

The Pacific Commercial Advertiser

U. S. WEATHER BUREAU, January 7.—Last 24 Hours' Rainfall, .00.
Temperature, Max. 75; Min. 61. Weather, fair.

ESTABLISHED JULY 2, 1856.

SUGAR.—96 Degree Test Centrifugals, 3.70c. Per Ton, \$74.00.
88 Analysis Beets, 10s. 1 1/2 d. Per Ton, \$82.80.

VOL. XLIX, NO. 8242.

HONOLULU, HAWAII TERRITORY, FRIDAY, JANUARY 8, 1909.

PRICE FIVE CENTS.

MAYOR MEETS FIFTEEN MINUTES WITH BOARD WITHOUT QUARRELING

Yesterday's Session Without Incidents—Advertiser Blamed for Trouble—Chance for Agreement.

There was a session of the Board of Supervisors yesterday, a short and amicable session because nothing was done beyond meeting and adjourning, the one item of business sandwiched between the opening and closing exercises being a request from the solitary committee recognized by all sides for more time to report on their lease discussion of a public building.

Supervisor Quinn, after the meeting, announced that he intended to introduce an ordinance changing the number on the door of the board assembly room. This room is number thirteen at present and to this fact is ascribed the present pillkias.

Agreement May be Reached.

There were a number of consultations yesterday afternoon between various members of the Board of Supervisors and those interested in seeking a short cut out of the present difficulties of the Mayor and board, and also a consultation with the Mayor. The result of these consultations may be that within a very short time the jangling may be eliminated and the business of the city government proceed in a manner satisfactory to all concerned.

Advertiser Being Blamed.

There was a report in circulation last night that the present trouble in the city affairs was a result of a deep-laid plot on the part of the Advertiser. The report goes among the Hawaiians and it was stated with a show of authority last night that there would be a mass meeting of natives called to protest against this paper and its wicked minions.

The story is to the effect that the Advertiser is an advocate of government by commission; that in its advocacy its prime idea is to discredit any local administration, especially one in which Hawaiian members have a majority. With that idea inspiring it, the scheming sheet deliberately foisted Charles L. Rhodes upon the Mayor with the sole purpose of giving him wrong steers and thus discrediting the administration and disparaging the ability of the Hawaiian to govern himself.

It is stated that this ridiculous re-

port has wide circulation and is generally credited Ewa of Fort street.

Mayor Fern Makes a Statement.

Mayor Fern issued a statement yesterday setting forth his position and stating that he would welcome any suggestion which would open the way for him to bring the various questions at issue into the courts for settlement. He said:

Statement by Mayor Fern.

"There have been several suggestions made to me, in the press mostly, but on several occasions by private individuals, that the differences be compromised. The only suggestion that I have received pointing out the kind of compromise or what it should be came from a member of the Board of Supervisors, suggesting that Mr. McClellan be given a chairmanship in the Board of Supervisors and that both Wilson and Cummins be retired and a dark horse appointed to take the place of the Road Supervisor. This compromise, I took it, meant simply an agreement as to division of spoils, and I dismissed the offer without even a formal answer. If the press means some compromise on other lines I should like very much to have it made clearer what is meant. When compromise is talked of in general terms I do not know what is meant, unless it is a suggestion to divide up by mutual agreement the powers of the City and County officials between the Mayor and the Board of Supervisors, as also the offices, and I can see for myself, without the suggestion of the lawyers, that such a compromise would settle little or nothing of the real issue. In short, I do not see how matters can be settled without a ruling of the court as to what my rights and powers are as also the rights and powers of the Board of Supervisors.

"For example, the Board of Supervisors, under the claim that they have the right to make rules for their proceedings created certain committees by those rules and authorized those committees 'to engage employees.' Take, for instance, the rule creating the committee on road and bridges, etc., that committee is empowered to engage employees. After adopting these rules without submitting them to me for my approval or veto, they proceeded in the same way, by a motion, to appoint Mr. Quinn, Mr. Aylett and Mr. Ahia the committee on roads and bridges, etc., which motion was also not submitted to me for approval or veto. Then this committee goes out and engages a large number of employees to work under them, upon such salaries and other terms as they saw fit. The action of that committee was reported back to the Board of Supervisors, which report was adopted by the Board of Supervisors, but the same was not submitted to me for approval or veto, and (Continued on Page 5.)

LEPER NOW IN GOOD SHAPE

Dr. Wayson's New Treatment Appears to Have Cured Him.

Another near-cure for leprosy has been found. This one appears to be far and away the most perfected one that has yet been exploited in these islands. It has been given a thorough trial, has proven its efficiency as an aid, and has done so much for one man, who, on entering the Kalihi receiving station two years ago, was officially pronounced a leper and was in a frightful condition, that he now shows absolutely no exterior signs of the disease and Dr. J. T. Wayson, who has been experimenting with the treatment, has asked that he be allowed to return to his home.

When all the details had been discussed at the meeting of the Board of Health yesterday afternoon, and the members had been made acquainted by both President Mark P. Robinson and Dr. Wayson, with the results accomplished, Fred. C. Smith gave the latter his heartiest congratulations and expressed the hope that the treatment would prove, or could be developed into, an absolute cure. Dr. Wayson himself is not claiming a cure, but he does say that his patient, whom he has been treating for the past two years, would, under the ordinary examination, not be classed as a leper. Wayson maintains, and he is borne out by the facts of the case, that he has demonstrated that there is no further use for a leper to have all the unsightly attributes usually following the contraction of the disease.

Guarded language and statements were the order of the day at the meeting, but it could not be concealed that the confidence of both Wayson and President Robinson, the latter having followed the case to some extent and visiting the patient only a short time ago, is great. Robinson brought the matter to the attention of the Board by relating the known facts of the case.

The patient, who is a Hawaiian, was brought to the Kalihi receiving station about two years ago in a very bad condition. In fact, he was so nearly gone that he was carried to the receiving station on a stretcher. After a short time, it became apparent that, if the man's life was to be saved, it would be necessary to amputate one of his arms just above the wrist. This was done, at the request of the patient himself, and three local physicians attended at the operation. At the time of his arrival at Kalihi, the man was also paralyzed in his left leg, and had very little power over either of his arms. He had all the marks of leprosy, and was bedridden for three months, constantly under the care of Dr. Wayson.

"Today," said Dr. Wayson to the Board members, "his whole general appearance is no different from any other well man, and I am convinced that he would, without any question, pass quarantine in Honolulu or San Francisco. He now has an artificial arm. The man improved right along after the amputation, until now he is as fresh and clean a looking fellow as anyone."

The request made to the Board was to allow the man to return to his home, and report to the Board of Health every three months. His family wishes to have him at home, now that he is so wonderfully improved. Wayson stated to the Board that he did not wish to be considered as attempting to establish the actual fact of a cure, although, clinically, the disease could not be detected. In this connection, Dr. Wayson stated that numbers of people have been found not lepers simply because the bacteriological examination did not show traces of bacilli, while every bit of their condition, from a clinical standpoint, pointed in this city.

MORGAN NAMES 1912 CELEBRATION COMMITTEE

James F. Morgan, president of the Chamber of Commerce, and the one authorized to appoint committees and go ahead with the preliminary arrangements for the celebration of Pearl Harbor's opening in 1912, yesterday named his committee and commenced actual work on the celebration preliminaries. The names announced by him are James F. Morgan, chairman; W. E. Brown, W. F. Dillingham, George R. Carter and H. P. Wood.

This committee will proceed without delay in mapping out a tentative program to work to and decide upon the scope of the celebration to be attempted.

The suggestion of the celebration has been endorsed pretty generally on the mainland, among the commercial bodies who have written to the Chamber of Commerce here in approval of the event, and in appreciation of the

CHUG WAGON OUSTS HORSES

The Legislature Will Be Asked For an Automobile Ambulance.

"Oh, I am just sick for an automobile ride," exclaims the lady whose hubby can not afford a buzz-wagon.

If the Legislature is kind when it goes into session, and gives everything asked by the Board of Health, in the way of improvements, all the dissatisfied lady will have to do to get a ride in a gasoline buggy will be to fall sick and give the emergency call at the Board of Health. Included in the list of estimates for appropriations which has been prepared for submission to Governor Frear is named an automobile ambulance, to cost in the neighborhood of \$5000.

The day of that noble animal, the horse, is fast waning, for in the subnote to the estimate it is stated that "horses are in the long run expensive and unreliable." Two valuable animals used in the ambulance service of the Board of Health died suddenly during the past year. Three relays of horses are required to keep up the proper service, while it is asserted that an automobile ambulance would do away with all this bother and extra expense, besides being a great deal more valuable on account of the faster speed.

Two chauffeurs will be employed, if the Legislature approves of the plan, one for day and one for night duty. Each will be paid a salary of \$80 per month. In addition to the sum of \$5,000 with which the automobile ambulance will be purchased, it is estimated that the sum of \$250 for extra tires will have to be expended. Running expenses of the machine, salaries, etc., are estimated at \$7990 for the period.

No More Aid from Shippers.

After February 28, the Honolulu Shippers' Wharf Committee will discontinue all financial assistance to the Board of Health. At present the shippers are giving \$475 per month towards the rat campaign and \$125 monthly towards the battle against mosquitoes. In view of the above action the Board of Health has decided to ask for an appropriation of \$12,000 to wage war on rats during the coming period, and the sum of \$3000 to fight the pesky mosquitoes.

Morgue at Hilo.

The Board of Health has in contemplation the construction of a building to be used as a morgue at Hilo. For this building and for the equipment thereof, the Legislature will be asked to come through with the modest sum of \$1500.

AMENDMENT TO AUTO ORDINANCE

Some of the leading members of the local automobile club have requested Supervisor Quinn to introduce an amendment to the present ordinance regarding the driving of automobiles through the streets, the suggestion being to do away with the sharp cutting of corners. The suggestion is to compel all machines to be driven around an imaginary point in the center of the street turned into. This will give those coming down such streets, whether afoot or in vehicles, a chance to see the machine before it is turned and coming their way.

W. Motoshige, the vice president of the Japanese Merchants' Association, entertained nearly a hundred Japanese and American friends at a banquet at the Shinyu-tei tea-house on Tuesday evening, the occasion being the fifteenth anniversary of his arrival in Hawaii and the thirteenth anniversary of the date of the opening of his store in this city.

EARTHQUAKE DAMAGE EXCEEDS A BILLION OF DOLLARS IN GOLD

More Shocks Alarm Palmi—Thirteen Hundred Bodies Are Buried in One Grave—Sicilian Immigrants Hear the News.

(Associated Press Cablegrams.)

ROME, January 8.—The property damage caused by the earthquake is estimated at one billion, two hundred million dollars.

BURIED IN ONE GRAVE.

MESSINA, January 8.—Relief work is continuing. Thirteen hundred bodies were buried yesterday in one grave.

EARTHQUAKE AT PALMI.

PALMI, January 8.—Severe shocks of earthquake occurred yesterday, causing general panic.

SICILIAN IMMIGRANTS HEAR NEWS.

NEW YORK, January 8.—There were pathetic scenes on the deck of the Germania yesterday when 400 Sicilian steerage passengers learned of the disaster at home.

AFTERNOON SERVICE.

MESSINA, January 7.—The earthquake shocks continue, there being on an average ten shocks every hour.

The work of rescuing people from the ruins goes forward, the total saved to date being 3200, taken out alive.

At 10 o'clock today a fresh fire broke out and destroyed the City Hall with its records.

RAILROAD MANAGERS COMING

SAN FRANCISCO, January 8.—Calvin, of the Southern Pacific Railroad, and Bancroft, of the Union Pacific, both high officials, will sail for Honolulu Saturday for a vacation.

NIGHTRIDERS FOUND GUILTY

UNION CITY, Tenn., January 8.—Six nightriders have been found guilty of murder in the first degree and two in the second.

PERKINS WINS SENATORSHIP

SACRAMENTO, January 8.—The Republicans of the Legislature, in joint caucus, have selected Senator Perkins for reelection.

ICE IN THE COLUMBIA

PORTLAND, Ore., January 8.—The Columbia river is jammed with ice, and navigation above Astoria is suspended.

NAVAL RECOMMENDATIONS.

WASHINGTON, D. C., January 7.—Secretary of the Navy Newberry is urging an elaborate naval program upon Congress. He recommends that appropriations be made for four monster battleships, four scout cruisers, ten destroyers, four submarines, three colliers, one repair ship, and two mine-laying ships.

BATTLESHIPS GO TO BEIRUT.

PORT SAID, Suez Canal, January 7.—The American battleships Virginia and Louisiana have passed through the canal and sailed today for Beirut, Syria.

PLOTS AGAINST MANUEL.

LISBON, Portugal, January 7.—The King was warned at a banquet today of a plot to dethrone him.

SAKE BREWING IS GREAT SUCCESS

Sake brewing in Honolulu is proving to be a great success, the test batches turned out by the Japanese Sake Brewing Company at their plant in Panoa valley being judged by experts to be of the very finest quality. So encouraged are the promoters of the brewery that they intend to start right in making their product in large quantities, satisfied of their ability to cap-

ture the market. To celebrate the success which they have met with and to mark the opening of their plant on a large commercial scale, the directors of the company will give a large banquet on the sixteenth instant.

The brewing of sake depends upon conditions concerning which the experts themselves are in doubt. In Japan, sake can be successfully made in one particular locality, while the product, made in the same manner exactly only a short distance away, may be utterly worthless. Heretofore, in the same way, other sake breweries in Hawaii have proved more or less failures, but in Panoa the right spot seems to have been selected.

TWENTY-EIGHT PLAGUE RATS FOUND UNDER HILO STABLE

Four Plague Rodents Discovered Outside by Agent of the Board of Health—No Sickness Among the People.

While on a tour of inspection on December 18, Inspector Bowman of the Territorial Board of Health states in his report to the board that he found four dead rats in near proximity to the City Stables there. These he submitted to bacteriological examination and discovered that the rodents had died from the plague. He states that a guinea-pig was inoculated with the bacilli found in the dead rats, and it died very shortly afterwards.

A very minute examination of all the premises was then made by Bowman, and on lifting up the floor of the stables he found forty dead rats, twenty-eight of which contained the plague bacilli. Tests were made to determine beyond a doubt that the little creatures had died of the plague or that they had the plague bacilli in their systems, and this fact was entirely established.

The whole neighborhood has been

thoroughly disinfected and a general clean-up has ensured the people of Hilo-town that they have little or nothing further to fear. The sanitary inspector is waging a terrific war on the rodents there, stating in his report that he examines on an average sixty rats per day.

The Board of Health passed a motion yesterday afternoon to send him a letter of praise for the splendid and energetic way in which he handled the situation. Secretary Charlock announced that he had already mailed Bowman a three-page letter along the same lines, but the board thought official commendation would not be out of place in this case.

There have been no cases of plague among the people of Hawaii of recent date, and consequently it is generally believed that the disease has been entirely confined to the little animals. The value of the constant surveillance over rats and the unceasing war against them is again demonstrated.

Cold Weather

cannot inconvenience the man who is entrenched behind
UNDERWEAR
 of the Dr. Jaeger stamp. We have the medium and Summer weight. Also Sox and Abdominal Belts. Your size and weight.

M. McInerney, Ltd.
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No More Tire Trouble if you use

Standard Tire Protectors

They take all the hard knocks, stone or glass cuts and bruises that a tire tread is constantly subject to, and preserve the tire in its original strength, thus eliminating the danger of the blow-out, the "bug-bear" to the automobilist.

When once in place it positively cannot creep or come off. It adds to the resiliency of the tire. It actually saves more than half the tire expense.

A number of sets of these protectors are in constant use here, and are giving entire satisfaction.

For further information and prices, see

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 65 S. King Street

BOWEN HEADS PROMOTIONERS

Willard E. Brown Resigns--W. H. Hoogs Chosen to Take His Place.

Willard E. Brown yesterday resigned from his position as chairman and member of the Promotion Committee, the resignation being accepted because of the statement of Mr. Brown that he intended to leave Hawaii shortly for an extended trip abroad. There was general regret expressed at the meeting of the committee yesterday at the loss of Mr. Brown's services. To succeed Mr. Brown, by unanimous vote, W. A. Bowen was elected chairman, while to fill his place on the committee, W. H. Hoogs was chosen.

The committee yesterday considered a number of communications, taking definite action on none of them, however, and authorized the letting of two large printing contracts. Among the communications received was one from the Hawaiian Development company, stating that the residence of their manager, J. J. Dowling, at Waiolo, was at present unoccupied and would be available for a private hotel. The committee will probably endeavor to interest someone in the place, which is at one of the most beautiful spots on the windward side and an ideal location for a summer hotel.

Report of the Secretary.

Secretary Wood presented the following regular weekly report:

Honolulu, January 7, 1909.
 Members, Hawaii Promotion Committee, Honolulu.

Gentlemen: The following editorial from the Montgomery (Alabama) Journal, just received, is of interest and can but encourage the committee in its work.

"That the men of the Hawaii Promotion Committee at that distant point appreciate that they have a big field in which to work, that there is work to be done, and that they are going at it in the right way, is demonstrated in an article about the Hawaii Promotion Committee in the Pacific Commercial Advertiser, a copy of which paper was received at the Commercial Club's reading-room this morning.

"The paper portrays in a vivid style the activity of the business league in working for the commercial development of Hawaii. Judging from the copy of the paper received by the Commercial Club, the island has some very live men who are full of energy, and are taking every opportunity that presents itself to boost the country. They are attracting commercial men and the development of Hawaii is rolling along at a rapid rate and it is the same kind that makes a great country in the course of time."

The same thing can also be said of the following letter from an Army officer stationed at Manila:

"I would deem it a great favor if you would send me some of your descriptive literature. I received a quantity from you about eighteen months ago, but it was gobbled up so quickly by others that I did not have a chance to get a look at half of it. If you have the same, would you kindly include in the ones you send, that which contains the prose poem of Mark Twain on the beauties of Hawaii. I think it one of the gems of the language and just about hits the mark; should you not have it in the form as asked, please do me the courtesy of sending the quotation. I wish to memorize it."

"I retire from the Army next year when I expect to go to your town to spend the remainder of my days. I have been pretty well over the entire world in my travels, and can truthfully say that not a place in which I have been as much as even approaches Honolulu. From my first view of the place, in 1899, I have intended to live there when I should retire. I like the American element of your town, and should so enjoy living amongst, and being one of them. You have, I apprehend, a very bright future."

"I presume, from what I can gather in reading current papers, that it is the policy of the War Department to maintain a very large garrison permanently in your vicinity. This will have its advantages in more ways than one."

We are gradually getting more closely in touch with the leading papers of the mainland. Among other letters just to hand is one from The Chicago Record Herald, stating that they are planning to run a series of articles relating to the agricultural possibilities of Hawaii and asking us for data and photographs.

Our agent in Los Angeles writes under date of December 22 that the Pacific Mail Steamship Company is offering party roundtrip rates of \$110 from San Francisco by the steamship Mongolia, scheduled to sail February 16, and that the outlook is good for a number of passengers by this steamer as well as by the Matson and Oceanic boats sailing during February.

The matter for our special folder to be distributed on board of steamers calling at Colombo is about ready for the printer. For the inside pages, we have had a special map made which has reduced effectively. Through the courtesy of Doctor Gilmore, we are in receipt of translations of the text which will be published in English, French and German. Within another month, we should be able to commence this distribution, which, I believe, will prove of material benefit.

One of our correspondents writes from Rangoon, stating that he expects to be in Colombo soon, from which point he will send us some selected seed of a special variety of cocoa, which he hopes may do well here. Upon receipt of the beans, we will turn them over to the Agricultural Experiment Station.

The lithographs advertising the February 22 parade are now being generally distributed throughout the United States and Canada.

C. S. Hammond and Company write that the new edition of the Crossroads of the Pacific map has been shipped and should reach us about the middle of the month. This firm also writes

that they are proceeding with the preparation of copy for the special red plate to be over-printed on their large map of the world, and hope to be able to fill all orders shortly.

Mr. Henry Z. Desch, Director of Exhibits and Privileges of the Alaska-Yukon-Pacific Exposition, writes asking for copies of the colored plates of Hawaiian fishes, stating that he will have each picture framed and prominently displayed in the Fisheries Building.

At our request, the manager of the Los Angeles Times has placed our name on his free list for that valuable paper.

Mr. A. Claude Braden, the lecturer, writes from Hongkong that he has had all of his Hawaiian slides colored in Japan and is showing them to good audiences throughout Japan and China.

Mr. W. H. Simpson, advertising agent of the Santa Fe Railroad Company, at Chicago, writes that he has shipped us 100 copies of a new edition of their red wall map on which Hawaii is given a prominent space.

The principal of the Spring Valley, Minnesota, High School, sends us an interesting description of "Hawaii Day" at their school, when a number of the advanced pupils submitted papers referring to the Islands.

December 19 we despatched some 2000 postal cards to leading railway and steamship agents throughout the United States and Canada.

The new leaflet for enclosure with ordinary correspondence will soon be ready for distribution among our business men.

Since my last report, we have acknowledged the receipt of the Crossroads of the Pacific map from Vladivostok, Tahiti, Acapulco, Cape Town, Bombay, Colombo, Calcutta, Samarang, Rangoon and Halifax, N. S.

We are also in receipt of requests for additional copies of the map from a large number of places in the United States and Canada.

Retiring From Business

Will sell for cash, suits at cost for the next 15 days.

S. ROTH

IMPORTERS AND DESIGNERS of

Fashionable Millinery

DUNN'S HAT SHOP

Barnhart

will deliver a superior grade of ICE at **25c Per Hundred Pounds**

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Territorial Messenger Service

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New Year

WITH THE RESOLUTION OF BEING ON TIME WITH EVERYTHING

You can best keep up to that resolution by having the right kind of

A CLOCK

We have an assortment of them, one of which will surely please you in style and price.

J. A. R. Vieira & Co.

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CORSETS FOR ALL WOMEN.

The kind that improves a woman's form. Fit perfectly. The model exactly suited to the figure—NUFORM, \$1.50 and \$2.25 per pair.

LADIES' and CHILDREN'S SWEATERS

BOY'S REGATTA WASH SUITS, the largest assortment in town. Colors guaranteed FAST. Only \$1.65 and upward a suit.

BOY'S WOOLEN PANTS, 65c a pair.

BOY'S OVERALLS with bibs, 65c a pair.

CHILDREN'S ROMPERS, 65c a pair.

A. BLOM Opposite Catholic Church

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 Manufacturing Harness and Saddle Maker

REPAIRS to all LEATHER GOODS. Prompt Service. Reasonable Prices.

Collins Building, King, near Fort St.

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CLEARANCE SALE OF SHOES

Not Regals, but good shoes of other makes. To make room for New Stock.

MEN AND WOMENS' OXFORDS AND LACE BOOTS.

\$3.00 Shoes at \$2.50; \$2.50 Shoes at \$2.00; \$2.00 Shoes at \$1.50

LADIES' AND MISSES' WHITE CANVAS TIES.

\$3.00 Ties at \$2.50; \$2.50 Ties at \$2.00; \$2.00 Ties at \$1.50; \$1.50 Ties at \$1.00.

MISSES' AND CHILDREN'S SHOES.

\$2.50 Shoes, \$2.00; \$2.00 Shoes, \$1.50; \$1.50 Shoes, \$1.00.

MEN'S HOUSE SLIPPERS.

Some 60c pairs, left over from Christmas, selling at \$1.25 per pair. The regular price is \$2.50.

REGAL SHOE STORE

McCandless Building, King and Bethel Streets.

FRENCH LAUNDRY

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Ladies' and Gents' Washing Done First-class.

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Charges reasonable. Give us a trial.

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Means overheating and consequent colds which often precede La Grippe. Our ANTI GRIPPE TABLETS (Hobron formula) will give immediate relief.

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Our large new stock, ordered for Christmas has just arrived.

Gold, Black, Brown,

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Any picture framed in a manner that will bring out all its tone and color value. Look over our large assortment.

Honolulu Photo Supply Co.

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ART THEATER

MOVING-PICTURE SUBJECTS
 The Fatal Card
 The Circus Boy
 The Tale of a Pig
 No More Servants Wanted
 Galvanic Fluid
 Pickman the Second Unveiling a Statue
 The Sacrifice
 The Fresh Air Fiend
ORCHESTRELE
 Overture, William Tell
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Hotel Street, between Fort and Bethel

Change Monday,
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ADMISSION..... 10c. and 20c.
 Children 5c.

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HOTEL AND BETHEL STREETS.

PROGRAM CHANGED

MONDAYS, WEDNESDAYS AND FRIDAYS.

New Moving Pictures

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Just received

1025 NUUANU STREET

S P O R T S

FORD WOULD BRING INDIANS TO HAWAII

He Says Dr. Roller, the Famous Wrestler, Is in Favor of the Idea.

By A. H. Ford.

There are seven hundred Indians, representing a score of tribes from Alaska and Lower California, who hope that Hawaii will hold a Polynesian Olympia to which they may send their trained athletes to compete for the prizes.

And why not? Australia has promised to send her aboriginal teams; Japan has already sent a baseball team to Honolulu. And certainly a Pan-Pacific athletic and sportsmen meet on the Island of Oahu could be made to revive the old Polynesian games and pastimes in a manner that would compel the attention of the world and bring tourists aplenty to the great event. I am certain that the Outrigger Club is now strong enough to handle the proposition.

At Chemawa, Oregon, there are 700 Indian youths and maidens. Many of the young men are sons of famous Indian chiefs and inherit the old-time endurance and strength. It is an Indian youth of Chemawa who holds the Pacific Coast running record. It is the Chemawa relay team that has even held the relay race record on the Pacific Coast, and this team of ten will gladly come to a Polynesian Olympia to compete for the Pan-Pacific record in running events, baseball, basketball and canoeing—for some of them have traveled thousands of miles in Alaskan waters, both inland and on the ocean, in the frailest kinds of barks in the roughest sorts of seas. They will come with their tepees and native wigwams of skin huts and camp out while they adjust themselves to the climate and train for the great events. Some may even contest with Solomon Islanders and Fijians in spear-throwing, or with the famous archers of Japan. These boys think nothing of entering the bear-pit at Chemawa and wrestling with the big brown bears, so even in

this they may well meet the Japanese and others. Of course, Roller would be with us; he expects to come back to Hawaii, anyway, to live, and would gladly aid in engineering a Polynesian Olympia in Hawaii to success. So let's get together and see what can be done for, say, the summer of 1910, or even 1911. The Samoans are the most enthusiastic cricketers in the world, excepting only, perhaps, the Fijians. Both will come, as well as the Tongans, the Maoris and other South Sea Islanders, bringing their best canoes and their best men in all kinds of sports known to the Pacific.

But, to return to Chemawa. This training school for Indians is recruited from Alaska, Oregon, Washington, California; and even Idaho, Montana and Arizona contribute some of their best young Indian blood. Annually the Indians of Chemawa issue a challenge for any team to meet them in a relay race from Salem to Portland, a distance of fifty-one miles, or in single racing contest. The Governor of Oregon prepares a message to the Mayor of Portland, and on the auspicious day it is he who starts the race—it is a State affair and general holiday. The course is lined for many miles with cheering crowds. Last year and the year before it was the Portland Y. M. C. A. that provided the contesting team. Schools and colleges had promised to enter, but when the Indian boys began to go into training, they one by one dropped out.

The boys at Chemawa begin three months before the event. Seventy of the best runners are selected and put in training; then a month later there is a trial race, and the fifteen leaders are retained, these being thinned down to the ten best before the final contest. On the great day, the relay boys are placed five miles apart all along the route, a Y. M. C. A. and a Chemawa at each station. The Governor delivers the message at Salem, and the race begins. The boys at the second station run, perhaps, a hundred yards

to meet the bearers of the messages, and then run beside them, so that not a moment may be lost in the exchange. The Indian youth then settles down to the pace that never tires a redskin, and he never alters it for the full five miles of his run. Last year, at the end of the run, the Indian boy who bore the message for the last stage accepted the challenge of a fresh runner at the end of his station, for a mile sprint, and beat him.

The boys listened with glowing enthusiasm as I told them of the many kinds of trails we have in Hawaii, mountain and plain. They were keen to meet all-comers in Hawaii, both in a Marathon race and in relay work. How their eyes glistened as I spoke of the steep, sheer precipices down and up which the old trained messengers of the chiefs made their way with incredible speed! When I reached the climax of the story of a messenger who broke a record across the Island of Oahu, to fall dead at the feet of his chief with the fish he had been sent for, a Montana boy sprung up with a demand for the "time" and distance. He had me, so I invited him to come and set a pace over the self-same trail—if he can find it.

The boys of Chemawa look forward eagerly to a visit to Hawaii, where they hope and expect to cover themselves with glory. We must go on with that Polynesian Olympia now, and give the real "Young America" a chance to show the Pacific world at least that he can lead—but I have a dire suspicion that all the honors will not leave Hawaii.

The American Indians have a game of lacrosse, with small sticks and ball baskets that just fit a lacrosse ball. I have seen these play against the Canadian teams with their big net sticks, and often the Americans won. During my visit to Australia the Sydney boys learned lacrosse, got up a team and beat the visiting Canadians. Why can not the boys of Hawaii do as well?

Having made my round of the Pacific, I see how easy it will be to gather all the lovers of sport for a grand contest at the crossroads of the big pond. If the men who have made a success of baseball in Hawaii, the Outrigger boys, the Y. M. C. A. athletes and the natives who still remember the old games of their fathers—or who are willing to learn them—will give a hand, we'll give the world before long the most picturesque carnival that has been witnessed by man since the days when Athens was the center of all that was athletic. I am more strongly today than ever in favor of a Polynesian Olympia in Hawaii—and the thing can be done.

ENTRIES CLOSE TOMORROW

Things were doing with a hum yesterday in walking circles. Entries kept coming in all day, every one entering with a happy grin and a look-out-for-me shake of his head when asked his best time over the course. As nearly every one of those entered has been in training most of the time since the last race, some close finishes and fast times will be recorded. The following entered yesterday:

G. J. Boisse, David Maikai, M. V. Fernandez, C. R. Roe, Geo. Barker and G. V. Hawkes. The latter is a Rapid Transit employe who lives at Waikiki and who walks in every morning to take his car out from the barn. Since these walking events have been in the air, he has been timing himself every morning and on some occasions has covered the course under seventeen minutes.

Ernest Gibson, the Y. M. C. A. walker who is prevented from entering the Sunday contests, has in mind a challenge for the winner of the cup event of the 17th. If such a race could be arranged for some Saturday afternoon, it would no doubt be a good attraction, for Gibson's friends say he is the fastest man in the Islands.

Intending contestants are again notified that entries close Saturday evening at six for the elimination event. You must compete in this in order to enter the main event of the 17th, unless you were in the last race and finished in nineteen minutes or better.

SPALDING TROPHY FOR SEA WRENS

The commodore of the South Coast Yacht Club, Rufus P. Spalding, who is in the city with his father, Col. Spalding of Kauai, has presented to the Hawaii Yacht Club a very handsome trophy to be competed for by sea wrens. He makes the stipulation that the trophy shall become the property of the yacht winning it three times. Other conditions, if any, he leaves to the regatta committee. The trophy is a cup.

CHINESE GAMES FOR NEW YEAR'S

The Chinese Minor League will play their championship game at the Oil Tank grounds on Chinese New Year's Day, between the first and second nines. Captain L. Ahana requests the members to be at the depot ground next Sunday at 10 a. m. for practise. The lineup of Ahana's nine will be as follows: Ah Hue, c.; Kau, ss.; C. Fun, p.; Ahana, 1b.; Ah On, 2b.; C. Wa, 3b.; Ah Vau, cf.; William, lf.; Hung Chin, rf.

GO TODAY.

Even if you are busy take the time this afternoon to see the motion pictures at the Gem theatre. They are worth the time it takes and the money it costs. The change today will include some marvelous subjects so well made that they will set everyone to wondering how they are secured. The show tonight will be as good as this afternoon.

BOWLING! HOTEL BATHS

Open 4 p. m. Week Days. (Saturday 1:30 p. m.)

HOTEL BATHS Re-Opened

The Hotel Baths have been opened under a new management, and the public is now assured of having a first-class bathing place in the center of town.

BETTER SERVICE.

The Baths will be under the management of the Alexander Young Hotel, which has given them a thorough cleaning and overhauling, and guarantees the public the very best service that can be given in a public Baths.

New, well-made suits have been provided, plenty of clean, good towels, and the dressing-rooms have all been put into shape.

WATER.

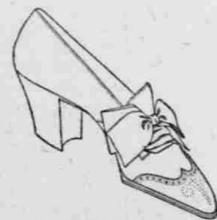
The water will be changed daily, and the tank cleaned out thoroughly with each change. It will be artesian water, as, before.

An even temperature will be maintained at all times. When it is too cold to swim at Waikiki, the water at the HOTEL BATHS will be "just right."

FOR BUSINESS MEN.

Business men will find the Baths just the thing they need to keep them feeling right up to form through a hard day's work. A little brisk exercise, followed by a fifteen minutes' swim, will brace any man up. It's a natural tonic that can't be beat.

ONE OF OUR LEADING SELLERS



TAN RUSSIA CALF or PATENT COLT

Stock No. 461.

One of the latest Novelties that, for the past six weeks, have been greatly in demand. Price \$4.50.

MANUFACTURERS' SHOE CO., LTD. 1051 FORT STREET Telephone 282

OPERA HOUSE

January 7th and 8th,

W. D. Adams Presents the Famous Comedy Drama
"MRS. WIGGS OF THE CABBAGE PATCH"

Arrangement with Liebler and Co., New York.

Seats on Sale at Bergstrom Music Co., Monday, January 4th, at 9 a. m.

Remnant Sale

Begins Monday Morning January 11th.

JORDAN'S

Cluett TOWN AND COUNTRY SHIRTS

THERE is in shirts bearing the label of a manufacturer of undoubted responsibility a value, in that it stands for so much experience in cloth-buying, in pattern-drafting and in style-designing. The Cluett mark assures correctness, exclusiveness, durability.

\$1.50 and more

CLUETT, PEABODY & CO., Troy, N. Y. Makers of Arrow Collars

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For show or service. Improved quality. Reduced Price. Individual Pieces, Tea Sets, Delicate Porcelains, Chocolate Sets. Exquisite in Design.

Sayegusa

NUUANU, ABOVE HOTEL.

RELAXATION

Means much to the man whose mind is occupied with business problems six days in the week. A day at Haleiwa will put new life into a man.

ST. CLAIR BIDGOOD, Manager.

THE Pacific Commercial Advertiser
A MORNING PAPER.

WALTER G. SMITH EDITOR
FRIDAY : : : : : JANUARY 8

MAYOR AND SUPERVISORS.

We know of no plan to compromise with the Mayor on a division of the spoils and certainly have advised no such thing. It would please the Advertiser if all appointments, below the higher grade, could be taken out of politics and referred to a civil service commission. On the understanding that the municipal row is chiefly one of differing interpretation of the law governing city and county appointments, and the Mayor's powers generally, this paper simply urges a friendly appeal to the courts for a decision on the contested points. The rights of the Mayor and the rights of the Supervisors should be clearly defined and what better way is there to obtain such definition than the one proposed? If amendments are needed to clarify the City and County Act it is well to find out what they are and have the incoming Legislature provide them. And the sooner the first steps are taken, the better.

A VICTORY FOR JAPAN'S PRESS.

The report received by cable yesterday morning from Japan that the engagement of Baron Togo to the daughter of Prince Kita Shirakawa had been broken off is a matter of more import than the mere heart affairs of a Baron and Princess. It is a triumph of the free press of Japan. Until now no newspaper in the Island Empire dared speak openly of the private affairs of the imperial family, much less criticize any member thereof. Now the way has been dared by the Niroku, one of the foremost of Tokio's journals, and, instead of the prompt suppression of the publication, which everyone in Japan expected, the paper has gained its point and a Royal marriage has been stopped. Only those who realize the divinity that has hedged the members of the Japanese royal family can appreciate what this means to the Japanese press.

Prince Kita Shirakawa, the father of the intended bride, ranks in Japan equally with Prince Fushimi. His daughter, a girl nineteen years old, had become formally betrothed to Baron Kodo, a scion of one of Japan's greatest families, the match having received the sanction of the Emperor and the engagement having been announced in the official gazette.

The Niroku immediately began a violent attack upon the character of the Baron, publishing an expose of his life while at Cambridge, England, when he became involved in a liaison with an English woman, and further exposing his immorality in Japan. The paper denounced the marriage as arranged and threatened to bring suit on its own account against the Baron unless the engagement was broken. The boldness of the Niroku astounded all Japan and the arrest of the editor was hourly expected.

The published truth was effective in Tokio as elsewhere, however. The marriage will not take place and the Baron is socially dead from now on.

THE DRIFT OF THINGS.

But as to the general tendency. Is it not towards more direct popular government? The municipal corporations which have moved in the direction of one-man power retain the right to elect the one man by popular vote, and they are highly developed communities, with a specially trustworthy electorate and have been through the experience of self-government under the divided responsibility systems. In all of the systems in every city save Washington, D. C., the government is local and on the basis of universal suffrage. Most cities which have gone under "government by commission" elect the commissioners, excepting Washington, which suffers and "howls" under a commission government forced upon it by the nation.—Star.

The voice of the politician is not the voice of the people. It is the politician who "howls" against the well-nigh perfect government of Washington, not the property-owner and taxpayer. And the more satisfactory a government is to those who pay its bills, the more likely are the politicians to raise the wolf's long cry. Washington is all right; the trouble is that the people who batten on politics there can't get at its treasury.

The Star is in error in saying that, in all the systems in every city save Washington, D. C., the government is local and on the basis of universal suffrage. The cities governed by commission get their commissioners from the Governor of the State; and unless the Star indulges in the quibble that universal suffrage is reached through him, its point is lost. In the government of the greatest American city, New York, control of its public utilities has lately been taken from the elected representatives of "the people" and vested in a commission appointed by the Governor—which is a step towards centralization, the significance of which cannot be ignored.

The Star cites the Philippine legislature as an American step away from centralization. But this step is more apparent than real. The Philippine legislature is only a toy to play with. The commission still decides what is best for the island dependency and will continue to do so, as President-elect Taft thinks, for at least thirty years to come. Nobody but the Star pretends that the Philippines have home rule and the Star knows better. In Hawaii's case a legislature was framed with more power than the Filipino body has; but Congress took care to fix things so that, if our legislature should refuse appropriations or the confirmation of appointments, the non-elected Governor could go ahead, after its adjournment, under the former appropriation bill and re-appoint the officials whom the legislature opposed. The fact is, the Territory is governed in the final analysis, by Washington's appointee, with the powers of the legislature to interfere in vital matters sternly curbed; and with a reserve power in Congress to abolish the legislative system altogether. Does the Star really call that a step away from centralization?

The Star thinks that it detects sympathy in this paper with Andrew Carnegie's plan of co-operation between wage-earners and the management of great industrial properties, and implies that this attitude is not consistent with our views on reasonably concentrated power in government. But what are the facts? Andrew Carnegie lets his qualified employees share profits with him and vote at shareholders' meetings; but he is careful to hold the majority of the stock himself, and he has the final say. This paper discovers nothing in that situation to find fault with from the standpoint of efficiency in the management of great properties. It observes that Mr. Carnegie does not give his hod-carriers a chance to vote down his skilled mechanics and himself. He admits no "universal suffrage" in the management of his iron mills. He does not count noses. If he did, he would soon run out of money for libraries. "Nothing," he says, "can stand against the direct management of owners." He is right. But he does not include his dump cart drivers as owners and carrying the analogy into politics, no government which lets its owners, meaning its taxpayers, be ruled by a mere proletariat, can hope to be either efficient or respectable.

The hold that Senator Perkins has on the Republicans of California is phenomenal. He has no showy attributes, nor does he go out of his way to make friends. But neither the spell-binding of George Knight, the political cunning of M. H. De Young, the personal prestige of Victor H. Metcalf, the reputation of U. S. Grant, Jr., the money of John D. Spreckels, the finesse of Dr. Pardee, nor the pose of S. M. Shorridge can prevail against Senator Perkins in a Republican legislative caucus. He is the one man, in the party's opinion, who ought to be kept in the Senate. Hawaii has no cause to be displeased over this fact, as Senator Perkins has shown himself to be a friend of Island interests.

The good work of the Board of Health has rarely been shown to better advantage than at Hilo where a colony of dead rats, infected by the bacilli of plague, was uncovered before an epidemic had started among the people. After this, few can doubt the value of the anti-rat campaign nor the excellence of the standards of efficiency which the Board imposes upon its agents. Hilo, even if not yet out of danger, has reason to congratulate itself that one prolific source of contagion has been removed.

Mr. Achi would be pleased to advise the new Mayor and begins by suggesting the removal of Secretary Rhodes. We have nothing against Mr. Rhodes, but if he has the slightest desire to increase the gaiety of the situation, he will step aside and give Mr. Achi a chance. With Fern acting on the advice of Achi, the municipal vaudeville features which Mr. Rhodes has helped to modify would proceed at full blast.

If the estimate of one billion, two hundred millions damage by the earthquake in Sicily and Southern Italy is anywhere near true, it is the most striking descriptive fact of the great calamity so far cabled.

FULL HOUSE TO GREET MRS. WIGGS

Honolulu visited the "Cabbage Patch" last evening at the Hawaiian Opera House and met face to face the odd characters there who have become famous the civilized world over. They followed the queer people of that poverty-stricken neighborhood through their neighborly quarrels, courtships, weddings and forlornness; laughed and cried with Mrs. Wiggs as she prayed to the Lord to keep her from getting sour, and sympathized with poor Miss Hazy when she accused Mrs. Wiggs of having "sicked her on" to marriage with the civil war hero.

It was an enjoyable presentation throughout, brimful of fun and pathos, played by a well-balanced company just fresh from a successful tour of Australia and New Zealand. It was not altogether a production by an outside company for considerable local amateur talent was drawn upon to fill minor, but important roles.

Miss Ada Dwyer played the title role and sustained her reputation as a past-mistress in character work. Those who have heard her in former plays were carried back to her great success of "Roxy" in Pudd'nhead Wilson" when she gave her long, chuckling, peculiar laugh. That laugh was the laugh of "Roxy" the octoroon, the laugh which made her famous. Years of laughing as "Roxy" have caused her to laugh yet as "Roxy" even as Mrs. Wiggs. Nevertheless the audience was sympathetic throughout, swaying with Mrs. Wiggs' moods and enjoying her odd expressions.

Helen Lowell played the role of Miss Hazy in a clever manner. In fact this role was one of the hits of the evening. The forlorn, almost friendless creature, married through a matrimonial agency to the war hero, always before the audience, gave a comedy side to all situations. Lottie Alter was a sweet, winsome Lovey Mary. John F. Walker as Mr. Stubbins the hero "who passed away on a through freight car," was another comedy hit of the evening. His role was well sustained throughout, never exaggerated, and true to life especially when he had looked upon the wine when it was red.

The angular Mrs. Eichorn, played by Florence Busby, and the rotund Mrs. Schulte played by Gustave Armstrong, provoked laughter at each appearance. Perhaps their speech was a trifle exaggerated, but they moved the audience to laughter at all times. Of the local talent Mr. Will Warren placed the role of Mr. Bob very well, showing up well considering the talent he appeared amongst, and the same is true of the part played by Miss Waldron, as Asia, and that of Thelma Murphy as Europa.

The stage settings were excellent and showed the tumble down shanties of the Cabbage Patch residents, with its back ground of factories and railroad tracks and sheds in a realistic manner. All in all, "Mrs. Wiggs of the Cabbage Patch," is one of the best comedies presented here in a long time. It will be repeated tonight. Last night's initial performance had a full house to witness it.

Mr. Sirius Barker had been cheated in a horse trade and the experience formed his chief topic of conversation for some time. "Can't you get over talking about the way you got cheated in that horse trade?" suggested a friend, who had heard the story several times. "No," answered Mr. Barker. "I don't mind the man's getting my money so much, but I do hate to think I've lost his respect."

\$2.00
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Shirtwaist Suit
All Sizes
50c

WILL BUY A GOOD LAWN
Shirtwaist
Sizes 38, 42 and 44
\$1.00
WILL BUY A BETTER

Shirtwaist
Sizes 40, 42 and 44

CLEARANCE SALE
MONDAY, JAN. 11
AT 8 O'CLOCK

EHLERS

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It is a positive luxury to have a hot water bag in the bed. We have a large assortment of these bags and many other useful articles in our new shipment of fine

RUBBER GOODS

"Kantleak" and other makes. Come and get them while they are fresh and new—they deteriorate when kept in stock.

Hollister Drug Co., Limited



Silk Umbrellas

with plain and fancy handles. Guaranteed to Wear. They are built to wear as well as look well. The quality is the best. Ask to see the Folding Tourist Umbrella.

\$5 to \$25

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Leading Jewelers
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We consider, consists of having them firmly on the nose, free from tilting and vibrating. WE JUSTIFY OUR STATEMENTS BY RESULTS.

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FINEST IN THE CITY

LUNCH AT THE
Alexander Young Cafe

THE ONLY STORE OFF Fort Street where the

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of Fort Street are to be found
L. AYAU SHOE CO.
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IT WILL PAY YOU

To look into the merits of

Tungsten Lamps

They are current savers, yet give the nearest approach to daylight of any artificial illuminant.

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DEKORATO

COMES IN ALL COLORS—ALL THE COLORS STAY

If you intend having any tinting or interior decorating of walls and ceilings, have it done with DEKORATO. It is a PARIS WHITE Preparation that does not "set" as do the Plaster Paster Preparations. Thus it can be used for several days after mixing. It is vastly superior in beauty of finish and durability of colors. Sold by

LEWERS & COOKE, LTD.

177 South King Street. Phone 775.

Health for the Children

Every parent notes with anxious eye the first symptoms of the children's failing health: the pale cheek, listless manner and capricious appetite speak more plainly than any words, for the well child is a veritable storage battery of animal spirits.

Renewing the appetite is the first step back to health and

Stearns' Wine of Cod Liver Extract

given faithfully for a short time will do it. The children need not even know it is a medicine for the taste is very pleasant and does not suggest cod liver oil in the least. But the effect is certain.

For persons of every age Stearns' Wine of Cod Liver Extract is an unfailing tonic, appetizer and strength-renewer. Get it at your chemist's, and be sure you get STEARNS'—the genuine.

GO TO LANDO'S STORE

152 HOTEL STREET, OPPOSITE YOUNG HOTEL
FOR YOUR TRUNKS, VALISES AND SUIT CASES.

His stock of Shirts, Collars, Cuffs, Ties and Underwear is complete. Also Hats and Caps of a large variety. Panamas and Straw a specialty. Prices are right and no trouble to show goods. Don't forget he has moved from Fort street to the Oregon block, 152 Hotel street, opposite Young Hotel.

The Best Beef

in the Territory

C. Q. Yee Hop & Co.
Next the Fishmarket

SAN FRANCISCO HOTEL

FAIRMONT HOTEL SAN FRANCISCO

The most superbly situated hotel in the World
OVERLOOKING THE ENTIRE BAY OF SAN FRANCISCO,
THE GOLDEN GATE, AND THE RAPIDLY REBUILDING CITY.
CONVENIENT TO SHOPPING, THEATER,
BUSINESS, AND RAILROAD CENTERS.

THE EPITOME OF HOTEL EXCELLENCE

Combining all the conveniences and luxuries a good hotel should have, with many unique, original and exclusive features. Entirely refurnished and refitted at a cost of over three million dollars. Social center of the city—headquarters of the Army and Navy—Scene of most of the social festivities.

ACCOMMODATIONS FOR 1000 GUESTS.
EUROPEAN PLAN.

Single rooms with bath, \$2.50, \$3.50, \$4.00, \$4.50, \$5.00 upwards.
Suites, with bath, \$10.00, \$12.50, \$15.00, \$20.00, \$25.00 upwards.

MANAGEMENT

PALACE HOTEL COMPANY

MARINE

Aorangi In and Out.

The Canadian-Australian S. S. Aorangi arrived yesterday morning from the Colonies and departed for Vancouver at 5 p. m. The Aorangi brought a number of passengers for Honolulu, including sixteen members of the "Mrs. Wiggs of the Cabbage Patch" company, who will leave for San Francisco on the Manchuria Saturday morning. H. L. Herbert returned from an Australian trip. The cargo for Honolulu, comprising 380 tons, included foodstuffs. A large part of this was cold-storage mutton. A number of passengers departed for Vancouver last evening. The vessel docked at the Oceanic wharf, the Bishop slip being otherwise engaged.

Big Day for Steamers.

Today will be a lively one on the waterfront. Three big steamships arrive from various outlying ports of the Pacific. The Nippon Maru will arrive from San Francisco, bringing mail and newspapers from December 25 to January 2. The Manchuria arrives from Yokohama with nearly 2000 tons of freight, and will have accommodations for a large number of passengers from here to San Francisco, and these accommodations are nearly all taken. The Manchuria, having so much freight, may not leave for San Francisco until Saturday forenoon, and this will probably be the case. The Canadian-Australian S. S. Makura is due from Vancouver and Victoria, and will leave for the Colonies in the afternoon. She will carry a number of passengers from here.

Shipping Notes.

The new turbine steamship Chiyo Maru of the Toyo Kisen Kaisha line, left Yokohama for Honolulu yesterday on her maiden voyage across the Pacific to San Francisco. She is due here about the 15th, and between Honolulu and San Francisco she may attempt to lower the record; now held by the Tenyo Maru, of the same line. The French ship Thiers, Captain Quatrevaux, arrived off port yesterday morning and anchored in the stream. The Thiers comes from Tasmania in ballast, and called here for orders. The French ship Champagne sailed the same day as the Thiers, headed for Honolulu, and Captain Quatrevaux was very jubilant to learn that he had beaten the other craft, which has a reputation for great speed.

The transport Dix departed for Seattle yesterday afternoon, after discharging 4000 tons of coal here for the Army Quartermaster's Department.

The steamer Claudine, which arrived yesterday morning from Maui and Hawaii ports, brought the following freight: 2207 bags sugar, 100 sacks charcoal, 20 sacks corn, 40 hogs, 1 horse, 1 automobile, 48 packages hides, 65 packages empty bottles, 161 packages sundries.

LOCAL OFFICE OF THE UNITED STATES WEATHER BUREAU.

Honolulu, Thursday, January 7, 1909.

| TIME | THERMO. | | WIND | WAVE |
|------|---------|------|------|------|
| | Max. | Min. | | |
| 1900 | 29.92 | 61 | 72 | 05 |
| 1901 | 30.01 | 79 | 67 | 75 |
| 1902 | 29.79 | 76 | 70 | 01 |
| 1903 | 29.84 | 77 | 63 | 70 |
| 1904 | 30.10 | 76 | 70 | 74 |
| 1905 | 29.74 | 72 | 58 | 65 |
| 1906 | 30.12 | 77 | 70 | 74 |
| 1907 | 29.88 | 75 | 67 | 71 |
| 1908 | 30.13 | 76 | 64 | 70 |
| 1909 | 30.00 | 75 | 61 | 69 |
| AVG | 29.97 | 76 | 65 | 70 |

TIDES, SUN AND MOON.

| DAY | High Tide | | Low Tide | | Sun Rise | | Moon Rise | |
|-----|-----------|-------|----------|-------|----------|-------|-----------|-------|
| | Jan. | Feb. | Jan. | Feb. | Jan. | Feb. | Jan. | Feb. |
| M | 4:30 | 4:17 | 2:20 | 2:30 | 7:10 | 6:58 | 11:15 | 11:15 |
| W | 5:17 | 5:04 | 3:14 | 3:24 | 8:22 | 8:10 | 10:48 | 10:48 |
| F | 6:53 | 6:40 | 4:57 | 5:07 | 9:51 | 9:39 | 10:15 | 10:15 |
| S | 8:47 | 8:34 | 6:42 | 6:52 | 11:28 | 11:16 | 10:45 | 10:45 |
| S | 10:59 | 10:46 | 8:50 | 9:00 | 12:58 | 12:46 | 11:15 | 11:15 |
| S | 13:00 | 12:47 | 10:58 | 11:08 | 1:30 | 1:18 | 11:45 | 11:45 |
| S | 15:00 | 14:47 | 13:06 | 13:16 | 2:58 | 2:46 | 12:15 | 12:15 |
| S | 17:00 | 16:47 | 15:14 | 15:24 | 4:26 | 4:14 | 12:45 | 12:45 |
| S | 19:00 | 18:47 | 17:22 | 17:32 | 5:54 | 5:42 | 1:15 | 1:15 |
| S | 21:00 | 20:47 | 19:30 | 19:40 | 7:22 | 7:10 | 1:45 | 1:45 |
| S | 23:00 | 22:47 | 21:38 | 21:48 | 8:50 | 8:38 | 2:15 | 2:15 |

Full moon Jan. 6 at 3:45 a. m. The tides at Kahului and Hilo occur about one hour earlier than at Honolulu.

Hawaiian standard time is 10 hours 50 minutes slower than Greenwich time, being that of the meridian of 157 degrees thirty minutes. The time whistle blows at 1:30 p. m., which is the same as Greenwich 9 hours 0 minutes. Sun and moon are for local time for the whole group.

METEOROLOGICAL RECORD.

Issued Every Sunday Morning by the Local Office, U. S. Weather Bureau.

| DAY | Dir. Jan. | THERM. | | WIND |
|-----|-----------|---------|---------|--------|
| | | Maximum | Minimum | |
| 8 | SE | 77 | 61 | 5 SE 6 |
| 9 | SE | 78 | 62 | 5 SE 6 |
| 10 | SE | 79 | 63 | 5 SE 6 |
| 11 | SE | 80 | 64 | 5 SE 6 |
| 12 | SE | 81 | 65 | 5 SE 6 |
| 13 | SE | 82 | 66 | 5 SE 6 |
| 14 | SE | 83 | 67 | 5 SE 6 |
| 15 | SE | 84 | 68 | 5 SE 6 |
| 16 | SE | 85 | 69 | 5 SE 6 |
| 17 | SE | 86 | 70 | 5 SE 6 |
| 18 | SE | 87 | 71 | 5 SE 6 |
| 19 | SE | 88 | 72 | 5 SE 6 |
| 20 | SE | 89 | 73 | 5 SE 6 |
| 21 | SE | 90 | 74 | 5 SE 6 |
| 22 | SE | 91 | 75 | 5 SE 6 |
| 23 | SE | 92 | 76 | 5 SE 6 |
| 24 | SE | 93 | 77 | 5 SE 6 |
| 25 | SE | 94 | 78 | 5 SE 6 |
| 26 | SE | 95 | 79 | 5 SE 6 |
| 27 | SE | 96 | 80 | 5 SE 6 |
| 28 | SE | 97 | 81 | 5 SE 6 |
| 29 | SE | 98 | 82 | 5 SE 6 |
| 30 | SE | 99 | 83 | 5 SE 6 |
| 31 | SE | 100 | 84 | 5 SE 6 |

Note.—Barometer readings are corrected for temperature, instrumental errors, and local gravity, and reduced to sea level. Average cloudiness stated in scale from 0 to 10. Direction of wind is prevailing direction during 24 hours ending at 8 p. m. Velocity of wind is average velocity in miles per hour. T indicates trace of rain.

MAYOR MEETS WITH BOARD

(Continued from Page One.)

now the men engaged by the said committee are at work and thereby obligations are accruing to a large amount against the City and County, involving the expenditure of large amounts of money; and all this action has been taken outside of the power of veto or approval by the Mayor. If Mr. Quinn and his associates can create a legal liability to pay one dollar in that way independent of the Mayor I do not see why they cannot create the liability to pay one hundred thousand dollars in the same way. It is true that an Appropriation Bill for a quarter of a million dollars has been introduced into the Board of Supervisors, and from the fact that notice of this Appropriation Bill has been published in the newspapers, I should infer that finally this Appropriation Bill will be submitted to me for my approval or veto, but that approval or veto cannot, if the position of the Board of Supervisors is correct, reach the question whether under the law I have a right to pass upon the creating of obligations and liabilities in the first instance, and whether I have the veto check upon such action by the Board of Supervisors or not. That is the main point in question.

"When this Appropriation Bill comes before me, if it does, it will be largely a question simply whether I shall agree to the paying of bills heretofore incurred by the committee of the Board of Supervisors where I have had neither voice nor say as to whether these liabilities in the first instance should be incurred or not. Anyone who reads the rules voted through by the Board of Supervisors at their first meeting could see at once what those rules meant. They went far wide of the question of who should be officers or who should not, or who should appoint them or who should remove them, and, believing as I do that I have, under the law, the right to pass upon and approve or veto any proposed expenditure of public money before the obligation has been incurred, upon the direct issue of whether the same shall be incurred or not, and believing also that this right is a vital one to the public interests, I have been compelled to enter a consistent protest against all action involving expenditures in this way, from the beginning. Now, how is that issue to be settled? If compromised, compromised in what way? I do not consider that I have any authority to waive such a right, anyhow. If the court holds practically that my veto does not reach the question of incurring obligations, but only comes in after the obligations have been incurred on the question of paying existing obligations, well and good; but it is clearly a matter that can not be compromised on the side by anyone; the courts have got to decide that issue.

"I stated in my inaugural address, and have repeated since, that I wish the matter settled before the courts, and that is still my desire and I am more than willing, and have always been so, to have the matter settled promptly in court. Not a single person has approached me from the other side suggesting a suit or any compromise, other than the one to divide up offices, as already stated. The Board of Supervisors is absolutely in the hands of the Republicans, the courts have been open to them from the very first, and I can not understand Mr. Smith's almost threatening letter addressed to me this morning, if he desires the matter settled before the courts, and I now suggest to him that he take a hand and have the matter settled promptly before the court, assuring him that I will meet him more than half way in that matter, and telling him also that I have never been advised to do otherwise by anyone, counsel or anyone else. Moreover, I suggest that whatever my intentions, I have had little opportunity to obstruct anything; I have entered my protest in the only way open to me at the time, which has been promptly overridden by the Board of Supervisors. Perhaps even protests under the circumstances are an offense to Mr. Smith, or perhaps he is not fairly informed as to all the facts and issues involved.

"It has been suggested that the real time for intervention by the courts will be when an attempt is actually made to pay out and deliver money from the City and County Treasurer to the employees created and controlled by the committees of the Board of Supervisors; however, Mr. Smith may be able to suggest some prompter and more complete settlement of these issues—if so, well and good. Meanwhile, in the due course of business I felt it only right to call upon the City and County Attorney for his opinion, notwithstanding the fact that the Board of Supervisors seemed unquestionably to be acting under his guidance and informal advice from the start. We now have my letter raising the issues that I want settled before the court and his reply made thereto, so that the issues are defined, in writing, that should be submitted to the court. While I admit that I have not as much confidence in the opinion of the City and County Attorney as I might have had if he had occupied a wholly neutral and non-committal position until he was appealed to, I nevertheless disclaim that I still desire to go to the courts on that account. I am advised that the matter is too important, the Municipal Act too uncertain in its provisions and the expenditures, the legality of which is involved, too large for me even with the most impartial advice not to have the matter first settled in court, and, therefore, the personality of the City and County Attorney is not involved in my decision to get a ruling from the courts. The most important point now is when and how it should come, and in that respect I must be guided by the advice of counsel, which certainly thus far has not invited any unreasonable delay, and the willingness of the other side to bring about prompt action."

Draught beer may be poor, passable, or "fine," according to how it's kept. It is kept "just right" at the Palace Cafe, Richards street, corner of Merchant.

LEPER NOW IN GOOD SHAPE

(Continued from Page One.)

ed to their having the disease. So it is, vice versa, in the case in question. Wayson will not pretend to claim a cure until this point has been decided. Clinically his man is all right. Bacteriologically he may still show signs of the disease, though this has not been proven.

Fred C. Smith raised the question as to whether the Board had the right to allow the man to leave the supervision of the Board of Health without re-examination. Dr. Wayson answered by saying that men declared suspects were allowed to go as they pleased and one man who had spent three years on Molokai improved so much that he was allowed to return, with the proviso that he report to the Board of Health once every three months. Then Dr. Wayson stated that under an ordinary examination he felt sure the man would be pronounced not a leper, although an unusually minute and close examination might discover traces of the disease.

After considerable discussion, it was finally decided to refer the matter to the Attorney General of the Territory, to find out whether or not the Board of Health had the power to let a man go without re-examination. Smith doubted that the Board had this power, but expressed himself as willing to vote to give the man freedom in case he is wrong. President Mark P. Robinson and Kalaokalani were also in favor of the idea. The whole matter will be referred to the Attorney General, who will report at the next meeting.

Dr. J. T. Wayson does not care to give out any of the details of his wonderful treatment at the present time. He has been conducting experiments with it for the past two years, and it is gradually developing into a more perfect form. His personal belief is that he will eventually discover a treatment that will be, if not an actual cure, a great blessing to the sufferers from the dread disease.

At Princeton a lecturer said that Mr. Cleveland had little sympathy with the rush and hurry that the American business man so complacently affects—no sympathy with train and boat dictation, with the lunch table telephone, the letter phonograph, and the other bluffs. "Don't rush so," Mr. Cleveland once said. "Lightning might do a great deal more if it wasn't always in such an awful hurry."

BABIES AND CHILDREN

should be fairly plump. They ought to put on fat as fast as they use it up; for fat is fuel, and the burning of it makes power and force. Thin children—even along to the age of eighteen or twenty—are in danger from consumption, and from other wasting complaints. The children who starve, and the young men and women who are consumed—why, the very idea of it is frightful. For such as they, there is always what is called a "mighty famine" in the land. Food, though it may be taken plentifully, does not nourish them. It makes no fat; it gives no strength. To prevent this, to cure this, to save the young ones at the mother's knees, and the bright boys and girls who are just looking at the world with ambitious eyes, is the purpose of WAMPOLE'S PREPARATION. Its success is decided and settled. Thousands owe to it life and health. It is palatable as honey and contains all the curative properties of pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In building up pale, puny, emaciated children, particularly those troubled with Anemia, Scrofula, Rickets, and bone and blood diseases, nothing equals it; its tonic qualities are of the highest order. A Medical Institution says: "We have used your preparation in treating children for coughs, colds and inflammation; its application has never failed us in any case, even the most aggravated bordering on pneumonia. The children like it, and it builds up their bodies; many little children owe their lives to it." Effective from the first dose, and you cannot be disappointed in it." Sold by chemists.

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STATEMENT OF CONDITION, DECEMBER 31st, 1908.

| Assets. | | Liabilities. | |
|---|---------------------|---------------------------------|---------------------|
| Cash on hand and in bank..\$ | 51,043.58 | Capital: | |
| Bonds | 17,098.00 | Subscribed | \$100,000.00 |
| Stocks | 5,074.88 | Paid in | \$ 60,000.00 |
| Loans secured by mortgages | | Stockholders' liability | 40,000.00 |
| on real estate | 6,207.07 | Undivided profits | 13,445.00 |
| Loans—demand and time.. | 18,285.00 | Trust and agency balances | 68,372.99 |
| Furniture and fixtures | 9,439.16 | | |
| Real estate—office building and site | 26,086.63 | | |
| Accrued interest receivable | 593.00 | | |
| Assets other than those specified above | 7,990.67 | | |
| | \$141,817.99 | | \$141,817.99 |

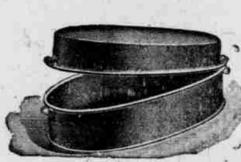
Territory of Hawaii,
Island of Oahu.
I, Jas. L. Cockburn, Treasurer of the Bishop Trust Company, Limited, do solemnly swear that the above statement is true to the best of my knowledge and belief.
JAS. L. COCKBURN, Treasurer.
Subscribed and sworn to before me this 31st day of December, 1908.
J. HARRIS MACKENZIE,
Notary Public, First Judicial Circuit.

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Fraternal Meetings

NOTICE K. OF P.

A joint installation of the K. of P. Lodges will be held Saturday evening, Jan. 9, 1909. All visiting Knights are cordially invited to attend. By order of Committee.

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Fraternal Meetings

POLYNESIA ENCAMPMENT NO. 1, I. O. O. F.

Meets every first and third Friday of the month, at 7:30 p. m., in Odd Fellows' Hall, Fort Street. Visiting brothers cordially invited to attend.

R. MENAUGH, C. P. L. L. LA PIERRE, Secy.

EXCELSIOR LODGE NO. 1, I. O. O. F.

Meets every Tuesday evening, at 7:30, in Odd Fellows' Hall, Fort Street. Visiting brothers cordially invited to attend.

J. LIGHTFOOT, N. G. H. B. BROWN, G. L. L. LA PIERRE, Secy.

HARMONY LODGE NO. 3, I. O. O. F.

Meets every Monday evening, at 7:30, in Odd Fellows' Hall, Fort Street. Visiting brothers cordially invited to attend.

J. LIGHTFOOT, N. G. E. R. HENDRY, Secy.

PACIFIC REBEKAH LODGE NO. 1, I. O. O. F.

Meets every second and fourth Thursday, at 7:30 p. m., Odd Fellows' Hall. Visiting Rebekahs are cordially invited to attend.

FLORENCE LEE, N. G. ALICE NICHOLSON, Secy.

OLIVE BRANCH REBEKAH LODGE NO. 2, I. O. O. F.

Meets every first and third Thursday, at 7:30 p. m., in Odd Fellows' Hall. Visiting Rebekahs are cordially invited to attend.

FRANCIS BINDT, N. G. SALLIE L. WILLIAMS, Secy.

OCEANIC LODGE NO. 371, F. & A. M.

Meets on the last Monday of each month, at Masonic Temple, at 7:30 p. m. Visiting brethren are cordially invited to attend.

R. H. BEMROSE, W. M. W. H. GOETZ, Secy.

LEAHY CHAPTER NO. 2, O. E. S.

Meets every third Monday of each month, at 7:30 p. m., in the Masonic Temple. Visiting sisters and brothers are cordially invited to attend.

CLARA M. SCHMIDT, W. M. ADELAIDE M. WEBSTER, Secy.

LEI ALOHA CHAPTER NO. 3, O. E. S.

Meets at the Masonic Temple every second Saturday of each month, at 7:30 p. m. Visiting sisters and brothers are cordially invited to attend.

MINNIE PRAZEE, W. M. A. E. WELBOURNE, Secy.

LADIES' AUXILIARY A. O. H., DIVISION NO. 1.

Meets every first and third Tuesday, at 8 p. m., in C. B. U. Hall, Fort Street. Visiting sisters are cordially invited to attend.

MRS. K. COWES, Pres. JOSEPHINE DILLON, Sec.

HONOLULU TEMPLE NO. 1, PYTHIAN SISTERS.

Meets every first and third Monday, at 7:30 p. m., in Pythian Hall, corner Beretania and Fort streets. All visitors cordially invited to attend.

MARIE A. HERRING, M. E. C. SALLIE L. WILLIAMS, K. E. S.

OAHU LODGE NO. 1, K. of P.

Meets every first and third Friday at 7:30 o'clock, Pythian Hall, corner Beretania and Fort streets. Visiting brothers cordially invited to attend.

A. DERRING, C. C. J. W. WHITE, K. R. S.

WILLIAM MCKINLEY LODGE NO. 8, K. of P.

Meets every second and fourth Saturday evening at 7:30 o'clock, in Pythian Hall, corner Beretania and Fort streets. Visiting brothers cordially invited to attend.

W. L. FRAZEE, C. C. E. A. JACOBSON, K. R. S.

COURT CAMOES NO. 810, A. O. F.

Meets every second and fourth Tuesday of each month, at 7:30 p. m., in San Antonio Hall, Vineyard street. Visiting brothers cordially invited to attend.

H. PEREIRA, C. R. M. C. PACHECO, F. S.

CAMOES CIRCLE NO. 240, C. O. F.

Meets every second and fourth Thursday of each month, at 7:30 p. m., in San Antonio Hall, Vineyard street. Visiting companions are cordially invited to attend.

MRS. HELEN M. PERRY, C. O. MR. L. A. PERRY, F. S.

COURT LUNALILLO NO. 6600, A. O. F.

Meets every first and third Wednesday evenings of each month, at 7:30 p. m., in Pythian Hall, corner Fort and Beretania streets. Visiting brothers cordially invited to attend.

T. O. BLACKWELL, C. R. JAS. K. KAULIA, P. C., F. S.

HONOLULU ABBIE 140, F. O. E.

Meets on second and fourth Wednesday evenings of each month, at 7:30 o'clock, in Pythian Hall, corner Beretania and Fort streets. Visiting Eagles are invited to attend.

W. L. FRAZEE, W. P. H. T. MOORE, Secy.

HONOLULU HARBOR NO. 54, A. A. of M. M. & P.

Meets on the first Sunday evening of each month, at 7 o'clock, at Odd Fellows' Hall. All sojourning brethren are cordially invited to attend.

By order of the President, J. B. SEARLE; FRANK C. POOR, Secy.

THEODORE ROOSEVELT CAMP NO. 1, U.S.W.V.

Meets every first and third Wednesday of each month in Waverley Hall, corner Bethel and Hotel streets, at 7:30 p. m.

By order of the Camp Commander, J. K. BROWN, Adj.

SONS OF ST. GEORGE LODGE NO. 553.

Meets every second and fourth Thursday at 8 o'clock, at P. Hall, corner Fort and Beretania streets.

ISAAC OOKETT, W. P. JOHN RICHARDSON, Secy.

MARINE ENGINEERS BENEFICIAL ASSOCIATION.

Meets second and fourth Mondays of each month at the new P. Hall, corner Fort and Beretania streets.

E. HUGHES, Pres. H. G. WOOTEN, Secy.

HAWAIIAN TRIBE NO. 1, O. E. M.

Meets every first and third Thursday of each month, in K. of P. Hall, corner Fort and Beretania streets. Visiting brothers cordially invited to attend.

A. B. ARLEIGH, Sachem. A. E. MURPHY, C. of R.

HONOLULU LODGE 616, B. P. O. E.

Honolulu Lodge No. 616, B. P. O. E., will meet in their hall, King street near Fort, every Friday evening. By order of the E. R.

W. H. McINERNEY, E. R. H. C. EASTON, Secy.

HONOLULU SCOTTISH THISTLE CLUB.

Meets on the first and third Fridays, at 8 o'clock, in rooms in the Oregon Block, entrance on Union Street.

J. M. MacKINNON, Chief. JOHN MACAULAY, Secy.

HAWAII CHAPTER NO. 1, ORDER OF KAMEHAMEHA.

Meets every first and third Thursday evening of each month, at 7:30 o'clock, in Fraternity Hall, Odd Fellows' Building, on Fort Street.

N. FERNANDEZ, Kamehameha.

WOULD DELIVER FISH IN CARTS

New Japanese Company Asks Privilege From Board of Health.

A. L. C. Atkinson, attorney for the Hawaiian Fisheries, Ltd., in a letter to the Board of Health yesterday, asked that his company be given the privilege of delivering fish by carts to the homes of the city. He stated that the fish carts would be patterned after the best meat delivery wagons in use by the Metropolitan Meat Company, and that the delivery of the fish would be sanitary. The present plan of the company is to deliver two hours in the morning and two hours in the afternoon.

All fish that have been on ice are so marked by the Inspector of the Board of Health. Fred C. Smith thought that the proposition was not had at all, just so long as stringent rules were kept in force to compel the distribution to be sanitary. Dr. Wayson, however, did not look on the request of the Japanese fishery company with much favor, saying that in case the privilege was granted in this one case, all the firms of Honolulu would seek the same, and trouble would be bound to follow. He was afraid the fish-peddlers would get independent in the outskirts of the city, distributing fish without the sanction of the board. Secretary Charlock said, however, that these men could be brought to time under the old cholera regulation approved by the Governor.

The matter was finally carried to the committee on revision of rules and regulations, with good chances for the granting of the request. President Robinson remarked that the new company had given up its first idea of having the central market on Sheridan street, and had now decided to locate on King street, near the present fishmarket.

Waldron Sends Clipping. A letter was received from Fred L. Waldron, enclosing a clipping from a paper in Portland, Oregon, which told of the great medical meeting and conference in that city. The paper stated that efforts would be made to have all off-coast vessels put in quarantine before entering a harbor, this being done to prevent possibility of cholera coming into the mainland. The letter was placed on file and the secretary, instructed to write a "thank you" to Mr. Waldron.

Kalihi Home Completed. President Robinson reported officially to the board the completion of the Kalihi Manual School, as it has been named by the authorities. This is the home for the non-leprous boys who were brought over from Molokai some time ago. Mrs. Johnson has been appointed matron of the new institution, and her appointment was approved and confirmed by the Board of Health yesterday.

Will Members Hold Over? Acting Governor Mott-Smith has re-appointed Senator Kalanokalani as a member of the Board of Health, the appointment going into effect the other day. The question was brought up for a moment yesterday afternoon as to who would constitute the new board, if the Governor chose to make a change in the personnel. As a matter of fact, however, Governor Frear stated just before leaving for Washington the last time that he would make no change whatsoever in the Board of Health, unless something unforeseen and unknown at that time arose.

KAPIOLANI HOME TO COST SUM OF \$30,000

Thirty thousand dollars will be asked from the Legislature to build a new structure for the sisters and girls in the Kapiolani Girl's Home. This is the estimated cost of a suitable building. The place where these people now reside is inadequate in space, and is a very old building. In the appropriation estimate it is stated that the Sisters of St. Francis have in this line done a remarkable work. They have been sadly neglected. The Sisters think their long years' of work and meager emoluments, entitle them to some consideration. Their present accommodations are in no wise satisfactory.

DR. MARQUES' NEW WORK.

Those who wish to know what science has to offer in support of occultism should read Dr. Marques' recently revised and enlarged work, "Scientific Corroborations of Theosophy." Dr. Marques, who is Honolulu's most distinguished investigator of the hidden mysteries, had already issued a work of similar character, "The Human Aura," when discoveries in electricity, chemistry, physiology, astronomy, physics, geology and paleontology, archeology, philology and anthropology made it advisable to go further, and "Scientific Corroborations" is the result. The book, which is one of 152 pages (issued from London, under the auspices of the Theosophical Publishing Society) is full of curious data, evincing wide research; and the reader, even if not accepting all the conclusions of the author, will find his stock of useful information increased by a study of the facts presented.



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Buy a home. It is the very best investment you can make. When times are prosperous and rents get higher, you'll be on the saving side if you are a home-owner. \$2500 will buy a nice home in Makiki; \$2,000 buys one in College Hills; \$1400 buys one on Pacific Heights.

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may be poor, passable, or "Fine!" It just depends on how it is kept. We took the trouble to find out how to keep it, and now we take the trouble to do it.

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Richards and Merchant Streets.

\$25 Reward

will be paid by the HAWAIIAN GAZETTE CO., LTD., for the arrest and conviction of any person found stealing copies of the Advertiser from addresses of subscribers. C. S. CRANE, Manager.

BUSINESS LOCALS.

Exceptional values at Sachs' sale of underwear.

Royal Annex for oysters, crabs, frogs' legs and lobsters. See sign.

A notice to holders of police commissions and badges appears in this issue.

A copartnership statement of Holmes, Stanley and Olson, is published today.

Corset covers, 15c.; chemises, 30c.; night gowns, 45c.; skirts, 50c. at Sachs' underwear sale.

Invald lady can secure room, board and care with a widow on Nuuanu avenue. See classified ads.

Poultry for sale. A fine lot of thoroughbred fowls, both imported and island. Club Stables, Tel. 109.

Have the pain taken away by Mr. and Mrs. Hashimoto, masseurs. See their advertisement in this issue.

Wooden articles of every description made to order by Sun Lee Tai Co., King street, between Smith and Nuuanu.

A twenty-six acre tract of land in Palolo valley with barn and house is offered for sale at a bargain. See classified ads.

See the American Hawaiian Paper and Supply Co., corner of Fort and Queen streets, about a supply of wrapping paper, bags and twine.

Alpine milk is a pure, rich milk that gives everything a better flavor, and is equally useful in the kitchen and at table. Ask your grocer for it.

What gift is more acceptable than a picture—properly framed? Watch Gurry's window for them. Kodak goods, developing and printing, Fort street, below King.

One of the leading sellers for the past six weeks at the Manufacturers' Shoe Co., Ltd., is the Tan Russia Calf or Patent Colt. The price is \$5, the stock number 461.

These cold nights it is a positive luxury to have a hot-water bag in bed with you. Come and see our large assortment of new, fresh rubber goods. Hollister Drug Co., Ltd.

Blom will hold a reduction sale in ladies' skirts, suits, cravette coats, jackets and belts, beginning Monday morning, January 11. These goods are excellent in quality and will be sold at and below cost.

Passengers for the Manchuria should leave their orders with the Union-Pacific Transfer Co. Baggage placed in the proper staterooms and sealed compartments under their personal supervision. 122 King street, Phone 58.

THE EMPIRE.

There is no use hesitating as to where you will go tonight. There are other attractions in town but nothing so cheap nor as entertaining as the pictures shown at the Empire at the corner of Berhel and Hotel. There is to be an entire change today with a great musical program. Admission, adults, 10c.; children, 5c.

PSYCHOLOGY AND ART CLASSES.

Miss Locke's class in the Psychology of William James, will begin January 20, at 10:30 a. m., at the residence of Mr. J. M. Dowsett, Punahou street, between Wilder and Beretania avenues, and the Art class will begin January 15, at 3:30 p. m., at the residence of Mrs. C. B. Wood, Thurston avenue.

Singer's Bakery, on King street, has been reopened by the management of the Union Grill. Plain, French and twist loaves will be sold at the Union Grill only.

LOCAL BREVITIES.

There will be no Symphony rehearsal this evening.

Mrs. G. W. Paty has moved to 1641 Anapuni street, telephone 1724.

Miss Power is booked to leave on the Manchuria. She goes to New York on business.

Sun Wo, Maunakea street, above Hotel, is a manufacturer of jewelry of a high grade.

Honolulu Lodge 616, B. P. O. E., will meet in Elks building, King street, at 7:30 this evening.

The Friday morning Bible class will meet this morning at St. Andrew's cathedral at ten o'clock.

Mrs. Spear, mother of James Dougherty, leaves for her home in San Francisco by the Manchuria.

The Catholic Ladies' Aid Society meets Friday at three o'clock in the afternoon at the Convent.

Leon Honigsberger of San Francisco, who made a short business trip to Honolulu, returns on the Manchuria.

Attorney Leon Straus had his case not-pressed in Judge Robinson's court yesterday morning by County Attorney Cathcart.

Acting Attorney General Whitney has drawn up the tentative bill to be introduced to the Legislature providing for school savings banks.

On February 13 there will be a Civil Service examination at the Custom House to fill the position of clerk inspector at a salary of \$1200.

H. R. Berry, the financial backer of the Automatic Telephone Company, will either return here or send a representative to this city in the near future.

Miss Dora Smith, who has been visiting with her sister Mrs. C. P. Morse for several months, returns to her home in San Francisco by the Manchuria, after a delightful visit.

Col. Spalding, the Countess Senni, Rufus Spalding and other Kauai folk, arrived in town recently and will leave for the mainland on the Manchuria. The Countess will return to Italy.

The postponed monthly meeting of the board of directors of the Free Kindergarten and Children's Aid Association will be held this morning at 9:30 o'clock in the Y. W. C. A. rooms.

"Stray Notes on Cockroaches," by Messrs. Kotinsky and Kuhns, was the subject of interest at the meeting of the Entomological Society last night at the Planters' Experiment Station.

There was a mass meeting of Japanese slimly attended, held in Makiki last night for the consideration of the higher wage question. The meeting was held under the auspices of the Higher Wage Association.

The January term of the Federal court will be held on the last Wednesday of that month in Hilo. This is a special term of court which has been found necessary on account of the extra work for the past six years.

The fire in the quartermaster's coal pile on lower Fort street is still giving trouble. The coal is being shifted about to reach the source of the smoldering, while the fire department occasionally uses a hose and water on the pile.

The Territorial Survey Department has two parties working on Maui at the present time. One of these is at Haiku laying out the land that is to be taken up by homesteaders there. Surveys are also being made of South Kona, Hawaii.

There will be a meeting of the Men's League (civil section) at the church parlors this evening at 8 o'clock to further discuss the Municipal Act, Messrs. W. O. Smith, Daniel Logan and Charles L. Rhodes being among the speakers. An interesting program is promised.

A. K. Tiernan and wife of San Francisco and Mrs. I. Tiernan of San Francisco, who have been guests at the Pleasanton for a couple of weeks, return to the mainland on the Manchuria. Mrs. A. K. Tiernan has been remarked as a particularly good dresser. She was one of the belles of Santa Barbara at the time of her marriage.

Two deaths have been reported to the Attorney General from Maui by Deputy Sheriff Clem Crowell. Kimura Nihora, Japanese, grew tired of this life and strangled himself at the end of a rope. Chung Y. Young was the victim of an accident, being kicked in the stomach by a horse. The first-named death occurred at Wailuku, and the latter at Punene.

Last Days Last Days

of Our Great

January

Underwear Sale

BUY NOW
SAVE MONEY

JANUARY SALE

— Of —

LADIES' SHIRT WAISTS

Monday, January 11

SACHS' DRY GOODS CO.

THE PLACE TO SHOP.

We are grateful to our patrons and the public for their liberal patronage during the Holiday season. Although "things" literally "walked out" we can supply all the necessities that go to make the New Year's table appointments elegant.

WISH TO START HOUSEKEEPING?

Come in and look over our large and complete stock. We can start you off right.

CHINA, GLASSWARE, CUTLERY, KITCHEN UTENSILS.

The Best and Cheapest in the City

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The Season for

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SILKS, DERBYS, FELTS

We have Latest Models

It is well to remember
that the KNOX leads

Silva's Toggery

Elks Building. Phone 651. King Street.

RESULTS

We start the New Year, encouraged by and proud of the results accomplished in the last one.

Every indication points to a year of unexampled business prosperity in 1909. We are in line for our share.

The S. S. Texan, which arrived Saturday, brought us a large assortment of ladies' shoes in the newest 1909 styles. They will be on display tomorrow.

McInerny Shoe Store

LOCAL AUTHORS AT KILOHANA ART LEAGUE

The Authors' Evening at the Kilo-hana Art League drew out a goodly company, mainly ladies. U. S. Judge Dole presided, and, after delivering a short address on poetry, with pleasant personal reference to Charles Warren Stoddard, Thomas Rain Walker and other writers of Island verse, made way for Mrs. L. L. McCandless, who read poems of the Judge's own—"Hawaii" and "The Half White Girl." "Lahaina," by Charles Warren Stoddard, and "Waianae" were also read. The "Cocoa Palm," one of the best of the scenic poems written by Miss Anna Paris, also had the benefit of Mrs. McCandless' fine interpretation. At this juncture in the program, Mrs. Allen White was heard in a solo to her own accompaniment. It was a charming musical interlude, after which the reading of the work of local authors was resumed. "A Place of Mourning," by Ethelinda Schaefer Castle—a prose poem of undoubted merit—was presented by Mrs. McCandless. Walter G. Smith read his short story, "Fletcher's Christmas," and the entertainment closed with a masterly rendering of Mrs. Agnes Cray Weaver's beautiful "Moonlight Sonata" and a translation of ancient Tahitian verse by Prof. W. D. Alexander. After the literary entertainment there were refreshments.

THE LEPERS' CHRISTMAS.

Baldwin Home, Leper Settlement, has never had a finer Christmas time. The things of good cheer came from various quarters, the following of our friends being chiefly concerned in the sending. A fine shower: Hon. H. P. Baldwin, Hon. W. O. Smith, Hon. S. M. Damon, Mr. G. N. Wilcox, Mr. A. S. Wilcox, Mr. Chas. H. Brown, Mr. J. N. S. Williams, Mr. Wm. A. Sparks, Punene store, officers and employes of Kahului R. R. Co. Our thanks to all. Very gratefully,
JOSEPH DUTTON.

The case of Rosenberg, who is charged with receiving stolen goods, was set for trial on the first day of the February term. Rosenberg is having considerable trouble in securing an attorney.

Antone Silva, the "Punchbowl Demon," was found not guilty on a charge of smuggling in the United States District Court yesterday morning.



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With Every Modern Convenience

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For MEALS
TRY ALEXANDER YOUNG HOTEL
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Mr. and Mrs. Hashimoto
MASSEURS
RHEUMATISM, BRUISES, SPRAINS, TIRED FEELING, and other ailments quickly RELIEVED.
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SERVED PROPERLY—A long glass and a good one.
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ALPINE MILK

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is absolutely pure. And Pure Quality means Faultless Flavor. In sanitary tins.

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Specials at our big JANUARY SALE OF WHITE GOODS

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| 12 1/2c 36 inch Cambric, 12 yards..... | \$1.00 |
| 75c Victoria Lawns, per piece..... | .60c |
| 15c India Linon. Sale price..... | .10c |
| \$1.50 Bedspreads. Sale price..... | .90c |
| \$6.00 Bedspreads. Sale price..... | \$.45 |
| 90c Towels. Sale price..... | .65c doz. |
| \$4.50 Towels. Sale price..... | \$.325 doz. |
| \$1.25 Sheets. Sale price..... | .90c |
| 25c Pillow Slips. Sale price..... | .17 1/2c |
| 75c Laces. Sale price..... | .50c doz. |
| 15c White Dress Muslin..... | .10c yd. |
| 30c Dotted Swiss. Sale price..... | .20c |
| \$1.25 New Allover Embroideries..... | .80c |
| \$1.00 Embroidery Flouncings..... | .60c |
| 8 1/2c Embroideries. Sale price..... | .5c |
| 85c Ladies' Gowns. Sale price..... | .50c |
| \$1.50 Ladies' Gowns. Sale price..... | \$1.00 |
| \$3.50 Ladies' Dainty Gowns..... | \$.260 |
| 75c Chemises. Sale price..... | .50c |
| \$1.00 Ladies' Chemises. Sale price..... | .75c |
| \$1.50 Ladies' Chemises. Sale price..... | \$1.00 |
| 50c Ladies' Drawers. Sale price..... | .25c |
| 75c Ladies' Drawers. Sale price..... | .50c |
| \$1.50 Ladies' Drawers. Sale price..... | \$1.00 |
| \$3.50 Ladies' Drawers. Sale price..... | \$.260 |
| \$1.00 Quality Mens' White Shirts..... | \$1.00 |
| \$2.00 Ladies' White Shoes. Sale price..... | \$1.50 |
| \$2.50 Ladies' White Shoes. Sale price..... | \$2.00 |
| \$3.50 Ladies' White Shoes. Sale price..... | \$3.00 |
| \$3.00 Mens' White Shoes. Sale price..... | \$2.50 |
| \$3.50 Mens' White Shoes. Sale price..... | \$3.00 |

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HONOLULU, HAWAII TERRITORY, FRIDAY, JANUARY 8, 1909.

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CAKES
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THE PALM CAFE
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Touring Car, \$1185.

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Improved Plaster
CURES BRONCHIAL AND LUNG DISEASES

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CARRIAGES OR AUTOMOBILES.

W. W. WRIGHT & CO.
KING, NEAR SOUTH STREET

Drink Rainier Beer

AND KEEP HEALTHY.

IN THE SUPREME COURT OF THE TERRITORY OF HAWAII.
OCTOBER TERM, 1908.

James Kulike, Lyons K. Naone, David Kalei, Charles Holoms, Thomas Keolanui, James William Lloyd, Edward L. Kauai, Bob P. Kaaihue, Joseph Kalana, Wm. Paokalani, Robert Hobron, Jr., Charles Kanekoa, Geo. Kaolopa, C. Arthur Mackintosh, Wm. Kaheluekahi, John Kaaua, H. M. von Holt, A. St. C. Piianaia, Samuel Maloi, John H. De Fries, R. W. Aylett, C. B. Maile, B. P. Zablan, George C. Beckley, John J. Cook, Chas. Oponui, Wm. H. Keawe, Robert H. Hobron, Wm. Henry, Geo. E. Bruns, Daniel Kekaha, Wm. H. Knox, John A. Hughes, Leland S. Conness, F. W. Macfarlane and Paul W. Burns v. Joseph J. Fern.

ORIGINAL.
Heard December 11, 12, 21, 22, 28 and 29, 1908.
Decision filed January 7, 1909.

HARTWELL, C. J.; WILDER, J., AND CIRCUIT JUDGE DE BOLT IN PLACE OF BALLOU, J.

Elections—petitioners for contest—immaterial allegations.

Averments in a petition to contest an election, that in one precinct a certain number of persons voted after five o'clock when the polls should have been closed, and that in another precinct a tally clerk was unlawfully allowed to remain in the polling place and by conversing in Chinese he attempted to and did influence Chinese voters, are immaterial unless further shown that these matters invalidated or changed the result of the election. Elections—contest by voters.

An election can not be contested by thirty voters unless they all have direct knowledge or information of one or more irregularities which would invalidate or change the result of the election. Elections—districts.

Under the Municipal Act of 1907 there is but one election district in which the Mayor is elected.

OPINION OF THE COURT BY HARTWELL, C. J.
(Circuit Judge De Bolt Dissenting.)

This is a petition by James Kulike and thirty-five others, filed December 2, alleging that they are "duly qualified voters of the election districts of the County of Oahu," signed and sworn to by all of them, their jurat setting forth that "the facts, statements and allegations in the petition were just and true to the best of their knowledge and belief except such matters therein set forth and alleged to be upon information and belief, and as to these matters, things, allegations and statements they verily believe them to be true," the petitioners praying that upon legal proof being adduced on the "facts, statements and

allegations in the petition the court adjudge and decree that John C. Lane was duly and legally elected Mayor," and further that the court require all the ballots cast at the election to be produced before it and that they be inspected and counted in support of the allegations in the petition and that such other order and relief be given the petitioners as is in accordance with law and that the respondent Fern be cited to appear and answer, the allegations being upon the petitioners' information and belief.

The petition itself alleges in substance, beside certain formal averments, that all the votes legally cast for Lane were not counted and that there were forty-six not counted; that in the eleventh precinct of the fifth district more than one hundred fifty-seven votes were counted for Fern which were not legally cast for him and that if all the votes legally cast for Lane had been counted for him and the legal votes for Fern counted, Lane would have received a majority of one hundred twenty-five and been duly elected; that in the third precinct of the fifth district the inspectors counted only forty-three votes for Lane and failed to count four votes legally cast for him; that in the second precinct of the fifth district the inspectors counted only eight votes for Lane and failed to count eight which were cast for him; that in the ninth precinct of the fifth district the inspectors failed to count five votes for Lane, counting for him in all seventy votes instead of seventy-five; that in the fourteenth precinct of the fifth district the inspectors counted only seventy-seven votes for Lane instead of one hundred four which were cast for him, and that one Crawford, acting as clerk and keeping a tally sheet, did not keep a correct count of the votes cast for Lane, which were one hundred four and not seventy-seven as shown by the tally sheet kept by Crawford and returned by the inspectors; that Crawford, in violation of Sec. 87, Ch. 7, R. L., remained in the space set apart for the polling place and influenced Chinese voters favoring Achi's election—offered to bet that Achi would receive a majority of the votes from there; that in the eighth precinct of the fourth district the inspectors counted only one hundred ten votes for Lane instead of one hundred twelve which were cast for him; that in the eleventh precinct of the fifth district the inspectors allowed twenty persons to vote after five o'clock p. m. when the polls should have been closed, so that the votes so cast were illegally cast, making all the votes cast in that precinct, being one hundred fifty-seven for Fern, seventy for Lane and one hundred for Achi, illegally cast; that Lane received twenty one hundred eighty-eight votes and not twenty-two hundred twelve as tabu-

lated by the clerk of the county, and that Lane was duly elected by a majority of one hundred twenty-five over Fern.

The defendant's demurrer to the petition, based upon four grounds, the principal one of which was that it did not appear from the petition that the petitioners in any election district or districts had joined in bringing the proceeding was overruled. Justice Wilder thought that the election districts intended by the statute were those designated in Section 2 of the Municipal Act, but acquiesced in the overruling of the demurrer. The Chief Justice and Judge De Bolt thought that the district intended was the one designated in Section 1, including the "Island of Oahu and all other islands in the Territory of Hawaii not included in any other county and the waters adjacent thereto." Thereupon the defendant filed his answer including therein the averment that the petitioners were not duly qualified voters of any election district within the meaning of Section 57 of the act.

At the time set for hearing the petitioners appeared voluntarily at the suggestion of the court as in Brown v. Lauka, 18 Haw. 131, Cornwell v. Kaine, 18 Haw. 167, and Blake v. Baker, 19 Haw. or in obedience to subpoenas taken out by their attorneys and were examined by the court as well as their attorneys in respect of their qualifications as voters, the districts in which they voted and their knowledge or information concerning the averments made in the petition. From this examination it appeared that thirty of the petitioners had not direct knowledge or information concerning any one or more irregularities which would invalidate or change the result of the election. Most of the petitioners had acquired their information from each other or from persons having no knowledge of the irregularities relied upon. The court then called for argument on the materiality of the averments in the petition relating to the presence of Crawford in one of the polling booths, his talking in Chinese to the Chinese voters, and the keeping open of the polls after five o'clock, finally ruling that the averments were immaterial to the case.

After argument upon the subject the petition was dismissed on the morning of December 22 on the ground that it appeared from the testimony of the petitioners, and was admitted by them, that they had no direct knowledge or information concerning any irregularity which would defeat or change the result of the election, the court filing the following opinion, Judge De Bolt dissenting:

Hartwell, C. J.
"The opinion of the court is that the petition must be dismissed upon the ground, amongst other things referred to in the rulings upon the questions argued yesterday, that it appears

from the testimony of the petitioners that there are not thirty of them having knowledge or information with reference to alleged irregularities in any one voting precinct. The opinion upon this matter, as well as upon the others ruled upon this morning, will be prepared and filed. I will now state a few considerations which have led the majority of the court to this conclusion.

"To begin with, the Australian ballot system in force here, which has been adopted in the states gradually during the last twenty years, has undoubtedly accomplished what it was intended to do in removing a great many of the opportunities previously existing for the exercise of coercion, intimidation and cheating at the polls, and it is a significant fact that in the contested election cases before the court I believe I am correct in saying there has been no instance showing actual fraud as contradistinguished from the legal fraud resulting from violations of the regulations of the voting law, the opportunities still remaining, and as long as human nature continues they will remain—as long as it continues as it is—of mistakes—honest mistakes—made on the part of the officials—of the inspectors—whether they be in counting wrongly or in improperly or erroneously rejecting or accepting ballots for the one side or the other. And it is also true that in no community is the result, especially in a close contest, going to be accepted with satisfaction by the losing party. How can they do so knowing the fallibility of human nature—the liability to mistakes of perfectly upright and honest men? Consequently you will find, I believe, in the states and the other territories generally that there are statutes, which we have not, which authorize and require a recount and a reexamination of the ballots either upon the request or petition of the defeated party or of a stated number of the electors. The tribunal which entertains those petitions verifies the official results as a matter of simple counting for one thing; they hear any objections made at the time of the re-examination of the ballots as to the validity of special ballots—individual ballots—and pass upon those objections. Exceptions may be taken by either side to the ruling of that tribunal on matters of law which are taken up like ordinary bills of exceptions in actions at law to an appellate court which passes upon them. I feel so strongly upon the natural and proper wishes of any community for such a tribunal that it is my intention to recommend an enactment on the subject to the legislature, but as the law now stands the legislature has seen fit to intrust to this court the serious responsibility of deciding whether a contest is presented—causes of contest—or not, and if so, the duty of reexamining the ballots. That function was formerly performed with reference to elective representa-

tives by the legislature of Hawaii. Why the legislature transferred that duty to the Supreme Court I cannot say. It may be—I should like to feel that it was—because I thought that this court would be of a non-partisan nature and that it might safely enough rely upon its integrity. But however that may be, there is the responsibility and we have to meet it. We have no time to examine statutes elsewhere to see what are their requirements of petitions. Under this title 'Elections,' and subtitle 'Contests,' our statute gives either the losing candidate or thirty of the qualified voters in any election district the right to file a petition in the Supreme Court of the Territory setting forth any cause or causes why the decision of any board of inspectors should be reversed, corrected or changed.

"Now what is a contest? It is not an imaginary affair—not that certain voters think there probably were errors—and it is almost sure that there were and always will be errors. Is a contest based on mere belief or upon information more or less definite? That is to say, is it to be a guessing contest? We have all agreed that it cannot be, that there must be something definite before this court will consider that a cause making a contest is before it upon which, reexamining the ballots either of one precinct or of all is justified, and it is seen that ordinarily recounting the entire vote results from examining the votes of one precinct, since a result in favor of the contestant requires the other party to insist upon our going through with the other precincts to see how they would bring him out.

"Now we have come to the conclusion—a majority of us—that the information which would justify us in regarding a contest as presented by thirty qualified voters requires that they shall know or have information, not secondhand, but direct information from those who have personal knowledge of irregularities in at least some one precinct requiring the bags containing the ballots in that precinct to be examined, otherwise any voter having information about irregularities in various precincts can state to twenty-five others that he has heard so or can state to four or five voters that he has heard of irregularities in another precinct, and so on, and the thirty be made up in that way. We think that the statute does not contemplate this. There is something more than responsibility or good faith in signing the petition which is required to present a contest. I take it that any one of the voters in this county would properly have felt justified, upon hearing from any other voter of the things alleged concerning the fourteenth precinct and being advised by counsel that those irregularities would be sufficient to invalidate the entire election, in joining with the twenty-nine others in signing the petition, being, unconsciously perhaps, in-



I WAS AMUSED

the other day when an Elderly Gentleman backed me up against the corner cigar store and enquired if I was the "OPPORTUNITY" Man. I admitted the soft impeachment and also smiled widely. The E. G. grabbed me by the coat lapel and delivered himself to this effect: "There never was a gold mine. There isn't one today. There never was a cent made in any kind of mining. The only reason a gold mine is called a gold mine is because people are foolish enough to dump their good gold into it. They never get any out. And as often as not there's no mine at all. He knew. He had invested in mining stock once. The thing was a fake, of course. No more mining stock for him. Not in a thousand years."

Now, wouldn't that upper-cut you? Where his Nibs thought the world's present supply of gold came from, gets me. Perhaps he thought it all came from Bishop's Bank. The E. G., nevertheless, is representative of a class of people who swallow the bait of any fly-by-night fakir, or wildcatter who peddles out cheap stock and promises the earth, or at least a thousand dollars for every one put in. His proposition may be the wildest kind of "Wildcat," his roseate statements entirely unsupported, his "mine" a pipe-dream, and he himself belong in jail, but if his stuff is only cheap enough—a cent of two a share—they will buy it. Such people are not investors—they are "suckers" buying experience. But they hurt legitimate mining because ever afterwards they will keep on telling how they "invested" in mining and lost their money.

With regard to the Elderly Gentleman I steered him along to my Office, showed him ore specimens, photos, charts, maps, Government Reports, and statements of Honolulu people who have visited the "MAYFLOWER." He revised his conviction about gold mining to the extent that there was, at least, one gold mine, and that we owned it. Before he flew, he broke in for 1000 Shares. Other mining stocks and other Mayflowers can be bought at less prices, but our Mayflower is the Mayflower Quartz & Channel Mining Co. and the price is 25 Cents a Share. Drive a tack in that fact.

Yes, our "MAYFLOWER" is the real thing, with assurances attached. Buy the Stock at 25 Cents. You're missing a trick if you don't. Be brisk and get in your order. Buy it. It's a brilliant buy. BUY "MAYFLOWER" STOCK. BUY IT NOW!

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25 CENTS

BUY IT NOW

financed by the feeling that a recount is almost a matter of course, to ascertain the correct result of the vote, and that it ought in common fairness to be made.

"The petition will have to be dismissed."

Wilder, J.

"I haven't anything to add except this, that I agree with the conclusion that the petition will have to be dismissed and will put my views in writing and file them later."

Judge De Bolt.

"I find that I am obliged to dissent. It seems to me that the statute clearly does not contemplate, as set forth in the reasoning announced by the Chief Justice, that thirty persons cognizant of the one fact are necessary to sign the petition. As I view it, a duly qualified voter might stand by and observe in vain some act by which the rights of the citizens would be grossly violated and which would clearly nullify an election but still be helpless. If the reasons given for the opinion of the court as announced are sound, no matter what rights of the citizen might be thus violated, as contemplated by the election laws, he could not act because twenty-nine others could not be had to join with him upon information and belief. Clearly, the legislature never contemplated that such a thing should exist."

Hartwell, C. J.

"I will add this suggestion, that there might be such grave violations of law, known only to one voter present, which would justify him or any other voter receiving the information from him, in bringing a writ of quo warranto. The courts are not agreed whether the statutory remedies are exclusive or not."

Upon the evening of December 24 an attorney for the petitioners orally requested the court to hear argument upon the question whether the statute required that in order that thirty qualified voters sustain a contest they must have knowledge or direct information of any one irregularity which, if shown by the evidence, would invalidate the election. The request was granted and counsel, although unnecessarily, filed a motion for rehearing in which they submit a point not heretofore presented, namely, that the court had no authority to examine the petitioners as to their knowledge or information of the matters charged in their petition. Strictly the motion could be struck from the files, but this was not done and counsel were heard on the new matter as well on December 28. December 29 the following opinion was filed by the court:

"According to the practise in former election contests the defeated candidate could not obtain reexamination of ballots unless upon a showing, which was made in such case, that he had knowledge or direct information of some fraud, accident or mistake which would invalidate or change the result of the election. It must be a real and not an assumed or hypothetical fraud, accident or mistake to make an issue on which a controversy between candidates can arise. There is no contest or issue of fact or law presented by a statement that a decision of inspectors ought to be reversed, corrected or changed because petitioners believe, without definite information, that the decision was incorrect. The petitioners insist that it is unnecessary that the petition be verified at all and that the court, after answer filed, had no jurisdiction, before hearing evidence, to require the petitioners to prove any of their allegations. This has not been required further than to ascertain from the petitioners whether they all had knowledge or direct information concerning their charges, the object being to avoid reexamining ballots upon mere surmise of petitioners or others that there were irregularities. One of the attorneys for the petitioners is consistent in claiming that the law does not require of any petitioner any knowledge or direct information as to any irregularities charged. In this view any qualified voter, if he can get twenty-nine others to join him in a petition setting forth that any one believes that there has been error of the inspectors, can require the ballots examined and passed upon as well as counted.

"The statute (Section 56) requires that 'All questions as to the validity of any ballot cast at any election held under this act shall be decided immediately and the opinion of the majority of the board of inspectors of election at each polling precinct shall be final and binding. Subject to revision by the Supreme Court of the Territory as hereinafter provided,' and further (Section 57) that 'Any candidate directly interested' (it will be observed that a candidate indirectly interested has not this right) 'or any thirty duly qualified voters of any election district may file a petition in the Supreme Court setting forth any cause or causes why the decision of any board of inspectors should be reversed, corrected or changed,' referring, of course, to decisions as to the validity of any ballots.

"The two ways of looking at the subject, then, are (1) that any thirty voters may dispute the decision of the inspectors in their own district, meaning, as held, the entire Island of Oahu, whether any of them know or have heard of any fatal irregularities or not; (2) that all must have such knowledge or information. In the former view it was suggested by the petitioners at their first argument that their case is like that of a creditors' bill in which one or more creditors represent all of the thirty voters and not merely one or any less number than thirty must combine to present a cause in order to make a contest. In the former case the only responsibility in bringing the petition is that thirty voters desire a reversal of the inspectors' decision which they believe to be erroneous. In the latter case, in order to obtain reconsideration of election results, emphasis is placed upon the necessity of a contest or a cause of action by each of the thirty voters in respect to some one or more decisions, which controversy could not exist unless each of them had at least heard of an alleged wrong decision.

"The petitioners' attorneys say that those whom they represent do not understand why the court allows a contest to be made and ballots reexamined on the petition of one person, he being a defeated candidate, and not on the petition of thirty voters. This is a misunderstanding of the causes, for the court places the petitioners on the same basis, applying the same rule to each in requiring some fatal fact within the knowledge or information of the petitioner, when he is a defeated candidate, or of the thirty petitioners when they bring a petition.

"It is urged by the petitioners that the court has no authority to raise the question as to their knowledge or information, the question not being raised in the answer. The answer, however, neither admits nor denies the petitioners' averment of their knowledge or information but leaves them to its proof. In a controversy of a public nature the court would not perform its duty to the public if it did not require the status of the petitioners not only as qualified voters but as having information and belief of their charges to be shown before having the ballot bags opened.

"In the American cases cited by the petitioners it is clearly stated that the object of the notice of a contest of an election is not to perform the function of a declaration at law, but to apprise the opposite party that a contest will be made on the grounds mentioned. Our statute on the contrary requires a contest to be presented by the petition. Even in statutes like that of Massachusetts permitting any ten voters to obtain a recount of ballots upon the filing of the proper statement in writing by ten or more qualified voters of the ward that they have reason to believe that the returns of the ward are erroneous" (Opinion of the Justices, 136 Mass., 586), a statement by ten or more voters that others than themselves, or that any less number than ten had reason to believe this, would not comply with the statute.

"In Lawrence v. Norreys, 39 L. R. Ch. D., 213, also cited upon the claim of the petitioners that it would be unauthorized practise for a court of equity to question the truth of the averment in their petition of their information and belief instead of leaving them to put in their entire case, Stirling, J., said upon this subject: 'Now, as to that, it is undoubtedly true that as a rule a plaintiff is allowed in this court to state his case in the first instance without in any way verifying it by oath; and the court ought to be slow, as I conceive, when a plaintiff bona fide brings forward a case, in shutting him out from stating it, and from trying it in the manner provided by law (p. 225). Upon appeal, however, this ruling was reversed, the appellate court saying (Cotton, L. J.): 'By the jurisdiction of the court to prevent its process being abused, and to prevent actions being brought which are mere vexation, is original and does not depend on the general orders of the court.'"

"The inquiry made by the court in this case was justified by precedent as well as upon principle. 'A majority of the court find no ground for reversing the former ruling which is accordingly affirmed.' After service and the filing of a demurrer by the defendant the petitioners filed fifteen affidavits from alleged voters in one precinct, setting out for whom they voted, together with a joinder in demurrer and a motion to set the demurrer for hearing, the defendant then filing a motion to strike the affidavits from the files. All of these papers the court of its own motion ordered to be withdrawn.

"The court unanimously ruled that the averments were immaterial which related to the inspectors in one precinct allowing twenty persons to vote after five o'clock in the afternoon of the election day when the polls should have been closed, and in another precinct in allowing Crawford within the space set apart for the polling place and that by conversing in the Chinese language he attempted to influence and did influence by words and acts Chinese voters.

"It does not appear that Crawford was within the balloting compartment referred to in Sec. 87 R. L. in which a voter is required to be alone for the purpose of marking his ballot. There is not enough alleged in regard to this matter or in the alleged attempt of Crawford to influence Chinese voters to indicate a change in the result, or in invalidation, of the election. The allegation in regard to twenty persons voting after five o'clock was also insufficient in the absence of allegation of circumstances rendering it probable prima facie that the sufficiency of the alleged illegal votes were cast for Fann to invalidate or change the result of the election. Lehback v. Haynes, 54 N. J. L. 77; Ex parte Murphy, 7 Cow. 153. For all that appears on the face of the petition, Lane may have benefited by keeping the polls open a little after the closing time.

"Petition dismissed. G. A. Davis, A. G. M. Robertson, A. L. C. Atkinson and A. F. Judd for petitioners; E. M. Watson and W. W. Taylor for respondent.

Concurring Opinion of Wilder, J.

Section 57 of the Municipal Act provides that 'Any candidate directly interested, or any thirty duly qualified voters of any election district may file a petition in the Supreme Court of the Territory setting forth any cause or causes why the decision of any board of inspectors should be reversed, corrected or changed.' The petition in this case is brought by some thirty-six persons who are alleged to be duly qualified voters of the election districts of the City and County of Honolulu, and who voted at the election for Mayor held on November 2, 1908, in that City and County. The principal objection raised by the demurrer is that the petition does not show that it is brought by thirty duly qualified voters of any election district, the defendant contending that the election districts prescribed by R. L. Sec. 105, (which are the 4th and 5th), are the ones referred to in the Municipal Act. The petitioners claim that the Municipal Act in providing for the election of a mayor by all the qualified voters of the city and county specifies but one election district, although, as already pointed out, the petition is not drawn on that theory.

"The thirty voters who desire to contest an election must all come from one election district. That is clear I think.

"If R. L. Sec. 105 applies, it is by virtue of Section 40 of the Municipal Act which provides that 'The general laws and rules governing the election of Senators and Representatives of the Territory shall apply in the election of city and county officers wherever applicable except as herein provided.' It may be fairly contended, I think, that the election districts prescribed by general law would apply in the election of city and county officers were there no other provision in the Municipal Act on the subject. Section 2 of the Municipal Act, however, provides that the City and County of Honolulu 'is hereby divided into six districts,' naming them. In each one of these districts an election is held for city and county officers, for most of whom electors of a particular district vote in conjunction with the electors of the other districts, the sole exception being the deputy sheriffs who are elected solely by the electors of a particular district. An election district is one within the prescribed limits of which an election is held. The Municipal Act, then, having divided the city and county into districts and provided for elections in each of those districts, it follows that, when it allows thirty voters of an election district to contest an election, the election district referred to is a district which the act itself provides and in which it also provides for an election. This view is strengthened when the County Act, from which the identical language in question is taken, is considered. That act divided the County of Oahu into the same six districts as the Municipal Act, all of the supervisors, except one who was elected at large, then being elected from different districts. Under that act it could not be said that there were four election districts for all of the supervisors but one, six election districts for deputy sheriffs and but one election district for the remaining officers. The same language having been used in the later act as in the earlier one, it is nothing but natural that the same meaning was intended.

Furthermore, by Section 76 of the Municipal Act, a certain number of legal voters may institute proceedings for the removal of officers, and the expression there is not voters of any one election district but voters 'within the city and county,' which tends to show that the geographical limits of election districts mentioned in the act and of the city and county are not the same, otherwise the same words would have been used in both places. A similar distinction is contained in Sections 41 and 60 of the County Act.

The contention of the petitioners, which was upheld by the majority of the court, that the district intended was the one designated by Section 1 of the act, is also open to criticism because that section does not specify any district at all.

The argument of petitioners that if there are six election districts thirty voters of one district may contest an election in another district is not sound. What the thirty voters of one district may do is to contest an election for a particular office in that district in which they are qualified to vote, even if the electors of other districts also are entitled to vote for the same office.

The petition in this case not setting out that the thirty of the petitioners are duly qualified voters of any particular election district, the demurrer should be sustained. But as it appeared from the preliminary examination of the petitioners that at least thirty of them were qualified voters of one election district, namely, Honolulu, and as, therefore, enough of the petitioners have in fact the qualifications required by statute, the petition is amendable in that regard (15 Cye., 412), and I consequently concur in the overruling of the demurrer. I also concur in the opinion of the Chief Justice.

Dissenting Opinion of Circuit Judge De Bolt.

I respectfully dissent from the opinion and judgment of the court in dismissing the petition, particularly as regards the circumstances under which it was dismissed. I concur, however, in the opinion of Mr. Chief Justice Hartwell in overruling the demurrer.

With regard to the petition, it will be observed that the jurisdictional requirements prescribed by the statute (Act 118, Ch. 11, Laws 1907), relative to election contests, are:

- 1. That the petition be filed by thirty duly qualified voters of any election district.
- 2. That it set forth a cause or causes why the decision of any board of inspectors should be reversed, corrected or changed.
- 3. That it be filed within thirty days after the election.
- 4. That it be accompanied by a deposit of \$25 for costs of court.

The petitioners complied with all these requirements; and the petition having been held legally sufficient on demurrer, and the respondent having thereupon filed his answer, an issue of fact was thereby presented for judicial determination.

It must be conceded, for it follows necessarily, that counsel for the petitioners were justified in assuming that this issue of fact would be examined into and disposed of in the usual manner, that is to say, in accordance with the established rules of practise and procedure prevailing in courts of justice.

But instead of being permitted to thus proceed, the petitioners at this point in the case were called, sworn and examined by the Chief Justice as to the source and nature of their information upon which their petition was based. Upon this examination being closed a majority of the court interposed a question somewhat like a special demurrer, namely, whether or not the facts disclosed by this examination were sufficient to sustain the petition. Argument was had, after which the petition was dismissed, petitioners not being allowed to offer any evidence.

To my mind such a proceeding breathes the air of anomaly. It has no place in the due and regular administration of justice. It is a stranger to the law.

It is elementary, and an essential part of the legal education of every lawyer, that in any legal controversy in any tribunal known to the law, that when the issues of law are disposed of and an issue of fact is presented, the trial or hearing upon this issue follows as a logical sequence, and shall be disposed of according to law and the established rules of judicial procedure. The party holding the affirmative of this issue has the absolute right to conduct the presentation of his case, either in person or by counsel, under the supervision of the court, and

to adduce his evidence in proof of the controverted fact. This right is inherent and no court can rightfully take it from him.

These are plain, simple rules, but they are indispensable to the due and orderly administration of justice. And, accordingly as they and the principles upon which they rest are observed, or the contrary, determines the difference between a government by law and a government by men. The former promotes the good order, happiness and prosperity of a people, while the latter tends to foster tyranny, oppression and injustice.

It is inevitable, that whenever a court departs from the well-defined channels of judicial procedure, or passes beyond the realms of the law, however worthy the purpose or motive may be for so doing, it at once enters upon the boundless domain of arbitrary power. Hence, the preliminary examination of the petitioners by the court after an issue of fact was joined and the summary dismissal of the petition, without permitting the petitioners to offer any evidence in support thereof, was, in my opinion, in conflict with those vital principles just alluded to, and was wholly unwarranted.

Such procedure, if had in civil actions inter partes, would result in the summary dismissal of many a meritorious cause in which the plaintiff, having no personal knowledge of the facts set forth in his petition or complaint, and sometimes even on the testimony of the adverse party.

It cannot be rightfully assumed that the petitioners expected to maintain this contest on their information and belief, but upon the sworn testimony of their witnesses able to testify of their own knowledge as to the facts and matters set forth in their petition, in the same manner in which the parties in any other cause prove their contentions.

Counsel for petitioners informed the court that their witnesses were in attendance and ready to be sworn and to testify, but the court refused to hear them, allow the petition to be amended by adding other names thereto (9 Mont. 497), and thereupon summarily dismissed the petition. To my mind this was repugnant to the inherent principles of right and justice.

If the facts as set forth in the petition were true, then it follows that a grievous wrong, not only to the defeated candidate, but to the entire community.

With regard to the so-called precedents cited in justification of the preliminary examination of the petitioners, I submit that, for the reasons already stated, they should not be followed, even though they may be in point. It does not appear, however, that the court in any of them went as far as in this case.

Precedents, if found to be contrary to reason and justice, should not be followed. 'For,' as Blackstone says: 'if it be found that the former decision is manifestly absurd or unjust it is declared, not that such a sentence was bad law, but that it was not law; that is, that it is not the established custom of the realm, as has been erroneously determined.'

Moreover, the doctrine of stare decisis, except when the decisions have settled a rule of property or involve contractual rights, is not strictly applied.

With regard to the holding of the court that each petitioner was obliged to have knowledge or direct information of the same irregularity, mistake or fraud, as set forth in the petition, and also that each be required to show under oath on preliminary examination conducted by the court, not by counsel under the supervision of the court, that such knowledge and information was correct, before an examination of the ballots could be had, I find it beyond my comprehension to conceive upon what possible theory the court was able to so expand and enlarge the plain and explicit language of the statute in this regard.

As I view the matter the court required something of the petitioners which the statute clearly does not require of them. The court attempted to import into the statute provisions which it does not contain.

All that the statute requires is that the petition shall set forth a 'cause or causes why the decision of any board of inspectors should be reversed, corrected or changed.' It will thus be observed that the statute does not require that the petitioners shall have either knowledge or information of the grounds of the contest, much less to be obliged to submit themselves to a preliminary examination such as was required of them in this case.

The statute does not even require that the petition shall be verified by the oath of petitioners. And all that is required by way of showing that the contest is made bona fide is that the petition be filed by thirty qualified voters and at the same time deposit \$25 as costs of court. The legislature deemed this sufficient and the court can require no more. One qualified voter could file the petition as well as any number of voters could, but evidently the legislature, in considering the interest the public has in an election contest, concluded that more than one was necessary or proper as a guarantee of good faith. Hence, the reason for requiring that the petition be filed by thirty duly qualified voters. And this being complied with the legislature has in effect said that it was the plain duty of the court to proceed with the hearing as in any other cause. A petition thus filed and presented to the court gives the contestants a perfect right to offer their evidence, and it accordingly becomes the duty of the court to receive and to duly consider such evidence.

All that the court can properly require in addition to the plain terms of the statute, is that the petitioners adduce enough evidence to warrant an examination of the ballots. And the court in an election contest, as well as in any other case, can safely permit petitioners, through their counsel, to present their cause in their own way, under the supervision of the court as a matter of course.

The law recognizes the right as well as the propriety of parties being represented by counsel. Reputable counsel learned in the law and familiar with judicial procedure are indispensable in the due determination of justice. A court can better subserve public interests in an election contest by a willingness to hear what the parties have to

say with regard to their claim than to turn them away unheard.

It has been held that in a statutory contest, where the contestant alleges error, mistake, fraud, misconduct, or corruption in counting the ballots or declaring the result of an election, a recount of the ballots should be ordered as a matter of course upon the request of the complaining party, because the ballots themselves, if properly preserved, are the highest and best evidence of the expression of the will of the voters. According to the weight of authority, however, a resort to the ballots themselves cannot be had until the contestant produces evidence making a prima facie case which indicates at least a probability that a recount would decide the election in his favor. (15 Cye. 429.) Counsel informed the court that they were ready to put on their evidence with the view of showing at least a prima facie case. Under all the authorities they were clearly entitled to do this. The court should have granted this request. The fact that the court had taken the testimony of the petitioners, if it can be called testimony, was no reason why it should refuse to hear proper testimony. The point being that the examination of petitioners by the court was wholly unauthorized by law.

In Brown v. Lauka, 18 Haw. 131, it seems that the court proceeded to inspect the ballots upon nothing more than the mere allegations in the petition and without requiring any evidence at all. Subsequently the contestant took the stand and testified that he had some information of irregularities in two precincts, but as to the remaining allegations in his petition they were 'a matter of guesswork.' Upon this showing, however, the ballots of all the precincts were opened and examined.

It is proper that the court should guard against a mere fishing excursion, but this can be done with safety and propriety, by requiring, or by permitting, as was requested in this case, the contestants to adduce some evidence sufficient to show prima facie grounds for inspecting the ballots. And under the precedent of Brown v. Lauka a slight showing only is required for this purpose.

With regard to the construction of statutes providing for the contesting of elections, the courts look upon such statutory provisions with favor. A strict compliance with the letter of the statute is unnecessary so long as the spirit of the enactment is complied with.

McCrary on Elections (Section 431) says: 'It may be stated as a general rule, recognized by all the courts of this country, that statutes providing for contesting elections are to be liberally construed, to the end that the will of the people in the choice of public officers may not be defeated by any merely formal or technical objections.'

See also 15 Cye. 412. In Whitney v. Blackman, 17 Org. 564, the court said: 'It is the duty of courts to disregard mere technical rules or defects, and to liberally construe the law that the rights of the people may be preserved, and that no protection may be afforded to fraud.'

In Curry v. Baker, 31 Ind., 155, the court said: 'It is never the duty of courts to place so rigid a construction upon the language of any act, where there is room for interpretation, as to defeat the purposes of the Legislature. Still less are we disposed to adopt such a view where the object of the law is to secure to the electors the purity of the ballot-box, by subjecting to the scrutiny of the courts the conduct of the officers in charge of the election.'

In Minor v. Kidder, 43 Cal., 236, the court said: 'It is the wholesome purpose of the statute to invite inquiry into the conduct of popular elections. Its aim is to secure that fair expression of the popular will in the selection of public officers, without which we can scarcely hope to maintain the integrity of the political system under which we live. With this view it has provided the means of contesting the claims of persons asserting themselves to have been chosen to office by the people.'

When such a statement is presented by an elector of the tribunal whose duty it is to investigate its merits, it should not be received in a spirit of captiousness, nor put aside upon mere technical objections designed to defeat the very search after truth which the statute intended to invite. The investigation proposed is one in which the public at large are deeply concerned.'

In the opinion of the Justices to the Governor and Council of the Commonwealth of Massachusetts (136 Mass., 583), respecting a statute which provided that an election might be contested by ten voters upon their written statement that they had reason to believe that the returns of the officers were erroneous, the court said: 'The provisions of the thirty-sixth section are clear and explicit, and seem to us to admit of but one construction. They authorize and require the boards of aldermen of cities to recount the ballots cast in any ward, upon the filing of the proper statement in writing, by ten or more qualified voters of the ward, that they have reason to believe that the returns of the ward officers are erroneous. * * * The statute contemplates that the statement is to be made by plain people, and technical and narrow rules of construction ought not to be applied to it.'

In Richardson v. Farrar, 15 S. E., 119, the court said: 'The statute is a broad and summary remedy for fraud in public elections, without formal pleadings, and provides a mode of contest without technicalities, and directing the county court to hear and determine the contest upon the merits and the proof, according to the very truth and right of the matter in controversy.'

In conclusion I deem it proper to observe that in this Territory the Supreme Court is given original and exclusive jurisdiction in election contests, and its decisions therein are final. Hence, the importance of a most liberal construction of the statute.

Contestants should have ample opportunity, consistent with law, to present their case and the evidence in support thereof, to the end that the will of the people in the choice of public officers may not be defeated.

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Around the Police Station

"The Police Committee will be around the police station tomorrow or next day," said Sheriff Jarrett yesterday.

"Which committee?" inquired the reporter.

"Search me," answered the Sheriff. However, Sheriff Jarrett will receive any police committee that comes to the station to take a look around, whether a Fern committee, or a Board committee. He is anxious to have a committee size up the condition in the police station and is anxious to show it what is actually needed in the way of rearrangements, particularly as to removing the detective bureau to the dormitory above the stables. The removal of the detective bureau will necessitate some alterations in the interior of the building and the erection of partitions.

Gambling Hui Organizing.

It is reported from a source which forms a mysterious, shadowy cordon about the police department that Chinese gamblers are preparing to form a hui to start gambling on a large scale. The names of Chinese connected with the hui are said to be those who have taken a prominent part in former huis, but which were broken up in the last two years. There are at least five men, not all Chinese, however, one being a Hawaiian, who are said to be interested in several gambling joints which have been running off and on for the past three or four months. Two such joints are on Beretania avenue, not far from Maunakea. In one joint the tables are in rooms adjoining those of a member of the proposed hui, and his family. Another game is running on Nuuanu above King, over a shoe store. Another is on Maunakea street, said to be controlled to some extent by a Hawaiian. Two are on Vineyard street and one is close to the junction of King and Beretania avenue. So far no mention has been made of the fa, but it is expected that banks will be organized.

Howell Brings in Suspect.

Bicycle Patrolman Howell brought in a Korean named Kim Kyang Sam from Moiliili the other night, and he is held for investigation by the chief. The latter did not know yesterday what charges were to be preferred against Kyang, and, in fact, had not received a report from the patrolman. He said he had a dim recollection that Patrolman Howell thought the Korean was acting in a suspicious way during the night out near Moiliili.

Burglary Charge Dropped.

The second burglary charge against John Lua has been dropped and a new one of larceny substituted. This involves the alleged stealing of \$49 from a Japanese woman living opposite the Waikiki turn.

Hammer Welders Held.

Alohikea, the Hawaiian who recently ran amuck and beat a man and woman in Kakaako with a hammer, has been committed to the Circuit Court for trial. Alohikea waived examination. The crime of which Alohikea is accused was a particularly atrocious one. He was drunk when he entered a house and found the man and woman together. He became enraged when he saw them together and, procuring a hammer, beat both of them on their heads. Both were sent to the hospital for treatment.

HAS A FLY TRAINING STABLE.

The only fly market and training stable for insects in the country is owned by F. B. Smith, a young official in the service of the local government board in London, who recently delivered a lecture before the royal photographic society, in which he talked of feats performed by flies and exhibited photographs.

In demonstrations at the fly farm at Mr. Smith's house, in Islington, highly educated flies perform remarkable antics. A fly will lie on its back and keep a ball revolving with its feet for hours at a stretch, or sit on a chair, dressed in a specially cut silk gown and cap, and nurse a doll. So perfect are the performances that cinematograph records have been taken of them.

Great patience had to be exercised by Mr. Smith before he could make the flies do as he wished. Their home is a glass topped case, and when a fly has, by much drumming against the glass, had the fact dinned into it that it can not really get away it becomes tractable and teachable.

Some flies that Mr. Smith has reared will not fly away when they have the chance, and even a wild fly, snatched from freedom, sometimes consents of its own free will to stay at home. Among the articles which the fly trainer has made for the purposes of performance are:

Machine which registers on a dial the strength of a fly's pull in grains.

Chair carved out of a top of a penholder.

Doll carved from the handle of a toothbrush.

Dumbbell made of two cork balls joined with a stick.

A cork ball.

All these toys a trained fly will play with.

"I find that a fly placed on its back will turn a cork for nearly an hour," said Mr. Smith. "My idea is that the fly does not realize its position, and imagines that it is running along a surface the whole time. To get a fly to sit on a chair, its wings have to be slightly gummed to the back to give it the necessary support. Then it will hold the doll in its legs and nod its head like a nurse girl."

Other insects besides flies have been trained by this young government official. He has taught a spider to run up a stick and take food held out to it. A lizard which he has in his possession will take and hold a cigarette in its mouth, but resolutely refuses to smoke it.

Following is a copy of a letter received by the von Hamm-Young Co., Ltd.:

ANGLO-AMERICAN MOTOR CAR COMPANY, LIMITED,
19-21 HEDDON STREET, REGENT STREET, W.

LONDON, 25th November, 1908.

Messrs. The Cadillac Motor Car Co., Detroit, Michigan, U. S. A.

Dear Sirs.—We have much pleasure in writing to you relative to the Olympia Show and the reception of the new Cadillac "THIRTY." THE ORDERS RECEIVED BY US AT THE SHOW BROKE ALL OUR RECORDS OF THE LAST SIX YEARS. The car was naturally the centre of attraction, and even our biggest competitors could not but admit that the Cadillac Company had surpassed anything they had done previously in manufacturing such a fine car at so low a price. The opinion was unanimous that never before had Olympia seen its equal at, or near, the price.

Amongst those who have given us orders are some of the best engineers in the country, and are recognized as the finest experts in motor car construction.

We are anticipating a great year's business with the new "THIRTY," and wish to convey our congratulations to the Cadillac factory for giving such a fine proposition for 1909. It commanded success from the first and has certainly obtained it.

Yours faithfully,

B. D. H.

(Signed.) F. S. BENNETT, Manager.



We have just received and delivered our first car, which certainly is a revelation in automobile construction.

von Hamm-Young Co., Ltd.

Agents, Young Building.

Old Continental

Old Style straight Kentucky Bourbon Continental was the favorite of the Southern gentry of "Befoah the war" period. "A good, honest, friendly old whiskey."

W. C. Peacock & Co., LIMITED.

Merchant St.

Sole Agents.

OLD KONA COFFEE

Henry May & Co., Ltd.
PHONE 22

IRON BREW

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The watchmaker, however, is on hand, and will use his long experience with watches to give you the same service that has characterized the H. C. establishments.

H. Culman

1064 Fort St.

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FINE WOOL BLANKETS.

White and Colored.

BED SPREADS

SHEETING, PILLOW CASES.

YEE CHAN & CO.

Bethel and King.

THE OSTEOPATH

BELIEVES it unwise to administer Drugs for the purpose of increasing Cell Resistance, lest they act harmfully upon the Body Tissues. Knowing that the Lymph contains all the remedial agents necessary to effect a cure or to destroy bacteria, he directs his efforts to improve the quality and quantity of the blood and to promote a free circulation of the same.

DR. F. SCHURMANN.

OFFICE—224 Emma square. HOURS—8 to 9 a. m. 4 to 6 p. m.

REALTY TRANSACTIONS

Entered of Record January 7, 1909. Henry K poepee to Louisa Keone... Martha Berger to August Dreier... Kukamamu K Pun and wf to Maria K Scott...

By Authority

RESOLUTION. Making Appropriations for the Various Services of the City and County of Honolulu.

BE IT RESOLVED by the Board of Supervisors of the City and County of Honolulu: That the following sums, amounting to Two Hundred and Fifty-one Thousand Two Hundred and Twenty (\$251,220.00) Dollars, are hereby appropriated...

Table with columns: Per Month, Six Months. Rows include Salaries fixed by law, Mayor, Material and supplies, Office employees, Auditor, Deputies and office employees, Municipal offices, Parks, Kapiolani Park, Maintenance of Fire Stations and Fire Apparatus, Collection and Disposition of Garbage, Maintenance of Hawaiian Band, Police Fees, and Premium on Bonds.

BE IT FURTHER RESOLVED that the following sums, amounting to Ten Thousand and Fifty Dollars (\$10,050), are hereby appropriated to be paid out of moneys in the road tax general fund of the City and County of Honolulu...

that to make expenditures under this resolution, it shall be necessary that all salary lists, items of donations, payrolls, items of materials and supplies and accounts of general expenses shall be presented to the Board of Supervisors...

AND BE IT FURTHER RESOLVED that no payments under this resolution shall be made, nor indebtedness of the City and County of Honolulu incurred, in any month in excess of the monthly pro rata sums herein authorized.

SEALED TENDERS. Sealed tenders will be received by the Superintendent of Public Works until 12 m. of Thursday, January 7, 1909, for printing the Annual Reports of the Department of Public Works for 1907 and 1908.

MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF SALE. Notice is hereby given that whereas J. H. Fisher of Honolulu, Island of Oahu, Territory of Hawaii, did execute the following mortgage, namely: mortgage to Emily C. Judd of the said Territory of Hawaii, dated June 9, 1900 A. D., recorded in the Registry Office, said Honolulu, in Liber 207, pages 273, 274 and 275, upon the property hereinafter described...

NOTICE. All holders of Police Commissions, badges and keys, issued under the County of Oahu, are hereby requested to return same to the office of the City and County Sheriff.

QUARTERLY MEETING. The regular quarterly meeting of the shareholders of C. Brewer & Company, Limited, will be held at the offices of the corporation, in Honolulu, on Thursday, January 14, 1909, at 10 o'clock a. m.

ELECTION OF OFFICERS. Notice is hereby given that the following persons were duly elected to serve as officers of the United Chinese Society for the ensuing year, viz: President Yee Chin Yung, Vice President Lau Tong Secretary Chang Kim Assistant Secretary Chong Jack Lai Treasurer Ho Fong Assistant Treasurer Doo Wai Sing Secretary United Chinese Society. 8241

ANNUAL MEETING. The annual meeting of the Bank of Hawaii, Ltd., will be held at the office of the Company on Wednesday, Jan. 13, 1909, at 9 a. m. F. B. DAMON, Secretary.

CO-PARTNERSHIP STATEMENT.

Henry Holmes, William L. Stanley, and Clarence H. Olson, co-partners engaged in business in the Territory of Hawaii, make and file in the office of the Treasurer of said Territory the following statement: 1. Their names are as hereinbefore given, and they all reside in Honolulu, Territory of Hawaii.

Dividend Notice. Waiiala Agricultural Co., Ltd. The directors of this corporation having declared a dividend of 1-2 of 1 per cent, dividend No. 9 is due and payable on Friday, January 15th, 1909, to stockholders of record at the close of the stock transfer books Friday, January 8th, 1909, at 12 m.

ELECTION OF OFFICERS. At the regular annual meeting of the members of the Ing Sit Sha Society, held Dec. 30th, 1908, at its Society hall at Punaluu, Koolauloa, Oahu, the following officers were elected to serve during the ensuing year: C. T. Aana, President; Ching Shai, Vice President; C. Lai Young, English Secretary; Chang Bun, Chinese Secretary; Wong Singchee, Treasurer; Kam Fatsing, Auditor.

NOTICE. All holders of Police Commissions, badges and keys, issued under the County of Oahu, are hereby requested to return same to the office of the City and County Sheriff.

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BOUNDARY COMMISSIONER'S NOTICE. Proper application having been made to me by George Rodiek for the settlement of the boundaries of a Lele of Nini in Nuuanu valley, Honolulu, Kona, Oahu.

PROPOSALS FOR PRINTING. Office of Depot and Constructing Quartermaster, Honolulu, T. H., Jan. 4th, 1909. Sealed proposals, in triplicate, will be received until 10 a. m. January 11, 1909, and then opened, for miscellaneous printing, ruling and furnishing the paper and cardboard for same, necessary at Honolulu, H. T., during the period beginning January 15, 1909, and ending June 30, 1909.

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COMMISSIONER'S SALE

VALUABLE LAND SITUATE AT Kuwili, Honolulu, COUNTY OF OAHU, TERRITORY OF HAWAII.

Pursuant to a decree of foreclosure and sale made by the Honorable J. T. De Bolt, First Judge of the Circuit Court of the First Judicial Circuit, said Territory, on December 31, 1908, in a suit Equity No. 1623, entitled August Dreier, Limited, an Hawaiian corporation, complainant, vs. W. W. Ahana and Choi Seem, his wife, Richard H. Trent, Trustee, and Henry Holmes, respondents, the undersigned, appointed as Commissioners by said Decree, will sell at public auction to the highest bidder for cash, subject to confirmation of Court, on

Saturday, January 30, 1909,

at 12 o'clock noon of said day, at the front mauka entrance of the Judiciary Building, said Honolulu, the mortgaged property following, to-wit: FIRST: All of the land situate at Kuwili, Palama, Honolulu aforesaid, mentioned and described in Land Commission Award No. 1089 to Kaphe and in Land Commission Award No. 671 to Paakua and in said foreclosed mortgage of W. W. Ahana to August Dreier, dated November 10, 1899, of record in Liber 196, page 467, Hawaiian Registry of Conveyances, (except only that portion of the land described in Land Patent No. 1089 expressed to be conveyed by said W. W. Ahana to the Hawaiian Dredging Company, Limited, by deed dated Aug. 1, 1902, and of record in Liber 238, page 313, said Registry), the remaining portion of said lands covered by said mortgage, and to be sold as aforesaid, being described by metes and bounds as follows, to-wit: Commencing at the North corner of this piece of property at junction of fences on the South side of Dowsett Lane and running: 1. S. 57° 00' W. true 112.8 feet along fence along Dowsett Lane; 2. S. 30° 35' E. true 88.9 feet along fence along L. C. Award 2440B to Kaunua, Apana 1; 3. N. 86° 00' W. true 36.3 feet along fence along same; 4. S. 13° 45' E. true 71. feet along fence along same; 5. S. 72° 40' W. true 23. feet along same; 6. S. 16° 55' E. true 30. feet along L. C. Award 826 to Keakahiwa, Apana 2; 7. S. 41° 25' E. true 37. feet along same and L. C. Award 2440B, Apana 2 to Kaunua; 8. S. 73° 35' E. true 27. feet along L. C. Award 2440B, Apana 2; 9. S. 17° 20' E. true 50. feet along L. C. Award 2440B, Apana 2; 10. S. 8° 5' E. true 116. feet along L. C. Award 2440B, Apana 2; 11. N. 87° 10' W. true 45. feet along L. C. Award 2440B, Apana 2; 12. S. 11° 25' E. true 47. feet along Government; Thence 13. S. 87° 10' E. true 98. feet along Grant 3475 to Oahu Railroad and Land Company, Apana 2; 14. S. 83° 20' E. true 187.4 feet along portion of L. C. Award 1089 sold by W. W. Ahana to Hawaiian Dredging Company, to point that bears N. 28° 29' W. true 29 feet from a redwood post; - 15. N. 28° 29' W. true 78. feet along Grant 4804 to H. M. von Holt; 16. S. 85° 40' W. true 110.9 feet along L. C. Award 826 to Keakahiwa, Apana 3; 17. N. 12° 15' W. true 78.5 feet along same; 18. N. 85° 25' E. true 93.7 feet along same to a point 3 feet mauka of corner of fence; 19. N. 10° 50' W. true 106 feet along Grant 4804 parallel to fence; 20. N. 30° 25' W. true 42. feet along L. C. Award 2440B, Apana 3 to Kaunua to corner of fence at coral; 21. S. 76° 35' W. true 72. feet along L. C. Award 2072 to Kapalua Ap. 1 along fence to corner of same, Thence 22. N. 19° 50' W. true 219.6 feet along same and L. C. Award 1285 to Kaluanu Ap. 1 along fence to initial point. Area 1.78 Acres.

SECOND: All those pieces or parcels of land situate at Honakaka, makai of Queen Street in said Honolulu, described in Royal Patent (grant) 3495 to Neina Non Teneteta, area 5390 square feet, conveyed by her to W. W. Ahana by deed dated May 24th, 1899, recorded in register office, Oahu in Liber 195 pages 135-136. Also all the land described in Royal Patent (grant) 3568 to Annie Teneteta, conveyed to W. W. Ahana by deed of J. Alfred Magoon, et al., dated June 8, 1899 recorded in said office in Liber 194 pages 251-252 containing an area of 8640 square feet. TERMS OF SALE—Cash, U. S. Gold Coin, 10 per cent. at time of sale, balance on confirmation by Court and delivery of deed.

Deeds at the Expense of Purchaser. For further particulars apply to Thompson & Clemons, attorneys for complainant, Campbell Block, Honolulu, or to James F. Morgan, auctioneer, 857 Kaahumanu street, said Honolulu, or to the undersigned at 916 Fort St., said Honolulu.

IRWIN H. BEADLE, Commissioner. Honolulu, December 31, 1908. 8236—Jan. 1, 8, 15, 22.

Oahu Railway TIME TABLE

OUTWARD. For Waianae, Waiiala, Kahuku and Way Stations—9:15 a. m., *3:20 p. m. For Pearl City, Ewa Mill and Way Stations—7:30 a. m., *9:15 a. m., *11:15 a. m., *2:15 p. m., *5:15 p. m., *9:30 p. m., *11 p. m. For Wahiawa—9:15 a. m., and *5:15 p. m. INWARD. Arrive Honolulu from Kahuku, Waiiala and Waianae—8:36 a. m., 5:30 p. m. Arrive Honolulu from Ewa Mill and Pearl City—7:46 a. m., *8:36 a. m., *10:38 a. m., *1:40 p. m., *4:31 p. m., 5:31 p. m., *7:30 p. m. Arrive Honolulu from Wahiawa—*3:36 a. m. and *5:31 p. m. The Haleiwa Limited, a two-hour train (only first-class tickets honored), leaves Honolulu every Sunday at 8:23 a. m.; returning, arrives in Honolulu at 10:10 p. m. The Limited stops only at Pearl City and Waianae. *Daily. *Ex. Sunday. *Sunday Only. G. P. DENISON. F. C. SMITH, Superintendent. G. P. & T. A.

Koolau Railway TIME SCHEDULE

DAILY, EXCEPT SATURDAY, SUNDAY AND HOLIDAYS. Leave Kahana for Punaluu, Haunala, Laie, Kahuku and Way Stations at 12:00 P.M. Arrive Kahuku at 1:00 P.M. Returning: Leave Kahuku for Laie, Haunala, Punaluu, Kahana and Way Stations at 1:45 P.M. Arrive Kahana at 2:45 P.M. SATURDAY, SUNDAY AND HOLIDAYS. Leave Kahana for Punaluu, Haunala, Laie, Kahuku and Way Stations at 11:00 A.M. 1:30 P.M. Arrive Kahuku at 11:58 A.M. 2:15 P.M. Leave Kahuku for Laie, Haunala, Punaluu, Kahana and Way Stations at 12:35 P.M. 3:00 P.M. Connections are made at Kahuku with the O. R. & L. Co.'s 9:15 a. m. train from Honolulu, and the 2:20 p. m. train, which arrives in the city at 5:30 p. m. JANUARY 1, 1909. J. J. Dowling, Superintendent. R. S. Pollister, Gen. Passenger & Freight Agt.

WM. G. IRWIN & CO., LTD. SUGAR FACTORS AND COMMISSION AGENTS

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Wm. G. Irwin & Co., Ltd. AGENTS FOR THE

Royal Insurance Co., of Liverpool, England. Scottish Union & National Insurance Co., of Edinburgh, Scotland. The Upper Rhine Insurance Co., Ltd. Commercial Union Assurance Co., Ltd., of London. C. BREWER & CO., LTD. SUGAR FACTORS AND COMMISSION MERCHANTS. List of Officers—C. M. Cooke, President; George M. Robertson, Manager; E. F. Bishop, Treasurer and Secretary; F. W. Macfarlane, Auditor; P. C. Jones, C. M. Cooke, J. R. Galt, Directors.

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