4s. 6d., by all Chemists.  
Sole Manufacturer:  
**J. T. DAVENPORT,**  
23 Great Russell St., London, W. C.

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**Down Again**  
In prices is the market for flour and feed, and we follow it closely. Send us your orders and they will be filled at the lowest market price. The matter of 5 or 10 cents upon a hundred pounds of feed should not concern you as much as the quality, as poor feed is dear at any price.

**We Carry Only the Best.**  
When you want the Best Hay, Feed or Grain, at the Right Prices, order from

**CALIFORNIA FEED Co.**  
TELEPHONE 121.

**The Bank of Hawaii**  
LIMITED.

Incorporated Under the Laws of the Republic of Hawaii.  
CAPITAL \$400,000.00  
OFFICERS AND DIRECTORS:  
Chas. M. Cooke, President  
P. C. Jones, Vice-President  
C. H. Cooke, Cashier  
F. C. Atherton, Assistant Cashier

Directors—Henry Waterhouse, Tom May, F. W. Macfarlane, E. D. Tenney, J. A. McCandless.  
Solicits the Accounts of Firms, Corporations, Trusts, Individuals, and will promptly and carefully attend to all business connected with banking entrusted to it. Sell and Purchase Foreign Exchange, Issue Letters of Credit.

**SAVINGS DEPARTMENT.**  
Ordinary and Term Deposits received and interest allowed in accordance with rules and conditions printed in pass books, copies of which may be had on application.  
Judd Building, Fort Street.

**Wm. G. Irwin & Co.,**  
LIMITED.  
Fire and Marine Insurance Agents.

AGENTS FOR THE  
Royal Insurance Company of Liverpool,  
Alliance Assurance Company of London,  
Alliance, Marine and General Assurance Co., Ltd., of London,  
Scottish Union National Insurance Company of Edinburgh,  
Wilhelms of Madgeburg General Insurance Company,  
Associated Assurance Co., Ltd., of Munich and Berlin.

**ANOTHER LOT of Flower Seeds**  
AND  
Vegetable Seeds  
Just Arrived.

**Guaranteed Fresh!**

**HOLLISTER DRUG CO.**  
FORT STREET,  
Between Hotel and King Streets.

**FOR GENERAL INFORMATION, APPLY TO**

**H. Hackfeld & Co. Ltd**

**Pacific Mail Steamship Company.**  
Occidental & Oriental S.S. Co.  
and Toyo Kisen Kaisha.

Steamers of the above companies will sail at Honolulu and leave this port on or about the dates below mentioned:

**For Japan and China.**  
PIO DE JANEIRO ..... MARCH 6  
COPTIC ..... MARCH 14  
AMERICA MARU ..... MARCH 22  
BERKING ..... MARCH 30  
NIPPON MARU ..... APRIL 7  
DORIC ..... APRIL 15  
HONG KONG MARU ..... APRIL 23  
DORIC ..... APRIL 31  
NIPPON MARU ..... MAY 8  
COPTIC ..... MAY 16  
AMERICA MARU ..... MAY 24  
BERKING ..... MAY 31  
COPTIC ..... MAY 28

**For San Francisco.**  
PIO DE JANEIRO ..... MARCH 6  
GAELEIC ..... MARCH 14  
HONGKONG MARU ..... MARCH 22  
CHINA ..... APRIL 1  
DORIC ..... APRIL 9  
NIPPON MARU ..... APRIL 17  
PIO DE JANEIRO ..... APRIL 25  
COPTIC ..... MAY 3  
AMERICA MARU ..... MAY 11  
BERKING ..... MAY 19  
GAELEIC ..... MAY 27



SHIPPING INTELLIGENCE.

ARRIVED AT HONOLULU.

Friday, March 1.
Steamer J. A. Cummings, Seattle, from Oahu ports.
Saturday, March 2.
O. S. S. Mariposa, Honolulu, from San Francisco.

SAILED FROM HONOLULU.

Friday, March 1.
S. K. K. America, Seattle, for San Francisco.
Saturday, March 2.
Am. bk. R. P. Risher, McNeil, for San Francisco.

DECISION HELD.

THE hearing and argument in the case of the Wailuku Sugar Company vs. the Hawaiian Commercial and Sugar Company, a bill for injunction, was had yesterday in the First Circuit Court.

On February 13, Kinney, Ballou & McClannahan sent a letter to W. R. Castle, attorney for the Hawaiian Commercial and Sugar Company, quoting from a letter of C. B. Wells, manager of Wailuku Sugar Company, dated February 9, in re Mr. Castle's statements.

Kinney, Ballou & McClannahan, continuing, say: "We beg to repeat that unless this matter is stopped forthwith and the bed of the stream restored to its former condition we shall proceed at once against the Hawaiian Commercial and Sugar Company by way of injunction and shall hold the Hawaiian Commercial and Sugar Company responsible in damages for the trespass."

W. R. Castle, for the Hawaiian Commercial and Sugar Company, sent the following reply on February 16 to Kinney, Ballou & McClannahan's note, which was filed in the First Circuit Court yesterday as an exhibit.

"I wish to assure you that the Hawaiian Commercial and Sugar Company has no desire or intention to interfere in any way with any of the rights of the Wailuku Sugar Company. I may say even more, that in view of the relation existing, that is to say the Hawaiian Commercial and Sugar Company being the Honolulu of Wailuku, we would rather suffer injury to our own rights than to do anything which would inconvenience or injure your people."

"I write the above because I feel there is evidently some misunderstanding between us at the present moment. I understand the effect of the embankment erected by the Hawaiian Commercial and Sugar Company will be simply to hold the Wailuku stream in its course, from which it wandered in the great storm of the latter part of last year, still in the bed of the stream. Any way, I shall write to Mr. Lowrey at the very first opportunity and ask him to see to it that everything is done necessary to prevent interference with any of your rights, and I will notify you at once of the answer I receive from him."

A. M. Ballou, attorney for the plaintiff in the suit of the Wailuku Sugar Company vs. the Hawaiian Commercial and Sugar Company, had for injunction, yesterday filed an affidavit which reads in part: "Two bills of injunction are now pending in the Circuit Court, having the same title, which may be distinguished as (1) a bill to prevent the digging of a tunnel through plaintiff's land, being the present case, in which the temporary injunction has been granted, and (2) a bill to prevent the defendant from opening a new bed of Wailuku stream."

The localities of the subject matter contained in the two suits are separate and distinct, the tunnel beginning approximately fifty feet above the Government bridge and the point where the tunnel through plaintiff's land being approximately 300 feet above the bridge, while the locality of the dumping of debris is approximately 100 feet below, or makai of the Government bridge. The conversation referred to by H. P. Baldwin took place in the last named locality, immediately upon the scene of the dumping of the debris, and referred wholly and exclusively to the obstruction caused by the debris and by the railroad track for transporting the same.

The plaintiff in its reply on filed yesterday said in reserving to itself all right of exception, many errors, uncertainties and insufficiencies in the plaintiff's bill of complaint, that the answer was unnecessary and will prove to be several marked photographs of the localities mentioned are also filed as exhibits.

RESOLUTIONS OF REGRET.
In the session of the United States District Court yesterday morning Attorney Paul Neumann, after a few appropriate remarks, made a motion that the court adjourn in respect to the memory of William A. Hendall, who was a member of the bar of the court, and who met his death in the Rio Janeiro.

WILL OF A. C. STEELE.
The will of Archibald Cooper Steele was admitted to probate yesterday and is being administered by the executor named in the will.

testamentary to issue to Helen W. Steele, the wife and devisee, with bonds fixed at \$500.
Mr. Steele was the manager of the Hilo Tribune and was a well-known newspaper man of the Islands. At the time of his death he was 60 years of age, had been married only three weeks, and he will leave behind a young wife and two children, a son and a daughter, both of whom are in the future wife. He was a member of the Hilo Athletic Club, and he was made up of a large estate, including real estate, stocks and bonds, and other personal property.

JAMES W. AVERY RESIGNS.
James W. Avery, the deputy clerk of the United States District Court, has resigned his position, and Eric C. Haney of Honolulu, was yesterday appointed by the court to succeed him.

COURT NOTES.
The defendant in her Majesty Liliuokalani and John H. Wilson, defendants to the bill of complaint of the Territory has been yesterday and says the plaintiff has not made a sufficient case to go on to trial, and she is entitled to a decree of acquittal.

The case of the Territory vs. Chas. Kahala, charged with assault and battery with a weapon on one Kaalenu (W) was on trial yesterday afternoon in the Circuit Court before the following jury: J. W. Matthews, W. B. Liliuokalani, C. H. Colman, A. H. Burnett, D. G. Camarillo, G. Markham, D. T. Bailey, J. W. Mulligan, A. A. Mariano, Q. H. Berry, J. Spencer, Jas. Brown. The jury retired at 2:30 o'clock to consider their verdict and returned in the following verdict: "Guilty." The assault is alleged to have taken place last September at Puana, near Moiliili.

J. W. Calhoun, Deputy Attorney General, who has been acting as prosecuting attorney at the present term of the First Circuit Court, will leave today to attend the term of the Fifth Circuit Court, which is to convene on Wednesday, March 6, at Lihue, Kauai. J. J. Dunn will attend to the prosecution before the First Circuit Court.

A writ of habeas corpus will be presented at the Circuit Court this morning at 10 o'clock for the release of Kamaua, the last of the men convicted in the District Court for opium in possession, before the United States District Court, as a result of an appeal from the local opinion as unconstitutional.

Inventories of the estate of Yee Chew Fan was filed yesterday by Chew Man, the administrator, giving a total value of \$10,000.
In the judgment of J. S. D. Lewis, et al vs. Chu Lummer and Building Company et al, M. Dollinger, one of the defendants has filed an answer denying each and every allegation in the complaint, and waives Warren Thayer for defendant.

The defendant trustees under the will of Bernice Pauahi Bishop yesterday filed a disclaimer in the suit of C. K. C. Rooke vs. Queen's Hospital, Charles R. Bishop, et al, in the Circuit Court. The defendant and W. F. Allen, trustee. They disclaim any right, title or interest in or to any property described in plaintiff's complaint.

The oath of E. F. Towt as an attorney, counsel, solicitor and prosecutor, in all the courts of the Territory of Hawaii was made yesterday before Chief Justice Fear of the Supreme Court. Mr. Towt is a native of Missouri, and a present resident of North Kona, Hawaii. He is a graduate of the Law Department of the Missouri State University and also of the Law Department of Washington and Lee University, at Lexington, Virginia. He was admitted to practice in both States before coming to the Hawaiian Islands.

A discontinuance has been filed by the plaintiff in the assumpsit suit of A. B. Forbes vs. James W. Rowell and O. G. Traughen.
In the case of Frank Scheffer vs. Dr. John M. Moore, the First Circuit Court Judge yesterday filed an order declaring the plaintiff in default and ordering that judgment be entered for the defendant upon the motion of the defendant filed March 1, and upon the affidavit of George Latta, clerk of the court.

The following notices to place cause on the calendar were filed yesterday: Chas. M. Le Blond vs. Solomon Kama'i, bill of exceptions from Fourth Judicial Court; Robert Gillespie vs. Robert McBride, bill of exceptions from the Circuit Court; Volcano Stables and Transportation Company, Limited vs. Hayashi Kawal, writ of error from Fourth Judicial Court; Isaac Erickson vs. Volcano Stables and Transportation Company, Limited, bill of exceptions from Fourth Judicial Court.

In the case of Robert R. Hind vs. brigantine Consuelo, etc., in the United States District Court, it was yesterday ordered by Judge Steere that the hearing take place before Petted States Commissioner W. J. Robinson.

Departures—Feb. 27: Am. schr. O. M. Kellogg, C. Iverson, master; 313 tons, cleared for Mahukona for sugar. Am. bk. Martha Davis, A. McAlman, master; 79 tons, cleared for San Francisco, with full cargo of sugar and two passengers, F. W. Bosworth and wife, Vessell M. Port, John J. Vland, etc. Annie Johnson, and ship Falls of Clyde.

Arrived—Feb. 22: Bk. Annie Johnson, A. P. Nelson, master; fifteen days from San Francisco. She brought eight passengers and a full cargo of general merchandise.
Yacht Races—The yachts Fly, Captain Pratt, and the Mabel, Captain J. R. Wilson, raced over the course in the harbor on Tuesday afternoon. The Fly was victorious in the outward run the Mabel had the advantage, but on the return tack she blundered among the shipping in the harbor, and Pratt's superior seamanship won him the race. The Fly was still blowing, and at times the Mabel leaked over so that she shipped considerable water. A protest has been entered by Mr. Wilson on the ground that the Fly fouled the buoy, and held on for one minute.

Arrived on the Claudine.
Wilder's steamer Claudine brought 2164 bags of sugar from Maui ports besides 20 bags of corn, 30 bags of taro, 20 bags of Japanese taro, 20 hogs and 85 packages of sundries.
Passengers who arrived on the Claudine were as follows: J. Hutchison, R. W. McCleod, W. S. Skinner, W. Berlowitz, H. Y. Abien, F. A. Klakona, G. Zithert, Miss Tilton, Mrs. Hananui, Miss A. Kamaka, F. J. Douse, wife and child, G. Dearborn, Lapham, W. M. Alexander, J. P. Cooke, K. Aona, F. H. Hayselden, J. L. Coke, A. S. Cautin, H. A. Baldwin, wife, two children and two servants, Mrs. K. W. Filler, child and servant, Miss B. Mossman, Miss K. Mossman, Miss I. Mossman, Mrs. W. F. Mossman, H. U. Weller, E. P. Mable, F. W. Holstein, Ben Bruns, D. Dorward, H. Longton, C. E. Innes, Andrew Adams, J. K. Joseph, S. Kellnui, W. Espinard, J. R. Shaw, R. P. Lewis, Mrs. Espinard, Mrs. Shaw, Miss M. Christoffer, etc.

HAWAIIAN CABLE. Whitney & Marsh, Ltd. DRY GOODS

1045 FORT ST. HONOLULU, H. I.

ON JANUARY 21st, 1901, we added to our store a MAIL ORDER DEPARTMENT

In order to make this department an attractive and important feature of our business we have adopted a very liberal policy in the management of it, and propose to pay the freight on all orders of \$5 or more, when cash accompanies the order. This practically places the people of the other islands on the same footing as those who can come into our store personally, for in the quiet of our mail order department the selection and examination of goods can be conducted with more care than in the rush at the counters.

WHITNEY & MARSH, Ltd MAIL ORDER DEPARTMENT, Box 171. HONOLULU, H. I.

NOTICE.
THE UNDERSIGNED HAVING been appointed the administrator of the estate of Isabella May Powell, deceased, late of Kekaha, Kauai, notice is hereby given to all creditors of the said estate to present their claims with vouchers, whether secured or otherwise, at his office, Judd building, in the city of Honolulu, within six months from the date hereof, or they will be forever barred.

The Kinau From Hawaii.
On Saturday afternoon Wilder's steamer Kinau, Captain Freeman, arrived from Hilo and way ports. She brought 289 sheep, 47 hogs, 12 sacks of corn, and 400 packages of sundries. Purser Beckley reports the following sugar awaiting shipment on the big island: Waiakea, 6,000; H. P. S. M., 1,800; Waiakua, 3,500; Onomea, 10,000; Pepeekeo, 11,000; Honoum, 8,342; Hakalaui, 8,000; Laupahoehoe, 1,500; Ooakala, 3,000; Kukuihau, 4,000; Hanalei, 5,000; Paunahou, 5,500; Honokaa, 6,000; Kukuihale, 1,000; Punahou, 9,200; Honuapo, 7,000. Total, 92,842.

Passengers arriving from Hawaii and Maui ports by the Kinau were: Papa Ika, A. W. Lewis, W. Prestige, Rev. S. Conder, Miss E. McDonald, Lee Gilbert, Miss Haney, Kapuanu, Rev. J. T. Duran, Eider W. T. Phillips, Miss Inaka, S. Ika, Miss C. Wright, Pat Murphy, A. Moore, wife and two children; Judge W. L. Stanley, R. S. Moore, E. Richardson, W. A. Robinson, G. Allen and wife, G. E. R. Cutter, J. W. Pratt, C. Kaiser, P. Isenberg, S. Peck and bride, A. Well, W. H. Mixer, E. W. McConnell, W. M. Tobin, C. B. Welner, C. W. Johnson, Rev. O. W. Gulick and wife, J. S. Ralston and 81 deck passengers.

President McKinley will appoint nine members from Congress to receive \$5,000 per year from March 20, 1901, until January 1, 1905, as a commission to arrange for the Louisiana Purchase Centennial Fair in 1903.

METEOROLOGICAL RECORD.
By the Government Survey, Published Every Monday.

Table with columns: Day, Barom., Therm., Humidity, Wind, Force. Data for Feb. 27-29, 1901.

TIDES, SUN AND MOON.
Full moon on the 4th at 9:34 p. m.
Times of the tide are taken from the United States Coast and Geodetic Survey tables.

Honolulu Iron Works Company.
AT THE ANNUAL MEETING OF this Company, held on the 21st instant, the following officers were elected to serve for the ensuing year:

CHAS. BREWER & CO.'S New York Line.
Bark FOONGH SUEY will sail from NEW YORK FOR HONOLULU, on or about March 15th, 1900.

How to Save Fuel.
THE GAS WEIGHING ECONOMIZER—A gas balance for indicating continuous the proportion of carbon gas in the flow of the furnace gases, and which enables the engineer to get the best result from the fuel.

ADMINISTRATOR'S NOTICE.
THE UNDERSIGNED, HAVING been duly appointed administrator of the estate of Dr. Hiram P. Hugas, late of Kealia, Kauai, deceased, notice is hereby given to all persons having claims against the said estate to produce proper vouchers to the undersigned at Keola, Kauai, within six months from date hereof, or they will be forever barred, and all persons indebted to said estate are requested to make immediate payment to the undersigned.

CHAS. BREWER & CO., LTD.
C. BREWER & CO., LTD.
H. HACKFIELD & CO., LTD.