

## SUPERVISORS ARE FIGHTING FOR PRINCIPLE

Separate Warrants for Garbage Men Not a Surrender—Appropriations for August. Firemen's Pay Raised.

The Board of Supervisors has rescinded its action in issuing a blanket warrant to Sam Johnson to pay the men employed in the Garbage Department, and yesterday warrants were signed calling for the pay of the men separately. This action was taken because the men need the money, and because the Supervisors, and everybody else connected with the matter, want them to have it. But the Supervisors do not propose to surrender the principle, thinking themselves right in the premises. And so there will be one warrant held up in order that a friendly proceeding may be instituted, and the judgment of the court secured upon the point.

"Well, yes," said Chairman George W. Smith of the Board of Supervisors, after the adjournment of the board meeting last night, "I understand that there is some such course as that contemplated. I do not know which warrant will be withheld to make the case. It will be a perfectly friendly proceeding."

County Treasurer Trent, on his part, is still serenely confident that he was in the right of the controversy. "You will notice that it is claimed that I paid a blanket warrant today," said the County Treasurer yesterday. "That was a warrant for \$500 to the Honolulu Park Commission. This amount was appropriated to the Commission direct. Today Superintendent Holloway came in with a warrant payable to the Park Commission, and signed by the men showing that he had paid them. As the appropriation was made to the Commission, I cashed the warrant."

"Now, why is it that they insist on Sam Johnson's being paid the garbage men's wages? It is not the only case where I have refused to recognize a blanket warrant."

"Yesterday W. L. Frazee, superintendent of the electric light station, presented a warrant drawn payable to himself for wages due another man, who was working for the department. I rejected it because it was not drawn to pay to the order of the man who did the work. Why did they not make a test case of that?"

"No, they try to make out that I am only working against Sam Johnson. In fact, I am desirous of an amicable settlement of the dispute. I have been trying to get it submitted to the Supreme Court on an agreed statement of facts in order to have it expeditiously settled, but they seem to want a writ of mandamus to fight it out that way."

As the Supervisors are also apparently desirous of a friendly settlement through the courts, however, it would seem that the matter could be adjusted in the near future.

The Supervisors did a lot of business at their meeting yesterday besides making provision for the payment of the Garbage Department men, holding a session in the afternoon and another in the evening. Among other things, the appropriations for the several departments were passed, provision was made for road work and the firemen had their salaries raised.

### AFTERNOON SESSION.

The afternoon session of the Supervisors commenced at 4 o'clock yesterday. Before the meeting opened Supervisors Lucas, Smith, Moore and Paele busied themselves signing warrants and getting them in shape to be passed upon. A motion was made to suspend the reading of the minutes, which was carried. Supervisor Adams arrived soon after this.

Chairman Smith first brought up the matter of paying the Road Department and Garbage Department laborers, and in order that this might be done it was necessary to reconsider the resolution passed the day before by the board.

Mr. Lucas moved for a reconsideration of the board's action in passing warrant payroll 115 made payable to Mr. Sam Johnson. Passed. The former action of the board in regard to the payroll was rescinded, as was their action in regard to the special road tax, amounting to \$1619.11.

### TO PAY GARBAGE MEN.

The board then passed upon this matter a second time, new amounts being made out on separate warrants.

Mr. Moore for the Committee on Sanitation and Health presented 45 salary warrants for a total of \$416.44, with a motion that they be paid. Passed.

Lucas for the Committee on Roads, Bridges and Parks presented two motions that a payroll in that department amounting to \$2503.30 be paid, and also a special road tax deposit of \$1519.11 be paid. Carried.

Mr. Kellogg of Wahiaua appeared before the board with a request that the supervisors ask the Superintendent of Public Works to open up a road running along the south-east part of the colony. There had been some difficulty in the past owing to the fact that the road which the colonists were using in that section ran over private land where there were a number of gates. If these gates were closed by the owners it would be necessary to make a detour of three miles to reach the dam. The Superintendent of Public Works had expressed a willingness to open the road if the supervisors authorized him to do so. Accordingly,

Lucas made a motion that the clerk be instructed to write the Superintendent of Public Works, and suggest him to open the road as requested by the citizens of Wahiaua, the same to be done at the expense of the territory. The motion was carried.

### EVENING SESSION.

The evening session of the Supervisors was called at 7:45 with all members present but Cox and Archer.

A number of bills were first brought up by Adams to be acted upon by the board. Supply demand \$36 for \$65.70, presented by the Roads, Bridges and Parks Committee, was ordered paid, as were the following:

Five supply demands from Public Expenditures Committee amounted to \$749.50. Included in this was T. McCants Stewart's bill for furniture and one from Wichman amounting to \$17.50 for the county seal.

Supply demands \$37.88, amounting to \$192, came from the Police Department.

The Police Department presented two bills, one for \$152.60 and another for \$40 for detective and informers' services. Adams recommended that this be paid and it was passed, while Lucas made some remarks about what he thought of informers in general. The Police Department asked for an appropriation of \$250 for the ensuing month for this department. Demand \$34 was ordered sent back to the Police Department for correction, as indicated on the copy. The question of estimates for the ensuing month of August was then taken up.

The Roads, Bridges and Parks Committee reports were first considered. Adams spoke against allowing \$250 for pipe and soil at Kapiolani Park.

### A CLEAR STATEMENT.

Moore thought L. A. Thurston made a clear statement in regard to wants and \$250 was little to be asked for.

Lucas thought that improvements at the park should be encouraged. The Park Committee asked for \$1153. It was impossible to give them that much, but he thought allowing them \$750 was not too much.

Adams was in favor of paying higher

(Continued on Page 5.)

## GOVERNOR CARTER WILL RETURN IN SEPTEMBER

In the Meantime He is at Lake Tahoe, With Mrs. Carter, and Wants His Mail Sent There—Creedon C. Alameda.

"I have just received a cablegram from Governor Carter," said Acting Governor Atkinson late yesterday afternoon. "He is at the Tallac House, Lake Tahoe, and asks that his mail be sent there."

In addition to this, it was learned last night that the Governor had sent orders to have his house made ready for the return of the family in September. This, however, did not come to the Acting Governor. The plans of the Carters, it is said, are to return on the Mongolia, reaching here on the 2d of September. The Governor's Secretary, F. E. Creedon, will be home on the Alameda today.

And so it becomes apparent that the Governor has concluded to take at least some of the rest that his friends all think he stands in need of before coming back to Hawaii to take up the burden of government. It is perhaps just as well. Jack is not letting anything get out from under the lid.

When the Governor went east from California to hold that now historic interview with the President, he left Mrs. Carter at Tahoe, but was not himself certain that he would not, upon his return, pick her up on the way and come right back to Honolulu. His cablegram shows that he has now made up his mind to remain at Tahoe for a time, at least. The Alameda's mail, due this morning, should bring more extended details of his plans.

It is entirely possible that the President himself advised the Governor to take a rest. The friends of Carter here who thought that he needed a vacation are known to have communicated with their friends on the mainland to that effect, and it is well within the bounds of possibility that the President himself received a hint of the advisability of this course. Of course, a hint from the President would come with the force of a command to Governor Carter. Anyway, the Governor's friends here are almost without exception of the opinion that after an absence of a few months he would be much more apt to come back the Carter of former days than if he were to return at once to the scene of his labors.

## SEA WALLS AGAINST LAW

Territory Will Take Steps to Preserve Its Rights.

The wealthy men with summer homes at Waikiki Beach who have built sea walls along the front of their property may find themselves confronted with the necessity for removing them or setting them back.

Because of the law department of the Territory of Hawaii is moving, and is after them. It seems that, under the law, the Territory is entitled to a right of way along the beach all around the island. This goes even where the grants of land run to extreme low water mark, as in some cases they do at Waikiki. For instance, the grant that runs from the ex-Queen's property as far as the Moana frontage, both inclusive, embraces the land out to the line of extreme low water.

But, even in the cases of grants of this character, the Territory is still entitled to a right of way along the beach. To this old Territorial right has been added, since annexation, the right of the United States government to the land between high and low water. This is a point that has been passed upon more than once by the United States Supreme Court, and always in favor of the government's right. Of course, the tide land is held by the Territory, as the water frontage is held on the mainland by the States, but it is held in trust. The state cannot pass title to land that is submerged at high tide—and it follows that no individual holder can. And no individual, therefore, can acquire title to it. To fence in such land is a trespass, under the law.

It is thought that when the attention of the men who have built the walls is called to the law of the case, an amicable arrangement of the whole matter can be reached—but if it is not, then there will be court proceedings instituted to enjoin the construction of such walls, and to compel the removal or setting back of those already built. This is likely to entail some considerable losses, as many of the walls are of very solid construction, and must have been expensive to build.

(Continued on Page 5.)

## FIRE DRILL AND A FIRE

Honolulu Department at Play, Given Chance to Work.

The exhibition drill of the Honolulu Fire Department, given for the Board of Supervisors of Oahu County was followed by a number not on the program. This was a real fire, which gave everyone a chance to see the department in action. As a result of the work of the firemen yesterday afternoon, many compliments have been showered on Chief Thurston and his men. The long hard run to Queen and South streets was made in record time and thousands of dollars of property saved by the prompt action of the firemen. The tower drill was an eye-opener to many who do not appreciate what Honolulu has in the way of fire apparatus.

The exhibition drill closed at 2:10 yesterday afternoon, and at 2:35 an alarm came in from Box 27, corner of South and King streets. Many of the visitors were still at the Central Station and eagerly watched the inspiring scene as the big engines and hose wagons, one after another, rolled out of the station and with horses galloping tore along the streets to the fire. The blaze was in a one-story cottage belonging to N. J. Louis and situated on the makai side of Queen street, just Waikiki of South. The place was occupied by a Portuguese family named de Reuda, the father, John de Reuda, being employed at the Rapid Transit powerhouse.

### BOY BREAKS HIS ARM.

The wife and her daughter were across the street in a Chinese store at the time the fire was discovered.

There was no gasoline stove in the house and although the wood stove was capsized when it was found, it was evident that the fire started in the middle of the house and not in the kitchen. The daughter had been ironing and it may be that that had something to do with the blaze. Mr. de Reuda had no insurance and lost everything. Mr. Louis is not sure whether his insurance has run out or not. The house is a total loss and was worth about \$700.

Three adjoining houses so close that all of them almost touched the burned

## CONGER IS TO BE CONSULTED

Former Minister to China Leaves City of Mexico to Advise Washington on Chinese Boycott.

(ASSOCIATED PRESS CABLEGRAMS.)

CITY OF MEXICO, August 4.—United States Ambassador Conger, formerly Minister to China, has gone to Washington in order that the authorities there may consult him regarding the Chinese boycott of American goods.

## MISSISSIPPI TROOPS OUT TO ENFORCE QUARANTINE

JACKSON, August 4.—Governor Vardaman has ordered out additional troops to guard the borders of Mississippi against the yellow fever.

FEVER AT NEW ORLEANS UNABATED.

NEW ORLEANS, August 4. Fifty-four new cases of yellow fever have been reported. The total number of deaths to date is eighty-four.

## PRACTICALLY ALL SAGHALIEN UNDER JAPANESE CONTROL

TOKIO, August 4.—The bulk of the Russian garrison in Saghalien Island surrendered on July 31.

CIVIL GOVERNMENT FORMING.

TOKIO, August 3.—The civil administration at Saghalien by the Japanese will establish headquarters at Alexandrovsk.

RUSSIAN DESTROYERS AT LARGE.

TOKIO, August 3.—Two Russian torpedo boat destroyers today fired sixty shots at the merchant steamer Kaisho, killing the captain of the ship and one boy and wounding two members of the crew. The destroyers then steamed toward Vladivostok.

## ROOSEVELT ENTERTAINS WITTE TODAY.

OYSTER BAY, August 4.—President Roosevelt will informally receive M. de Witte, the Russian Peace plenipotentiary, at Sagamore Hill today.

## CHADWICK CREDITORS GET PITTANCE.

CLEVELAND, August 4.—The creditors of Mrs. Cassie L. Chadwick will receive seven mills on the dollar.

## AFTERNOON REPORT.

PARIS, August 3.—The savings bank operated in connection with the big Printemps Department Store, has suspended in consequence of failures in the sugar trade.

INDIANAPOLIS, August 3.—General James Richards Carnahan, who has been at the head of the Uniform Rank Knights of Pythias since 1884, died here today.

building, were on fire, and it took all the efforts of the firemen to confine the blaze to the de Reuda house. The damage to the other houses is slight, probably not over \$150 on all three, mostly by water. An enormous crowd gathered to see the firemen at work and the police were compelled to stretch lines to keep the people back. Just before the engines arrived Aleck Harris, a boy, about 15 year old, fell off the roof where he was trying to extinguish the flames. His arm was broken and he was taken to the Queen's Hospital for treatment.

### THE EXHIBITION DRILL.

A big crowd gathered about the Central Fire Station yesterday afternoon at 1 o'clock to see the exhibition drill given by the Honolulu Fire Department for the benefit of the Supervisors. The men who took part in the drills were from Engine Companies 1

and 2 and Chemical 1, which are stationed in the Central Station. Most of the work was done on the 65-foot practice tower that stands just in the rear of the building. There are windows in the sides of the tower so that in practice it represents a four-story building.

The first drill was by four men with scaling ladders. These ladders are strips of wood, 16 feet long with cross steps and long steel hooks at the top. The men hooked the hooks over the window sills and then climbed the swaying ladders until there was a man on each floor and a chain of ladders from the ground to the roof. Next two men scaled the wall with two ladders and finally one man made his way from the bottom to the roof and back again. He climbed the entire 65 feet in a minute and a half, lifting the heavy ladder himself at each story.

(Continued on Page 8.)

# KELLETT CASE IS PUT OVER

P. Danson Kellett, late deputy clerk of the Circuit Court, charged with the misappropriation of trust funds and liable to be charged with several other things in addition to that, is out on \$2500 bail with his father, P. D. Kellett, Sr., and C. B. Dwight as his sureties, and his preliminary examination was yesterday put over by Judge Robinson, sitting as a committing magistrate, until next Monday morning at 10 o'clock. County Attorney Douthitt is prosecuting Kellett, and the accused man is represented by J. A. Magoon.

In the meantime, the investigation into the affairs of Kellett is being continued by the authorities. It seems now that Kellett began to run short in his accounts with the estates which represented as long ago as April, 1903. Among the estates in which he had failed to pay out money as administrator was that of Keauolani. This estate has long been closed up, so far as the courts are concerned, and yet the sum of \$10.25 is still due on an advertising account for the estate. This sum was included in the final account of Kellett's charges against the estate, and yet there is no voucher to show that the account was paid. And, in fact, it is said to be still unpaid, although Kellett collected for it from the estate.

There are a great many other cases of the same kind, it is thought, that will be shown when all the bills come in. Yesterday Judge De Bolt expressed the greatest surprise at the downfall of Kellett. "It would be impossible to get a successor in whom I could have had more confidence," the judge is reported to have said. "Mr. Kellett was apparently as faithful and reliable a clerk as could be secured. He was very attentive to his duties, and always ready with court work. No clerk could possibly have kept things in better shape than he did, and I thought his financial affairs were in good shape, too."

In fact, there was considerable surprise at the fall of Kellett, not only in court circles, but all over town. And, among other comment upon it, was a very general condemnation of the common court practice of making clerks administrators and trustees of estates.

"Those men are paid for their time by the territory," said Acting Governor Atkinson, "and should give their time for their pay."

It is felt, indeed, that giving the clerks these outside matters to handle not only detracts from their value to the court, but places before them temptations to which it is not right that they should be exposed. The administration could be handled much better by responsible outsiders, by an elected official, and judges would be more apt to be strict with men with whom they were not thrown into daily association. There is no such practice, for example, in the Federal Court—and there are no such scandals, either.

### NEXT TERM OF COURT.

The next term of the Circuit Court will be the first term under the county. The calendar is now being prepared by Judge Lindsay, who will have charge of criminal matters, and who will have the grand jury. The term will be begun on the first Monday in September, and will be carried on under the old jury law. County Attorney Douthitt will prosecute all criminal cases. The civil calendar will be divided between De Bolt and Robinson, both of whom will have trial juries. It is expected that at this term, which will be a long one, lasting until the end of the year, the validity of the jury law will be tested.

### TAX APPEAL CASES.

The tax appeal of the Honolulu Iron Works, one of the largest filed this year, has been withdrawn and settled. The Iron Works appealed from an assessment of \$982,672, claiming that the property was only worth \$700,000. The settlement is on a basis of \$550,000 valuation. Two other cases have also been settled, namely that of the Waianae Company, which appealed from an assessment of \$72,000 on property which is claimed was not assessable at all. It has withdrawn the appeal, having been advised that the assessment was proper. Similar action was taken by J. M. Dowsett on an assessment of \$3147.13 on agency contracts.

The list of tax appeals in this circuit is an unusually small one, and will probably be smaller. The list as it is now follows:

Return Made.	Assessment.
A. Perry	\$ 2,500
Eliza S. Wilder	30,000
C. A. Riggs	2,700
May I. Peters	500
Queen's Hospital	79,000
R. W. Hoffman	4,900
J. A. Magoon	14,000
Magoon & Lightfoot	10,000
Est. J. H. Coney	24,000
Est. C. K. C. Rooke	58,000
Metropolitan Meat Co.	101,000
Pacific Hardware Co.	312.50
Enterprise Mill Co.	7,825
J. A. Magoon, trustee	50,000
O. R. & L. Co.	300,000
John H. Estate	137,120
Ewa Bottling Works	7,600

### OLD JURORS TO SERVE.

There was a conference relative to the jury law muddle between Circuit Judges De Bolt, Robinson and Lindsay, and Attorney-General Andrews and County Attorney Douthitt yesterday, the result being that the old jury lists will be made to serve for the balance of this year. The muddle was caused by the action of the Legislature in repealing the old jury law without making provision for the balance of this year. The new law, which becomes operative in April, provides that the jury com-

missioners shall draw 150 trial jurors and 75 grand jurors on the 15th of December, putting the names after they are drawn into one box. However, that is a minor point. The repeal of the old law, it was feared, would throw out the old jurors, and no provision could be made for new ones until the 15th of next December. This would have left a hiatus for the balance of this year. However, the conference agreed to get over the trouble by going ahead on the old law basis. It is hoped that there will be no trouble growing out of this. In other words, the judges and attorney have concluded to give the law a common sense construction. After the first of the year, of course, there will be no further trouble, as the new law then becomes operative without question.

### COURT NOTES.

In the United States District Court yesterday Thomas Milner Harrison, a native of Canada, was made a citizen of the United States. John Baker and his belt buckle were on the stand in the Parker ranch case yesterday, the cross-examination of Baker being concluded at noon. Baker left for Hawaii on the Kinau, wearing the belt buckle. The Parker case itself has been adjourned by Judge Lindsay for three weeks, as the judge and the attorneys and the litigants and witnesses all thought themselves entitled to a short vacation. Judge De Bolt yesterday overruled the demurrer to the plea in abatement in the case of the application of James Love for an allowance of \$600 out of his estate.

Suit has been commenced against the Rapid Transit & Land Company by Omoto Bunhichi for fifteen thousand dollars damages because of the death of Omoto Kyofu, a minor nine years of age, the son of the plaintiff, alleged to have been due to the carelessness of the agents of defendant. The boy met his death on the first day of June of the present year. It is alleged in the complaint filed by plaintiff yesterday that on that day the child and his mother were riding on a Rapid Transit car, on the way to Waiialae, and that they arrived safely at the junction of King and Alexander streets, where they were compelled by the rules of the company to change cars. It is alleged further that the boy did change to the Waiialae car, but that because of the car starting suddenly he fell from the Waiialae car to the ground, and was run over and killed by a car of the King street line.

There are the allegations of carelessness usual in the papers of this kind, and at the end the plaintiff asks for \$15,000 damages, and costs of court. MR. ADAMS DEMURS. The Attorney General, who is acting for Supervisor Adams in the election contest instituted by Abraham Fernandez, late home rule and Democratic candidate for Supervisor-at-Large, has filed in the Circuit Court a demurrer to the complaint or Fernandez. It is claimed in this that the petition of Fernandez is ambiguous and uncertain in that "it fails to disclose how and in what precincts and districts errors were committed in the counting of votes, and by not keeping proper tallies of votes, and by not counting the votes in the manner directed and required by law, and by counting votes for the said E. R. Adams which should have been rejected, and by rejecting and refusing to count votes for the petitioner."

That said petition is ambiguous in that it does not state how and in what manner the alleged fraud was effected and committed, nor in what precincts or districts said petition was committed. That said petition does not state a prima facie case for recovery in that it makes general allegations merely of alleged irregularities without specifying in what said irregularity consists or where said irregularity took place. The demurrer is signed by Lorrin Andrews, Wm. H. Heen, and E. A. Douthitt as attorneys for Adams.

## "Grateful Results"

A life of suffering and misery, without sleep, without appetite. Restored to health by

# Ayer's Sarsaparilla

"I was grievously afflicted with biliousness and liver complaint. My mouth was in a terrible condition every morning, my tongue thickly coated, my breath was often



sive, food distressed me, I suffered much from headache, my skin was sallow, and the many remedies recommended me did no good. At last I commenced using Ayer's Sarsaparilla, and my improvement began almost from the first dose. It relieved the distress about my liver, caused my food to digest well, cured my headache, improved my complexion, and restored my appetite. These unlooked-for but grateful results were accomplished by only two and a half bottles of Ayer's Sarsaparilla."—Mrs. LYDIA M. TARBON, Altona, Pa.

There are many imitations Sarsaparillas. Be sure you get "AYER'S."

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

HOLLISTER DRUG CO., AGENTS

# SUPERVISORS GET VERY BUSY

There was a full attendance of the Oahu supervisors at the meeting held in the board rooms yesterday afternoon. Clerk Kalaualani read the minutes of the previous meeting and they were approved. The Committee on Public Expenditures had not been able to get hold of all the vouchers to examine them, so its report was deferred, as was that of the Committee on Ways and Means.

The subject of the relocation of the Kipapa and Waikakalua road was brought up, it appearing that the road was unfinished and without a fence. Portions of a communication from Superintendent of Public Works Holloway were read.

Mr. Low of the Ewa and Waianae road board was present and, being called on by the chair, stated that the road was constructed at a cost of about \$14,000, half of which came from the loan fund and half from the general roads and bridges fund. The road was started by the Public Works department of the territory and later turned over to the Ewa road board. The road, he said, was in a miserable condition and no four or five thousand dollars would put it into first-class shape. Many people still used the old route. The road board had not been notified that there had been an agreement made with the II estate to trade the old 100-foot roadway for the new 50-foot right of way.

Lucas stated that it would be necessary to have a fence put up along the road before the county could own the road. He suggested that the necessary 16,000 feet of fence be put up at a cost not to exceed \$800.

This aroused Adams, who could not see why the county must fence the road. Low stated that it would take about \$4000 to put the road into a fair condition and safeguard it against the rains. He hoped that the board would appropriate this sum. Adams did not want to "blow in" so much money. After considerable discussion the matter was dropped for the time being.

Clerk Kalaualani read the reports of Road Supervisor Johnson and certain communications from various departmental officials as follows:

### JOHNSON'S REPORT.

Road Supervisor Samuel Johnson reported that the county would have to pay three prison lunas at the Makiki quarry for the month of August, as their services were on work done for the county. One was paid at the rate of \$90 per month and two at \$75. Mr. Johnson also reported important work done in the month of July, 1905, by the Honolulu Road Department as follows:

### MACADAMIZED STREETS.

Nuuanu street, Kuakini to Judd, except bridge, 1250 ft.; Fort street, Vineyard to Beretania, 1000 ft.; School street, Nuuanu to Nuuanu Stream, 760 ft.; Kukui street, River to —, 700 ft.; Kuakini street Nuuanu to —, 1000 ft.; Queen street (1 side), Maunakea to Nuuanu, 300 ft. Houghtalling road was planned and graded and a top dressing of quarry waste put on and rolled to the extent of 1250 ft., making a total of 6280 ft. of road graded and macadamized during the month of July, 1905.

An entire new planking has been put on the John Ena bridge at Kala, Waikiki. The report does not include small repairs.

Mr. Johnson submitted a list of proposed work for August as follows:

Continuation of work on Queen street and Waterfront; continuation of work on Kuakini street; continuation of work on Kukui street; continuation of work on Houghtalling road; commencement of work on Punahou street, from King street up; commencement of work on Waianae road, from Kipahulu road to the terminus of the H. R. T. & L. Co.'s track.

At the completion of Liliha street (in about 2 weeks), the department proposes to commence on Liliha street, from King street up.

### FIRE DEPARTMENT.

A communication from J. A. Gilman, chairman of the Board of Fire Commissioners of Honolulu, was read. Mr. Gilman submitted the estimate for the fire department for two years, the figures being those sent to the last legislature, restoring the salaries to the amounts paid before the cut made by the special session of 1904. The increase is but \$385.00 per month. The commissioners asked the board to restore the salaries if possible.

W. L. Frazee, superintendent of electric lights, police and fire alarm telegraph, asked for an appropriation of \$100 for the expenses and maintenance of the police and fire alarm systems during the month of August, also the regular salary of an electrician at \$100 per month.

All the communications were referred to the proper committees.

Mr. Low, representing the Ewa road board, explained why road work had been going on and money had been spent during the month of July after the supervisors had passed a resolution forbidding the expenditure of road money without authorization of the supervisors. Mr. Low showed that the money spent was from the balance to the credit of the Ewa road board in the territorial treasury and not county money at all.

The clerk read the reports of the treasurer and auditor as follows:

### TREASURER'S REPORT FOR THE MONTH OF JULY, 1905.

General Fund.

Receipts: From Garbage Service.....\$ 623.00 " Excavator Service..... 144.20 " Territory of Hawaii..... 31,830.00

Total receipts.....\$32,597.20

### DISBURSEMENTS:

Discount on Territorial War-rant..... 105.10

Balance in Banks.....\$32,192.10

### ROAD TAXES—Special Funds.

Receipts: From Territorial Treasurer—

District of Honolulu.....\$ 1,746.00

" " Ewa and Wai-

" " nae..... 815.00

" " Waiialua..... 30.00

" " Koolau-poko..... 76.00

" " Koolauloa..... 10.00

Total receipts.....\$ 2,680.00

Disbursements: None.

Balance in Bank.....\$ 2,680.00

Respectfully submitted,

(Signed) RICHARD H. TRENT,

County Treasurer.

### REPORT OF AUDITOR.

Honolulu, August 1, 1905.

D. Kalaualani, Jr., Esq.,

County Clerk, County of Oahu,

Ex officio Clerk Bd. of Supervisors.

Dear Sir:—

In pursuance of instructions passed by the board at its meeting of July 18, I have to inform you that garnishee summons has been served upon me in the following cases:

M. Kealekai vs. S. O. Kawainui, bandsman, \$9.43.

James K. Merseburg vs. Francis Barney Joy, police officer, \$26.00.

Respectfully yours,

JAS. BICKNELL,

Auditor, County of Oahu.

An invitation from the fire department for the supervisors to attend a tower exhibition drill Thursday, August 3, at 1 p. m., was accepted.

A communication from the superintendent of public works calling attention to certain needs of the park board in the way of tools and repairs was referred to the parks committee.

A communication from C. S. Holloway, territorial superintendent of public works, was read, stating that he was taking up the matter of the Rapid Transit Kahauiki extension with the attorney general, and would determine the responsibility of the company as to the repairing of the road necessitated by the laying of the tracks.

A communication was read from the Chinese consul, thanking the board for the services of the band in connection with the celebration of the birthday of the Emperor of China.

Adams introduced a resolution amending the rules dividing the committee on Roads, Bridges, Parks and Public Improvements into two committees styled (1) Committee on Roads, Bridges and Parks and (2) Committee on Public Improvements and Electric Lights. The resolution was unanimously adopted.

Lucas moved that a committee be appointed to investigate certain charges against an employe of the road department at Koolauloa. The chair appointed Lucas and Paele. The chair also appointed Mooge and Cox as the Committee on Public Improvements and Electric Lights. A recess was then taken until 7:30 p. m.

### EVENING SESSION.

The evening session of the Supervisors began at 8 o'clock with all the members present with the exception of Archer. Most of the time was taken up with the approval of warrants from the various departments, save the Road Department. There are several hundred laborers employed under Johnson, and it was impossible to get the warrants ready for approval by last evening.

The Committee on Public Expenditures brought up a bill from the S. C. Allen Estate for \$105.10 for discounts on warrants. This was certified to by the Treasurer and approved by the Supervisors.

The Committee on Roads and Bridges, through Lucas, presented salary warrants 45-67 inclusive for a sum of \$1160.70. Approved. Several other warrants for a sum of \$200 were also approved with the exception of S. K. Maloy's warrant.

Warrants for salaries, labor and material for Kapiolani Park amounting to \$488.75 were approved.

The Committee on the Police Department reported through Adams, presenting for approval salary warrants 90-223 inclusive, for a total of \$6718.05 certified to by Sheriff A. M. Brown. Approved.

Lucas and Cox for the Fire Department, reported warrants 68-114 inclusive for a sum of \$3290. Approved. All bills have not yet been received.

The Committee on Sanitation and Health, Supervisors Moore and Archer, reported expenditures for collecting garbage and the use of excavators of \$1446.44. Approved.

The Committee on Public Improvements and Electric Lights, Moore and Cox, reported salary warrants 229-237, certified by W. L. Frazee for \$545. This was the regular payroll. Approved. One salary warrant for \$100 for a man to attend to the Fire Alarm System was approved. A subcommittee reported vouchers for supplies and expenditures amounting to \$840.84. The largest item was a bill from the Hawaiian Electric Company for \$557.90 and one from the Honolulu Iron Works for \$211.10. Approved.

The payroll of the laborers in the Road Department had not been made out owing to the short time allowed, so the matters of approving those warrants was put over for a day or two until the payroll could be completed.

The warrants for the salaries of the Hawaiian band for July amounting to \$1250 were approved.

A bunch of vouchers turned in by various firms for materials purchased

by the heads of the various departments for immediate use were brought up for approval, but on Adams' recommendation they were referred to committees to be looked over as some of the vouchers were approved by the proper officials and some were not.

A bill for \$39.98 for repairs and materials for the Fire Alarm System was approved.

Sam Johnson stated that he would need an appropriation of \$10,600 to carry on the work in his department for August. This was an increase of nearly \$2000 over last month. Johnson explained that he had more men working, and furthermore the Territory was not standing any of the expense at present as they were not having any work done.

This matter was discussed at some length by the Supervisors.

Lucas thought that if there was an increase anywhere the salaries of the Fire Department should be raised. He said that the firemen were getting \$35 a month and working twenty-four hours a day while at the police department men were getting \$75 a month and working eight hours a day. He quoted Chief Thurston as saying that he could not keep men at that meager salary. His force was constantly changing as men would merely work there until they could get something better, and consequently the efficiency of the Fire Department was not nearly what it would be if the men were paid a little more and kept satisfied.

Chairman Smith thought the Fire Department should be one of the best paid departments, but he thought it would be well to wait until they had all their estimates from every department, and this view was concurred in by Adams. Lucas made a motion that \$10,600 be appropriated for the Road Department. After more discussion he amended his motion to appropriate \$5000, but the supervisors decided to let the matter lay over a while longer.

On account of this Johnson will begin laying off men this morning until he knows definitely how much he will have.

An application was received from Kallimal for the position of keeper of Aala Park at a salary of \$40 per month. Supervisor Paele proposed that one, Palau, be given the position, but his motion was lost for want of a second. W. H. Kallimal was accordingly appointed keeper at the aforesaid salary.

### THE CAPTURED NICOLAI I.

Japanese papers state that it is reported that the battleship Nicolai I. is not a very valuable prize. Her arrangements for the accommodation of the crew are so defective that much reconstruction will be required. She was hit many times, but not so badly injured as the Orel. Her armament, however, consists entirely of old-fashioned guns, and moreover parts of the weapons were thrown overboard before the surrender. Originally the vessel had a speed of 15 knots, but she was capable of doing only 12 at the time of the battle, and further her engineers introduced sea-water into her boilers when surrender was determined on, so that they are now much corroded. She is also an old vessel, having been completed in 1896.

—Kobe Herald.

"I don't know whether it would be lawful to employ Japanese in the work of dredging the harbor of Honolulu," said United States District Attorney Breckons yesterday.

The matter has been brought up now, it is said, by a communication from the Trades and Labor Council to President Roosevelt concerning the employment of aliens on government work in Honolulu. A reply was received at once, asking for further information, and a report will go forward to Washington by the next mail showing not only the number of aliens now employed on public works, but also an estimate of how much money will be diverted to aliens should their employment on the harbor work be permitted. The new harbor work, it is estimated, means the removal of 1,500,000 cubic yards of material from the harbor, for which the contractors will receive 24.87 cents per cubic yard.

Sheriff Brown of the County of Oahu has completed his report of arrests, bills, fines and disposition of cases in the Police Court, for the month of July 1905. Besides the totals, tables are appended showing the details for the crimes of drunkenness, selling spirituous liquors without a license and gambling. The report shows the statistics by districts. The totals for the county are as follows:

Total number of arrests, 472; convicted, 332; discharged, 140; fines, \$2,495.00; costs, \$336.25; bills forfeited, \$282.00; fines and costs paid, \$1,276.55. Total amount imposed, \$2,831.25.

Number of arrests for drunkenness, 81; convicted, 78; discharged, 3; fines, \$216.00; costs, \$73.40; bills forfeited, \$36.00; fines and costs paid, \$121.30. Total imposed, \$288.40.

Arrests for selling liquor without a license, 6; convicted, 5; discharged, 1; fines, \$500.00; costs, \$4.60. Total imposed, \$504.60.

Arrests for gambling, 230; convicted, 175; discharged, 55; fines, \$1,046.00; costs, \$166.35; bills forfeited, \$113.00; fines and costs paid, \$721.25. Total imposed, \$1,212.35.

### NO NEED OF DOCTOR.

Pains in the stomach and attacks of colic come on suddenly and are so extremely painful that immediate relief must be obtained. There is no necessity of seeing for a doctor in such cases if a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy is at hand. No doctor can prescribe a better medicine. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Forest reservations on Kauai and Maui are being planned by Acting Governor Atkinson.

# WILL OPEN KAULANDS

(From Wednesday's Advertiser.)

The Settlers' Association of Kauai, if it means business, will get the part of the Hutchinson plantation cane lands upon which the leases are about to expire.

"I have heard from the settlers," said Land Commissioner Pratt yesterday, "and I have written them today that the lands will be surveyed and subdivided. But it will be at least six months before this can be done. The surveyors are busy on lands around Honolulu, and will be on that work for some time. After that is finished, they will go down and begin to cut up the Kau lands."

"There are about 800 acres of this cane land of Hutchinson plantation that has come into the market through the expiration of the leases. When the plantation people went to Commissioner Pratt to renew their leases, they found that a Settlement Association, consisting of Senator Hewitt, Dr. Thompson, Mrs. Ben Taylor, Mr. Hayselden and others had made application for the land. They proposed to be bona fide settlers, and expressed a desire to enter into an agreement with the plantation people to raise cane on the lands, the plantation to grind their product for them."

"It was a plan that bade fair to become the entering wedge of a new system of agriculture for the islands, and after mature deliberation it was said that the Hutchinson directors were inclined to look with favor upon the plan. Anyway, Henry E. Cooper, of the firm of Kinney, McClanahan & Cooper, representing the Hutchinson people, was sent to Kau to confer with the settlers and, if possible, to arrive at an agreement with them. Mr. Cooper came back on the Mauna Loa yesterday."

"I had a meeting with a majority of the settlers on Saturday afternoon," Mr. Cooper said last night, "and while nothing was decided upon finally, a good start toward reaching an agreement was made. The settlers, in the absence of Dr. Thompson at Los Angeles, would not bind themselves down to the acceptance of any particular form of contract, but they stated in general terms that the same contracts as those the Japanese have would suit them and that would be satisfactory to the corporation. Thompson will be back in September, I think, and matters will then be concluded."

"I saw Mr. Cooper," said Land Commissioner Pratt, "and what he said there is in substance about what he said to me. As I have said, the settlers wrote me a letter concerning the matter, and I have written them today saying that I have ordered a survey made of the lands. This will be done as soon as the lands are now working on near Honolulu are out of the way."

"The lands near Honolulu that the Commissioner referred to are the Alewa tract, of 175 acres, and the lands in Makiki. The Alewa tract is on the Ewa side of Nuuanu valley, above Judd street. About eighty per cent of it is said to be fit for agricultural purposes. In the Makiki tract there are about 850 acres, some 60 or 70 per cent of which is good land. Both these tracts will be cut up into lots of from one to two acres."

The meteorological summary for the month shows an average maximum temperature for July of 81.4 degrees, Fahrenheit, and an average minimum of 71.7 degrees. The mean average for the month was 76.6. The highest point reached by the mercury during the month was 84 degrees, and that on only four days in the month. On three days the temperature fell to 69, which was the lowest point in the month. There were only seven days in the month in which no rain was recorded, although on nine days the precipitation was but a trace. The greatest rainfall on any one day was .22 of an inch. There were but two absolutely cloudless days, but on one of these the temperature only reached 82 degrees. There were, however, eleven days put down as clear, when the percentage of sunshine ranged from 79 to 99 per cent. The balance of the month was cloudy or partly cloudy.

The greatest daily range of temperature was thirteen degrees, on the 30th, and the least daily range was six degrees, on the sixth. The total precipitation for the month was .68 of an inch. The average for July in the past nineteen years has been 1.45 inches.

### A WONDERFUL DISCOVERY.

This is the age of research and experiment, when all nature, so to speak, is ransacked by the scientist for the comfort and happiness of man. Science has indeed made giant strides during the past century, and among the by no means least important discoveries in medicine comes that of THERAPION. This preparation is unquestionably one of the most genuine and reliable Patent Medicines ever introduced, and has, we understand, been used in the Continental Hospitals by Ricord, Rostan, Jobert, Velpeau, Maisonneuve, the well-known Chamaignac, and indeed by all who are regarded as authorities in such matters, including the celebrated Lallemand, and Roux, by whom it was some time since uniformly adopted, and that it is worthy the attention of those who require such a remedy we think there is no doubt. From the time of Aristotle downwards, a potent agent in the removal of these diseases has (like the famed philosopher's stone) been the object of search of some hopeful, generous minds; and far beyond the mere power—if such could ever have been discovered—of transmuting the base metals into gold is surely the discovery of a remedy so potent as to replenish the falling energies in the one case, and in the other so effectively, speedily and safely to expel from the system the poison of acquired or inherited disease in all their protean forms as to leave no taint or trace behind. Such is the New French Remedy, THERAPION, which may certainly rank with, if not take precedence of, many of the discoveries of our day, those which so little credit appears to give that it is destined to cast into oblivion all those questionable remedies that were formerly the sole reliance of medical men.—Diamond Fields Advertiser, Kimber-

# GAY ESTATE DOES WELL

H. Focke and Cecil Brown, trustees of the will of James Gay, deceased, in their report for the period from July 1, 1904, to June 30, 1905, say:

"The credit balance carried forward from last year was \$226.95. The total gross income of the estate for the year has been \$14,470.85, and realized from the following sources:

Receipts from sugar from Wailua Agricultural Co.....	7,821.74
From Okaia Sugar Co.....	1,875.98
From sale of milk, butter, pasturage, etc., Mokualea ranch.....	1,945.55
From sales of cattle.....	221.50
Rentals from rice lands, Mokualea.....	2,603.50
	\$14,470.85

"The general expenses of the ranch at Mokualea, Wailua, on the Island of Oahu, being the remainder of the land or ranch after deducting that portion upon which the cane is grown and cultivated by the Wailua Agricultural Co. have been the sum of \$1573.12; of this sum \$338.58 was spent in destroying lantana. The amount expended for the same cause the previous year was \$1405.83, and for the year ending June 30, 1903, \$2420.85.

"Of the crop of sugar for 1905 from Wailua 2161 bags have been received and forwarded to New York, but no account sales have as yet been received. Nothing for the crop of 1905 has as yet been received from Okaia Sugar Co.

"In the ranch department carried on at Wailua, the live-stock after deducting the sales and deaths shows that there are approximately 374 head of cattle and 51 head of calves, yet unbranded running at large, 14 horses and one mule. At the last count the number of cattle, large and small, numbered 325, and the other live-stock the same as now reported.

"Of the net income \$9000 has been paid over by the trustees to those entitled to same under the will, and a balance carried forward to the next account of \$666.66."

It is the tenth annual account of the trustees, and they charge themselves with \$14,637.80 and ask to be allowed \$14,031.14, making the balance as above. Two adult heirs were paid respectively \$1687.50 and \$1212.50, and the guardian of four minor heirs \$6000.

An effort is being made to adjust amicably the Waikiki water dispute between Chinese rice planters on the one hand and duck and fish raisers and banana and vegetable growers on the other. R. W. Breckons represents the plaintiffs and yesterday had a conference with Lorrin Andrews, who has Wm. S. Fleming associated with him for the defendants.

In the meantime an answer to the petition for an injunction had been filed. The suit is by Leong Sau and others against Leong Pung and others. There are 51 plaintiffs comprising two partnerships and two persons unattached, and nine defendants of whom seven are in a partnership. Defendants in their answer make the following statements:

The defendants in the partnership of Kwong Chong Yuen Co. are engaged in the business of raising ducks and fishes and also bananas and vegetables on premises in Waikiki, and the defendants Goo Pang and Pang Sang are in the business of raising fishes and ducks on premises regularly leased to them in Waikiki.

It is admitted that a certain water course known as the Piliua stream runs and for more than twenty years past has run in a southerly direction toward the sea, that in its course the stream passes through the premises of each of the defendants, and that the fall of the stream is very slight.

The dams used by the defendants have been in existence for more than sixteen years for the purpose of draining and flushing the duck and fish ponds on the premises and for the irrigation of the banana and vegetable patches by means of which defendants are earning a livelihood. The use of the dams is limited to the flushing of the water on the premises and without such use it would be impossible to raise fishes and ducks in the ponds, and the premises would become unsanitary and a public nuisance.

The right to use the dams is an easement that passes with the leases of the premises and without such easement the premises would be worthless. During the sixteen years in which the defendants have used the dams, no complaint has ever been made to them or their predecessors about the dams, and the use of the dams does not and cannot affect the proper conduct of a rice or vegetable business situated in any place along the stream.

# TREASURER'S REPORT OF QUEEN'S HOSPITAL

Treasurer E. F. Bishop of the Queen's Hospital Corporation has made his biennial report for the two years ending July 15, 1905, to the officers and members of the corporation. The report shows receipts amounting to \$119,593.06 which together with a balance of \$36,895.89 from the former period bring the total up to \$156,488.95. The main items of the receipt account are legislative appropriations, \$37,513.50; pay patients, \$26,336.00; interest, \$12,826.83; rents, \$5,304.95 and loans paid in \$21,673.75. The disbursements amount to \$125,528.69, leaving a balance on hand of \$1,188.26.

# BOARD TRIES TO MAKE TRENT PAY THE COIN TO SAM

The feature of yesterday's session of the Board of Supervisors of Oahu County was the discussion over the refusal of County Treasurer Trent to honor a blanket warrant payable to Samuel Johnson, Road and Garbage Supervisor of Honolulu. This warrant, amounting to \$1446.44 was intended to cover the payroll of the garbage department and the supervisors expected that Johnson would draw the entire sum and himself pay the individual employees. Trent, however, took the position that he could not pay any warrant that did not state for what services or material the money was to be paid.

As this warrant stated that the services had been performed by the attached list of employees and not by Johnson, he could not see how he could legally pay the money to Johnson, no matter how much confidence he had in the latter's honesty.

When Trent refused to pay the warrant he notified Chairman George W. Smith of the Board of Supervisors to that effect and the latter obtained an opinion from the County Attorney. It seems, however, that Mr. Douthitt was not correctly informed as to Mr. Trent's reasons for refusing to pay.

The opinion he gave was to the effect that the treasurer had no right to go back of the supervisors if the warrant was properly drawn to Johnson's order and legally approved by the supervisors. There was a slight technical mistake in the approval of the warrant and this was rectified at yesterday's meeting, but Mr. Trent still refused to pay the warrant. Upon this second refusal Mr. Douthitt went to the treasurer and held a conference with that official determining his reasons for refusal to pay and reporting the same to the supervisors. The matter was discussed by the board and it was suggested that the payroll be simply attached to the warrant and the latter made payable to Samuel Johnson, "for the payment of employees of the garbage department." The attorney stated that Mr. Trent's reply to this proposition was not entirely clear. One way of getting at the matter was for Johnson to sue out a writ of mandamus to compel Trent to pay the warrant.

At the close of yesterday's meeting no plan of action had been decided upon, but it is safe to say that the matter will be discussed at today's meeting. All the supervisors, excepting Archer, were present at yesterday afternoon's meeting, which was held in the board rooms at 2 p. m. Chairman Smith opened the business session by stating that he had received a communication from the County Treasurer announcing that he had refused to honor a blanket warrant made payable to Samuel Johnson for disbursement to employees of the garbage department. Chairman Smith also said that he had obtained an opinion from the County Attorney on the matter.

The communication and opinion were read by the clerk as follows: TRENT'S REFUSAL. Honolulu, August 2, 1905. Mr. George W. Smith, Chairman Board of Supervisors, County of Oahu.

Dear Sir: There has just been presented to me Warrant No. 63 for \$1,446.44, payable out of "Garbage Department" to Samuel Johnson. This seems to be intended to cover the pay of some forty men, more or less, working in the Garbage Department. Under the law providing for the payment of persons having claims against the County, I do not feel that I have authority to pay this total sum to Mr. Johnson, and I must therefore respectfully decline to honor this warrant in its present shape. I am, sir, your obedient servant, RICHARD H. TRENT, County Treasurer.

DOUTHITT'S OPINION. Honolulu, August 2, 1905. Hon. Geo. W. Smith, Chairman Board of Supervisors, County of Oahu. Dear Sir: In reply to communication annexed hereto, handed to me today by you, I beg to reply as follows: Section 62, Subdivision 3, Chapter 14 of the County Act, vests the power of the authorization and expenditure of County funds in the Board of Supervisors, and reads as follows: "To authorize and supervise the expenditure of all funds belonging to the County."

The language of this paragraph is plain, and unquestionably the Board of Supervisors has the power to direct how public funds may be expended. The duties of the County Auditor with relation to the issuance of County warrants will be found in Section 75, Chapter 13 of the County Act, which Section does not authorize the Auditor to issue any warrants upon the Treasurer, unless the claims of the persons entitled thereto shall be first "legally examined, allowed and ordered paid by the Board of Supervisors."

Right here it may be remarked that the Board of Supervisors has "legally examined, allowed and ordered paid" warrant No. 63 in favor of Mr. Samuel Johnson for the sum of \$1446.44. It is plainly apparent that the Auditor could not issue a warrant upon the County Treasurer, unless in pursuance of action previously taken by the Board of Supervisors with regard to the issuance of such warrant. The Auditor, when the claim has been "allowed and ordered paid by the Board of Supervisors," is protected so far as the issuance of his warrant upon the Treasurer is concerned, and when a claim has been "legally examined, allowed and ordered paid by the Board of Supervisors" it then becomes the duty of the County Auditor to issue a warrant on the Treasurer for the payment of the same. In other words, the Auditor, in issuing such warrant, does so in a purely ministerial or clerical capacity.

Subdivision 6 of Section 97, Chapter 22 of the County Act, with relation to the duties of the County Treasurer, reads as follows: "Disburse County moneys only on County Warrants issued by the County Auditor except on settlement with the Territory."

Unquestionably, the County Treasurer could not pay to any person any money except upon the warrant issued by the County Auditor. When a warrant is issued upon the County Treasurer by the County Auditor,

LET IT BE KNOWN. The widest possible publicity should be given to the fact that summer diarrhoea in children and cholera infantum can always be cured by the judicious use of Chamberlain's Colic, Cholera and Diarrhoea Remedy. It never fails. For sale by all Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

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had some right in the matter. Personally Moore was in favor of separate warrants. The motion making the payroll payable to Johnson was passed by a vote of 4 to 2, Paole and Moore voting "No." Mr. Johnson was given his payroll and went to the Auditor for his warrant. Adams thought that the Treasurer would still refuse to pay any but individual warrants, but Chairman Smith said that the board had better wait until the treasurer's action was known. The Committee on Public Expenditures reported approval of warrants 257 to 258 for material amounting to \$1277.40. Approved by the board. Chairman Lucas of the Committee on Roads, Bridges and Parks, recommended that the payroll of the road department, amounting to \$3503.30, be approved and the warrant made payable to Road Supervisor Johnson for disbursement to the men. Approved. Adams made a report recommending for approval the claim of the Henry Waterhouse Trust Co. for \$750 as premium on bonds of officers. Approved. The claim of the Pacific Surety Company was held up for the examination of an item, as it was believed that a mistake had been made in making out the claim. Lucas read a report of the Roads, Bridges and Parks Committee recommending the payment of the payroll under the special road tax, amounting to \$1619.11, to Sam. Johnson for disbursement to the men. Approved. At this point County Attorney Douthitt entered the room, having been conferring with County Treasurer Trent. Mr. Douthitt addressed the board, stating that Mr. Trent claimed that every warrant must state for what service the money was to be paid. He also claimed that the warrant in question showed that the individuals on the payroll were the persons who had performed the service and were entitled to the money in the name of Sam. Johnson. The Treasurer claimed that the warrant must be made payable to the persons who performed the service stated in the warrant. It was evident that Johnson had not performed those services, hence his refusal to honor the warrant. Several ways of settling the matter were proposed by members of the board, but none seemed practicable. Mr. Douthitt said that Johnson might sue out a writ of mandamus. This would take a day or two. Meanwhile the garbage department employees would go without pay. Before any decision was reached the board, on motion of Adams, adjourned until 2:30 p. m. today. There will also be an evening session tonight. At one o'clock this afternoon the board will attend an exhibition tower drill at the Central Fire Station. Today's business will be on the estimates of the expenses of the various departments for August.

# COUNTY COIN ON THE GO

County Treasurer Trent put more than twelve thousand dollars into circulation yesterday. It is money that will move fast at the outset, too, as the salaries and wages are, in most cases, of size that does not leave much for hoarding or salting down in speculation after "the butcher and baker and candlestick maker," as the ancient saw runs, have been paid by the workers in county services. To an inquisitive reporter last night Mr. Trent gave the following account of his day's work:

"This has been a very busy day in the County Treasurer's office. We paid 186 warrants, aggregating \$12,204.30. The warrants came from departments as follows:

Police, 70 warrants.....	\$ 5,313.22
Fire, 47 warrants.....	3,352.50
Band, 33 warrants.....	1,225.00
Roads, 16 warrants.....	825.93
Sundries, 20 warrants.....	1,487.65
Total.....	\$12,204.30

"To accommodate the firemen, who can only leave their stations two at a time, we kept open our office until after 6 o'clock, and didn't close until we were advised that there were no more to be paid.

"I regretted the incident of the blanket warrant for the Garbage Department, because I know the men need the money, and I am anxious that they should receive every cent that is coming to them, and at the earliest possible moment. Late this afternoon I offered Chairman Smith the services of my whole force, four of us, in making up individual warrants for the men, in order to expedite the business. We are willing to work night as well as day in a good cause."

# ATKINSON FIRM TO SAVE SCENERY

J. Alfred Magoon, who is interested in the vacant lot affected, called on Acting Governor Atkinson yesterday with regard to the advertising walls erected at King and Kapolahi streets. "Had a very pleasant call," was all the Acting Governor would say about it, but a twinkle in his eye betokened a consciousness that he held the whip hand of the matter.

Charles R. Frazier, owner of the walls, also paid a visit, though not his first on that business, to the executive chamber. Mr. Atkinson did say something on the abstract question involved, after his visitors left, but there was nothing in his remarks to indicate any weakening of his position. Rather the contrary.

# SUGAR SHIPMENTS DULL

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Lieutenant Commander Leonard confirmed the report that the boilers of the Bennington were in need of repairs, although he said that no greater pressure was used in the Bennington's boilers than was safe. The Concord, one of the Bennington's sister ships, is now laid up at Bremerton navy yard, her boilers being in bad condition.

# COUNTY COIN ON THE GO

County Treasurer Trent put more than twelve thousand dollars into circulation yesterday. It is money that will move fast at the outset, too, as the salaries and wages are, in most cases, of size that does not leave much for hoarding or salting down in speculation after "the butcher and baker and candlestick maker," as the ancient saw runs, have been paid by the workers in county services. To an inquisitive reporter last night Mr. Trent gave the following account of his day's work:

Police, 70 warrants.....	\$ 5,313.22
Fire, 47 warrants.....	3,352.50
Band, 33 warrants.....	1,225.00
Roads, 16 warrants.....	825.93
Sundries, 20 warrants.....	1,487.65
Total.....	\$12,204.30

"To accommodate the firemen, who can only leave their stations two at a time, we kept open our office until after 6 o'clock, and didn't close until we were advised that there were no more to be paid.

"I regretted the incident of the blanket warrant for the Garbage Department, because I know the men need the money, and I am anxious that they should receive every cent that is coming to them, and at the earliest possible moment. Late this afternoon I offered Chairman Smith the services of my whole force, four of us, in making up individual warrants for the men, in order to expedite the business. We are willing to work night as well as day in a good cause."

# ATKINSON FIRM TO SAVE SCENERY

J. Alfred Magoon, who is interested in the vacant lot affected, called on Acting Governor Atkinson yesterday with regard to the advertising walls erected at King and Kapolahi streets. "Had a very pleasant call," was all the Acting Governor would say about it, but a twinkle in his eye betokened a consciousness that he held the whip hand of the matter.

Charles R. Frazier, owner of the walls, also paid a visit, though not his first on that business, to the executive chamber. Mr. Atkinson did say something on the abstract question involved, after his visitors left, but there was nothing in his remarks to indicate any weakening of his position. Rather the contrary.

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WALTER G. SMITH, Editor.

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A. W. PEARSON, Manager.

FRIDAY

AUGUST 4

THE CZAR AND RUSSIA.

Those who have watched the revolutionary movement in Russia are perhaps most impressed by the plastic indifference of the Czar. For a short time he would be in the hands of the liberals, accepting in his languid way whatever measures they might propose; next in the hands of the priesthood, unwilling to bother himself about the effect or direction of churchly wiles and stratagems and anon under control of the great military party, agreeable, so long as his repose was not invaded, to the most drastic measures of repression.

A really great and just Czar, a man like the Kaiser of Germany, could save the Russian throne, for there is still, deep-seated in the Russian heart, a love of the old ways of government and of an Emperor who will be a father to his people. But even the inborn loyalty of the mujik is not proof against the criminal indifference and vacillation at Tarskoe-Selo, from which the poor man personally suffers and which has plunged the common country into one difficulty or embarrassment after another.

Out of similar conditions elsewhere in Europe has emerged the tribune of the people or the man-on-horseback. Surely among 120,000,000 there may be many a latent Cromwell or Napoleon, and there must be many a man fit for Russia's emergencies. It is nearly time for him to appear; and when he comes some of the most far reaching political changes the world ever saw may follow him.

RESPONSIBILITY NEEDED.

It is useless to argue for a system which puts the administration of estates, not disposed of by will, into the hands of court clerks appointed by a circuit judge. Generally speaking the clerks have no qualifying experience. They are given estates to manage as spoils of office just as politicians are given other grave public business to do as rewards for political fidelity—and failure or worse is usually predicated of either case.

One of the strong arguments for the abolition of the present unsatisfactory methods is that nobody can tell when a turn in the political wheel at Washington may give this Territory another set of carpet-bag judges as bad as some who have lately been deprived of the ermine. Can anyone imagine a worse fate for an estate than to have it put into the hands of some political henchman of a judicial sealwag who has gone on the bench for revenue only?

There is probably no other place in the Union where the rights of heirs-at-law, not protected by will, are so loosely looked after as they are here. In old Hawaii, where the community was small and everybody knew everybody else and whence, owing to the passport law it was not easy for culprits to escape, some lax methods of procedure might have been safely tolerated.

PUBLIC ADMINISTRATOR NEEDED.

Under the remarkable system which obtains in our courts, Clerk Kellett was permitted, when given estates to administer, to file his own bond with himself. Naturally, when he forfeited the bond, he stole it and with it all the safeguards which the court had put around him. Nothing is easier under such conditions than to rob the estate of a dead man. It ought, under a wise administration of justice, to be one of the most difficult of crimes.

A result of the Kellett case should be the creation of the office of Public Administrator. One good man, under large bonds, should have sole charge, under the jurisdiction of the courts, of the estates of people who die intestate. Such duties here have long been turned over to court clerks, usually drawn from the most irresponsible class, as gratuities or "plums."

THE DREDGING MONEY.

The Advertiser hopes that nothing will be left undone to legally prevent aliens from doing any part of the labor required in the dredging of Honolulu harbor.

The dredging outlay has, as a subsidiary object, the reimbursement of Hawaii for a part of its losses of revenue to the United States government. It was one of the arguments for the appropriation that the Federal power, having taken away a lot of money which formerly came to us should put some of it back. The money is coming, but how much of it will stay here if most of the wage money goes to Japan and the contract profits to San Francisco?

As to the law in the case that is a matter for the United States District Attorney to report upon. We indulge the hope that it will not stand in the way of citizens of Hawaii getting the full benefit of the wage disbursement.

Miss Tarbell's magazine article about John D. Rockefeller, his father and his son, branded the family as a Junius letter might have seared some unworthy magnate of the London bourse. The effect was to plunge the aged plutocrat into melancholy, arouse the fighting spirit of his family along the line of libel suits, create a new sympathy for the Rockefellers, induce a princely and propitiatory gift to education and place Miss Tarbell in the very first rank of literary public prosecutors. Considering what Mr. Lawson did through Everybody's and Miss Tarbell has done through McClure's, the punitive function of the daily press seems to have been sharply infringed upon. It is the magazine that does things now.

A. L. C. Atkinson makes a wise, modest, progressive and efficient Governor. Public opinion is strongly and progressively on his side.

SCANDINAVIA.

Recent events in the Scandinavian Peninsula lend interest to statistics just compiled in the Bureau of Statistics of the Department of Commerce and Labor regarding the population, comparative resources, and industries of Sweden and Norway, as well as their commerce with the United States and other countries. Sweden and Norway have a combined area of 297,006 square miles, about equal to that of Texas and the Indian Territory. Their population is 7,484,301, practically the same as that of the State of New York. The area of Sweden is about 40 per cent more than that of Norway, the territorial extent of the two countries being 172,876 square miles and 124,130 square miles, respectively.

Notwithstanding less favorable natural conditions, such as the poverty of the soil, about 75 per cent of which is unproductive, and a rigorous climate in the larger part of the country, also a relatively larger emigration, population in Norway increases faster than in Sweden. Thus, the population of Sweden increased, between 1898 and 1903, from 4,824,150 to 5,221,291, or 8.2 per cent, while that of Norway grew from 2,632,100 to 2,288,535, or 12.6 per cent, during the same period.

If the average population for the period 1893-1903—5,043,700 for Sweden and 2,165,600 for Norway—be compared with the corresponding average emigration figures—23,610 for Sweden and 11,303 for Norway—the rate of emigration appears higher for Norway than for Sweden, 5.3 per thousand, as against 4.7 per thousand. During the decade 1893-1902 of the emigrants from Sweden who left their country over 80 per cent stated as their destination the United States, while of 124,336 Norwegians who left their native country, about 97 per cent, at the port of embarkation, indicated this country as their future home.

Of the total estimated population of Sweden in 1903, only 22.3 per cent appear under the head of urban dwellers, while of the total population of Norway, according to the 1900 census, 28.8 per cent are returned as living in urban settlements.

The difference in the industrial character of the population is shown, furthermore, by the fact that in Sweden the mainstay of the population is still agriculture, with its cognate branches, while in Norway the importance of agriculture is about the same as that of the fisheries, each of which industries, according to official estimates, furnishes an annual product of about 15 million dollars, or about 10 per cent of the annual national income. The average value of the principal cereal productions in Sweden for the years 1895-1902 is stated at \$65,338,000, while the average value of Norwegian cereal crops for 1896-1900 was estimated at \$9,640,000 only. This, as well as the relative absence of minerals of industrial importance, involves a much greater dependence on the part of Norway upon imported breadstuffs and raw materials, and results, as a further consequence, in a tariff policy distinct from that of the sister nation. The imports of breadstuffs, including flour, during the calendar year 1903 into Sweden amounted in value to \$16,331,000, and to \$15,229,000 into Norway.

LORD ROBERTS'S SPEECH.

There was a brief reference in the cable news some days ago to Lord Roberts's speech about the weakness of the British army. We find in the London correspondence of the New York Tribune that the speech was delivered in relation to a motion introduced by the Earl of Wemyss and March, Conservative, traversing Premier Balfour's statement regarding the impossibility of the invasion of Great Britain and urging the necessity of keeping up sufficient land forces to repel any possible invasion.

Lord Roberts said the lessons of the South African war had been forgotten. He had no hesitation in saying that the armed forces of Great Britain as a body were now as absolutely unfitted and unprepared for war as they were when the South African trouble broke out. He said emphatically that the choice lay between conscription and some practical system of general training, and that only by such means would it be possible for Great Britain to possess armed forces organized and trained to meet the demands of the empire in case of war.

His lordship said that any discussion of Great Britain's military position within the limits of the motion proposed by the Earl of Wemyss and March would be entirely unavailing. The country had to deal with a question of infinitely great importance—the question of the life or death of the empire, the issue of which depended upon Great Britain being ready to defend her Eastern possessions, and at the same time take part in any affair nearer home. Either of these contingencies made necessary the placing in the field of an army as large and efficient as that of any of the European countries, all of which might be regarded as nations in arms. Every other European country regarded its army as part of the nation, while England considered her army to be something quite outside the national life, and no thought was bestowed on it by the civil population except as part of a political and partisan platform.

Lord Roberts appealed to the country to awake to its danger and to take hold of the army as a great national issue on which the existence of Great Britain depended. He said the whole empire must rise to the occasion, and that every one must personally bear a share in the defence, or enable those to whom responsibility was delegated to become in all respects efficient.

The discussion of the motion continued for some time, the speakers complimenting Lord Roberts for the stand he had taken.

Minister Conger, who now represents the United States government at the City of Mexico, but who was for many years stationed at Peking, has been called to Washington for consultation upon the Chinese boycott of American manufactured goods. Evidently, the administration has taken a decidedly serious view of the Chinese movement in reprisal for legislation hostile to Chinese immigration. And it is, perhaps, one of the most serious matters with which the Roosevelt administration has been called upon to deal. What, with the labor unions on the one hand, and the commercial interests of the country on the other, the time has come for some exceedingly delicate steering.

Comment in some of the Eastern papers suggesting that the alleged body of John Paul Jones may not be authentic is more sensational than reasonable. It is true that no name-plate was found on the coffin, but the remains, which had been preserved in alcohol, were easily identified from busts and pictures as those of the famous admiral. The letter "J" on the underclothing and the revelations of an autopsy corroborated the testimony of the face. There seem to be no tenable grounds of doubt about the identity of the body.

There are a few destroyers at Vladivostok and two of them steamed into Japanese waters the other day just to show that the Russian war-flag is still afloat. Naturally the two formidable craft attacked a merchant steamer, killing a man and a boy and wounding two others, but, apparently, letting the steamer get away. After this valorous deed the destroyers cut for home. Probably full details will reach St. Petersburg in a day or two and cause the usual rejoicing.

Speaking of Supt. Holloway's purpose to buy flags for schoolhouses, it may be well to recall the press telegram of a few months ago that the War Department had been authorized to turn over to the Territories a certain number of standard flags for school purposes. Inquiry at Washington regarding the matter might save expense here.

Experiments with the electric locomotive indicate that it will gradually displace the steam locomotive on the New York Central and Pennsylvania railroads. There are those who predict that the railroad engine, as we know it, will be a curiosity within ten or fifteen years.

The yellow fever scare has gone so far that the Governor of Mississippi has ordered out the state militia to guard the border of the state from invasion, evidently by fever refugees from the infected cities.

The nearer the time comes for peace the louder Linevitch boasts of what his army could do in war.

Yellow Jack is finding now and then another southern town that needs cleaning up.

While Taft is away a new Presidential candidacy is taking root.

LOCAL BREVITIES.

Judge Dole has adjudged Edward M. Voelner, a bankrupt.

T. M. Harrison has applied for admission to the Bar Association.

The Board of Education will meet in the superintendent's office at 3 p. m. today.

A. S. Humphreys has been confined to bed eleven days with ptomaine poisoning.

It is reported that the flower sellers have organized a "Lei Trust," putting up the price of leis to 25 cents.

The annual meeting of the Oahu Cemetery Association will be held in the office of David Dayton, August 7.

W. W. Chamberlain has filed a replication to the answer of Maria J. Bush and John E. Bush in his suit to foreclose mortgage.

Enterprise Mill Co., Ltd., is suing Woods & Sheldon for \$140.29 for work and materials. Jury is waived and the case set for vacation.

Professor Hitchcock, the geologist, called at the Board of Education offices yesterday, where he examined several relief maps of the islands.

Mrs. E. A. Douthitt, wife of the County Attorney, has been attacked by appendicitis. Her mother is fortunately here from California on a visit.

The Tax Appeal Court for Oahu held its first session in the Supreme Court room yesterday. A settlement of the Queen's Hospital cases was announced.

Judge Lindsay has transferred all matters in equity and probate at chambers now pending before him, except the Parker case, to Judge Robinson.

Judge Robinson has ordered Charles Johnson to pay his wife Lulu \$10 a month as temporary alimony, \$4 as costs of court and \$25 as attorney's fee.

The Alexander Young Hotel will serve sandwiches on the roof garden up to 11 p. m. This is a new departure and doubtless will prove a very popular one.

The Acting Governor has appointed J. H. Coney as chairman of the tax appeal court of Kauai in place of Frank Crawford, who is a postmaster and therefore cannot serve.

Judge De Bolt said yesterday that he would not consider the appointment of a successor to P. Danson Kellett, defaulting clerk in his department of the Circuit Court, until Monday.

Clerk Kellett had the luan habit, as well as a touch of fast-horse dementia. His court minutes are about two years behind in entering up and being mixed with shorthand are illegible.

A party of five ladies—Mrs. Ashley, Mrs. Livingston, Miss Winne, Miss Huntington and Miss Hart—are making a walking tour of Hawaii. They have walked over 300 miles already.

Bluejackets geting home in the transports have the usual weakness of their rank for equestrian exercise. Their saddle-horse navigation makes every street and suburban road a circus.

Inquiry is being made by British Consul R. de B. Layard as to the whereabouts of one Chas. Coultry, who about 15 years ago was believed to have been engaged in the shipping trade in these islands.

W. S. Edings has sued out a writ of prohibition from Justice Wilder of the Supreme Court, under which Judge Hardy has postponed the quo warranto proceedings against Supervisor-elect Kaneali of Kauai until October 2.

Announcement is made of the engagement of Miss Rose Gibson, who has been living at Kaulani Home for some years past, to Lieut. Alfred Mossmann of the police department. Both are popular young Hawaiians and they have been the recipients of many congratulations.

Hawaiian Trust Co., Ltd., has petitioned the Court of Land Registration for a title to premises in Alakea street, situated between the Honolulu Library and the Metropole block, containing an area of 6350 square feet. The property is assessed at \$7500, of which improvements represent \$2000.

Civil Service examinations will be held at the High School in this city on August 12, 1905, for the purpose of establishing registers of eligibles for clerks and carriers in the Postoffice, and for 3rd grade customs (night inspector) in the Customs Service. Application blanks and information will be furnished by any member of the board.

Former Police Captain Harry T. Lake has been appointed a criminologist in the Attorney-General's department for the purpose of helping Deputy Peters get up certain cases for the consideration of the next grand jury. The work of prosecuting criminals has been taken over by County Attorney Douthitt, but there are certain old cases in the hands of the Attorney-General, and these will be handled by the department before the grand jury.

THE ROOSTER NUISANCE.

Honolulu, August 1, 1905.

Editor Advertiser: When space permits, would you kindly reprint the enclosed decision of Judge Cabanis from the San Francisco Examiner, July 16, and thus oblige a sufferer from the same nuisance here in Honolulu? M. FARNSWORTH.

"On the complaint of Rose Brown, Henry Maass, her next door neighbour, residing at 2135 Mission street, was yesterday ordered by Police Judge Cabanis thirty days in which to abate a cause of disturbance of the peace in the shape of a flock of chickens and strong-lunged roosters. Mrs. Rose stated that the noise from the henhouse kept her awake, early mornings, while sleep is most sweet. Maass owns twenty full-blooded hens and two game cocks which he prizes highly and is loath to part with them or confine their local pleasures. However, he promised Mrs. Rose that in the future her nocturnal slumbers would not be disturbed."

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowe, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Machinery of every description made on order.

HONOLULU STOCK EXCHANGE.

Honolulu, August 3, 1905.

Table with columns: NAME OF STOCK, Capital, Val., Bid, Ask. Lists various stocks like Hawaiian Sugar Co., Oahu Sugar Co., etc.

SESSION SALES.

(Morning Session.)

30 Wai'alua, 66.00; 5 McBryde, 7.25.

SESSION SALES. (Afternoon Session.)

None.

SALES BETWEEN BOARDS.

100 Okala, 7.50; 50 Ewa, 26.50; 25 Oahu, 105.00; 5 Pioneer, 151.00.

LOCAL OFFICE OF THE UNITED STATES WEATHER BUREAU.

Alexander Young Building, Honolulu, Thursday, August 3.

Table with columns: Year, Mean, THERMO., WIND, etc. Shows weather data for years 1900-1905.

ALEX. McC. ASHLEY, Section Director.

METEOROLOGICAL RECORD.

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

Table with columns: Day, MEAN, THERM., WIND, etc. Shows daily weather data for August 1-3, 1905.

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.

ALEX. McC. ASHLEY, Section Director.

TIDES, SUN AND MOON.

Table with columns: Days, High tide, Low tide, Sun sets, Moon sets, etc. Shows tide and celestial data for August 1-15, 1905.

First quarter of the moon, Aug. 7th.

Times of the tide are taken from the United States Coast and Geodetic Survey tables.

The tides at Kahului and Hilo occur about one hour earlier than at Honolulu.

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

# WHO FEEDS PRISONERS?

"If the county of Oahu does not support its prisoners, I suppose we will have to turn them out to forage for themselves," said Attorney-General Lorrin Andrews yesterday. "The Territory is not going to feed them."

"Why," said High Sheriff Henry, "the county puts its unconvicted prisoners in my jails. It does not at all follow that I will feed them. County Attorney Douthitt has suggested that some way should be agreed upon to have the courts pass upon the matter, and I have consulted the Attorney-General about it, but I do not see any necessity for such a step. The counties must feed their prisoners, of course."

It seems that before the legislature adjourned, it set aside the new wing of Oahu Prison, under the name of "Honolulu Jail," for the use of the county of Oahu, as a place to keep prisoners not convicted of felony. That part of the prison, therefore, cannot be used as a part of the Territorial penitentiary, its use for such purposes being forbidden, and the prisoners kept there are those who are still awaiting trial and who have not been committed and turned over to the High Sheriff to serve sentences. The prisoners there are in the care of the High Sheriff and the Warden, but are not Territorial prisoners.

The High Sheriff claims that they should not be fed at the expense of the Territory. He keeps them safely of course, but why should the taxpayers of Hawaii or Maui or Kauai pay for the keep of men arrested for crimes committed in Oahu—but not yet proven guilty?

Sheriff Brown took over the city prison, and the county feeds the prisoners there, but has made no provision yet for the care of the unconvicted men kept in Honolulu Jail awaiting trial. And so a muddle has arisen about it. However, it is probable that a way out will be found—not for the prisoners, of course, but for the officials. It is merely another of the difficult problems of county government.

# SUPERVISORS ARE FIGHTING

(Continued from Page 1.) salaries in departments which asked for it, rather than putting the money into improvements.

Lucas thought it would be possible to do both. He put his views into a motion which passed, Adams voting "No."

It was decided not to appropriate \$30 for expenses of hose, tools, etc., for the three public parks. Instead the park keepers were ordered to report to the committee when they need such things.

Paele alone voted against appropriating \$18 for fencing and repairing the new Kipapa and Waialalau road.

The question of allowing \$8000 for road repairs to Honolulu caused some discussion.

Moore said that the Waterfront, Nuuanu street up as far as Fort street, and parts of Queen street should be finished before outlying roads such as the Waialae road were fixed. He thought gutters should be put in all the streets where work was being done. If asphalt gutters could not be constructed, rock gutters should be put in similar to those in front of the Young Hotel.

On Chairman Smith's suggestion the \$8000 was appropriated, and the Road Department will be ordered to fix streets in the following order: Queen to Fort street and Waterfront, Kuaikini and Kukui roads, Houghtailing street and Waialae road.

## EXPENSES FOR AUGUST.

The final estimate of expenses for the month of August as adopted by the Board from the Roads, Bridges and Parks Committee report, is as follows:

Expenses for running Kapiolani park	500.00
Special amount for pipe and soil	250.00
Total	750.00
Aala park keeper	40.00
Thomas square keeper	40.00
Emma square keeper	40.00
Total	120.00
Fencing and repairing Kipapa, Waialalau road, from account known as the Ewa and Waialae special road tax	818.00
Special appropriation for repairs to new road, from general fund	232.00
Koolauloa—	
Road repairs	300.00
Koolau—	
Road repairs from general fund	500.00
Waialua district road fund	300.00
Road repairs to district of Honolulu	8,000.00
Total	\$11,020.00

## POLICE DEPARTMENT.

Estimates for August for this department were next taken up. Adams explained that more policemen were wanted at various places, especially Ewa. Adams also read a report from the Sheriff showing the number of arrests, convictions, etc., on Oahu. A number of communications from the sheriff were read and placed on file.

The recommendations for the Police Department as adopted by the Board for the month of August are as follows:

## FIRE DEPARTMENT.

Lucas in his estimates for the payroll noted an increase of \$355 in salaries which the Board accepted. Payroll for August, \$3675.

In both the police and fire department reports there were items for expense accounts, materials and supplies. It was decided by the Board to let the bills for these come in at the end of the month, instead of appropriating ahead for them.

## PUBLIC IMPROVEMENTS AND ELECTRIC LIGHTS.

Supervisor Moore presented a payroll of \$547 and the Hawaiian Electric Light and Power Company's bill for lights, current, amounting to \$558. Both these items were passed by the Board.

## POLICE AND FIRE ALARM SYSTEM.

The sum of \$100 was appropriated from the General Fund for salary demands for the month of August.

## GARBAGE DEPARTMENT.

Supervisor Moore presented an estimate of \$1450 for the payrolls and salary demands for August which were accepted by the Board.

A bill of \$100 was passed for rent for the county officers, this being the last official act of the Board.

## ESTIMATED BILLS.

Inasmuch as the Supervisors decided to let the various departments present bills for some of their expenses for maintenance, materials and supplies rather than make appropriations ahead, the following items were put down as being probable further expenses for August:

Maintenance Fire Department	\$ 875
Police	1,000
Electric Light Company expenses	250
Fire Alarm expenses	250
Expenses for parks, hose, tools, etc.	30
Garbage Department	450
Office expenses	100
Numbering streets	200
Total	\$3,105

This amount of bills to come in added to the amount appropriated by the Supervisors last evening, \$26,370, would give a total of \$29,475. The county is allowed a sum of \$31,150 for running expenses during August so it is seen that the Supervisors kept well within their allowance, having \$1675 left over. There may be some more incidental expenses, as for printing, but these will not exceed the sum left over.

There were a number of petitions and papers on file to be read, but the Supervisors did not take them up last night and at 10:30 the meeting was adjourned to Saturday at 2:30 p. m.

# SEA WALLS AGAINST LAW

(Continued from Page 1.)

At all events, maps of the entire water frontage at Waikiki have been prepared, showing the walls that encroach upon tide water and those that do not, as well as the grants that run to lower water mark, and officers went out yesterday to view the several walls with a view to the preparation of notices to the parties interested ordering their removal. Among those whose walls are said to encroach upon the Territorial right in the matter are those of J. S. McCandless, A. Drier, S. L. Shaw, the Brown estate, A. A. Wilder, E. S. Cunha, Beckley, McInerney, the cable station, the Castle place, and many others out toward Diamond Head.

W. F. Heilbron of the Metropolitan Meat Company, who was taken suddenly ill several days ago, has entirely recovered and is back at business again.

# KELLETT'S BONDSMEN HAVE BEEN DISCOVERED

## The Trustee's Father and Attorney Robertson— Judge De Bolt Curtails Clerk's Extras— History of Barete Estate Matter.

No thanks to the archives in the Judiciary vaults excepting the furnishing of a date, but through a newspaper report of December, 1900, the missing personalities of P. D. Kellett, Jr.'s sureties on his bond as trustee of the Barete estate have been discovered.

P. D. Kellett, father of the trustee, and A. G. M. Robertson, attorney, are the sureties. The bond itself is still missing.

Judge De Bolt, who anticipated Kellett's resignation by dismissing him on becoming certain of infidelity to his trust in the Barete matter, yesterday gave out the following note to the reporters:

"Judge De Bolt deems it fair to notify applicants for the vacant clerkship that he will not hereafter appoint any clerk of this court to any position other than that of master."

The three circuit judges of the First Circuit have also notified Henry Smith, Clerk of the Judiciary, that hereafter bonds of any of the clerks must be kept in his safe and not filed in the vaults with the records of cases.

Judges Lindsay and Robinson do not concur in the First Judge's announced policy of curtailing the opportunities of the clerks for making something extra in commissions and fees.

There would seem to be room for improved methods of taking care of even ordinary court records. An Advertiser reporter, detailed yesterday to give a condensed history of the Barete estate matter, discovered some breaks in the continuity of the record as contained in filed documents. Those of importance are noted in the appended result of the task mentioned.

Here an incident may be related which will emphasize the suggestion just made. One day not long ago, when several searchers of title had been busy, an Advertiser reporter at the noon hour picked up a document from the floor beneath the window sill in the public area outside of the counter in the clerk's main office. It proved to be part of the record of a very old probate case, and without doubt an important link in a title claim. Had it not been accidentally found, the paper might have forever disappeared.

Following is the condensed history of the Barete case from the court files. It might perhaps have been enlarged from research in the court record books, but it contains the main features of all the proceedings in the case:

## PROBATE OF WILL.

Petition for probate of will, addressed to Hon. A. W. Carter, first judge, by Richard Antonio, under date of Honolulu, July 26, 1897, acknowledged before N. Fernandez, notary public. The probate value and character of the estate is given as: Real estate, three pieces of land at Kailhi, Honolulu, valued at \$2000, and personal estate consisting of ten head of cattle, two horses, three wagons and household furniture, all valued at \$200. It is stated that deceased left a widow and as heirs at law and next of kin nine persons, all named Barete except Agnes Soares and all residing at Honolulu except

Julio Barete and Rosaria Barete residing at Molokai. Agnes is not given, which is contrary to the usual form.

In the will Agnes Soares, Rosaria Barete, Maria Barete, Julio Barete, Francisca Barete, Emelia Barete, Jose Barete, Theoff Barete, Lutello Barete, and Manuel Barete are named as devisees and Richard Antonio as executor.

George Lucas, clerk, on July 26, 1897, signs an order for hearing of petition on August 27. P. D. Kellett, Jr., on August 24 makes affidavit of publication of notice in the Hawaiian Gazette.

Judge Perry calls up the petition on August 27. A. G. Correa appears for petitioner. All parties in interest are called in open court, no answer made. On motion of Correa, the cause is continued until August 30. Before Judge Perry on that date Correa, the petitioner and the widow are in court. Correa calls four witnesses and the court admits the will to probate and appoints Richard Antonio executor to serve without bonds. Kellett on the same date notes "Letters issued by G. Lucas."

## PROVISIONS OF WILL.

The will gives to Agnes Soares, daughter, the house and lot where she lives at Kailhiwaena; to Rosaria Barete, daughter, a parcel of land makai of Agnes Soares' house lot, and to Maria Barete, wife, all the residue of the estate for life, she to divide the increase, income and profits among the nine children, share and share alike, and at her death the property to be divided among the said children, share and share alike, but if his wife should marry the division among the children should immediately take place.

Judge Perry signs the order of probate on August 30, 1897.

## SALE OF PROPERTY.

A. Richard, executor, on February 7, 1899, petitions to Judge Perry for an order to sell real estate at Kailhi, saying there is no other way of paying the debts. The area of land in question is 33-10 acres. An order to show cause on this petition is signed by George Lucas, clerk, February, 1899, returnable March 13. Kellett on March 11 makes affidavit of publication. Judge A. Perry on March 14 makes an order of sale as prayed, sale on Monday, April 10, 1899. Richard gives a sale bond in \$3000 with A. J. Lopes as surety, which Judge Perry approves.

Richard, on April 15 makes report of sale, G. J. Waller, on behalf of Metropolitan Meat Co., being the purchaser for \$4000 cash. James F. Morgan, auctioneer, attests the facts. Judge Perry on April 19 made an order confirming the sale.

## DISCHARGE OF EXECUTOR.

Antonio Richard, on August 14, 1900, files petition for allowance of his accounts and discharge as executor of the will of M. A. Barete, deceased, to which office petitioner was appointed on August 30, 1897. (It will be observed that the name of the executor is reversed from the way it appeared on his appointment.) He signs his petition for discharge "A. Richard."

The accounts, signed Richard Antonio, shows receipts of \$4668.50 and expenditures of \$2232.65, leaving a balance of \$2435.85.

George Lucas, clerk, on August 16 gives notice of hearing of petition for discharge on September 24. Kellett on September 4 makes affidavit of publication in the Hawaiian Gazette, and on September 24 similar affidavit relating to the Gazette and Kuokoa.

C. C. Hitting, master, in an undated report on the executor's account, finds a discrepancy of \$18 in the amount the executor credits himself for taxes, the voucher being for \$31 and the credit for \$19, and with another error finds that the executor has asked for credit of \$27.75 more than that to which he appears to be entitled from the vouchers. He further finds that the total assets of the estate reduced to cash foot up \$4668.50 and the costs of administration to \$553.40, a little over 14 per cent. of the gross assets.

Judge Humphreys by P. D. Kellett, Jr., clerk, on December 12, 1900, summons Agnes Soares and Antonio Richard as witnesses in the matter of the petition. "A. Richard to bring with him certain lease from M. A. Barete to A. J. Lopes."

## HIATUS IN RECORD.

There is no record on the files of the discharge of the executor beyond that of the foregoing preliminaries.

## ALLOWANCE TO WIDOW.

Maria Barete, on May 22, 1899, petitions for an allowance of \$1000 for maintenance of herself and nine children, payment of taxes, repairs, etc., to be paid at the rate of \$20 a month. She says the executor has paid all the debts and has in his hands about \$3000. Judge Stanley continues the hearing of petition on May 29, and on June 6 Judge Perry grants the allowance of \$20 a month. Cecil Brown for petitioner.

## KELLETT AS TRUSTEE.

Maria Barete, on December 11, 1900, petitions Judge Humphreys for an order to P. D. Kellett, trustee, to pay her \$30 a month out of funds remaining in the estate for maintenance of herself and family. An unsigned memorandum to the petition says, "Application denied by the court this 17th day of December, 1900."

The recognition of Kellett as trustee in the widow's petition appears premature upon a comparison of the date with that of his appointment noted before. It has been stated, however, since his defalcation was discovered, that Kellett was at first appointed as trustee without bonds by Judge Humphreys. Anyhow, as clerk of court he would have been trustee ex officio of funds there deposited.

Upon the verbal application of Maria Barete, widow, Cecil Brown appearing for her, "praying that some suitable person be appointed trustee under the last will and testament of said Manuel Antonio Barete," and "there being no appearance by any one in opposition thereto," Judge Humphreys on December 17, 1900, appointed P. D. Kellett, Jr., as such trustee, ordering that as such trustee "the said P. D. Kellett, Jr., file with the clerk of the court a good and sufficient bond in the sum of thirty-five hundred (\$3500) dollars for the faithful execution of said trust, said bond to be approved by the court."

KELLET'S BONDSMEN. A newspaper report of December 18, 1900, furnishes information of Kellett's trusteeship bond, of which there is no record on the court files, as follows: "P. Danson Kellett has filed a bond in \$2500 as trustee of the Barete estate, with P. D. Kellett and A. G. M. Robertson as sureties. He has also filed a receipt to the Circuit Court for a cheque on the First National Bank of Hawaii for \$2435.85, the amount paid into court by Richard Antonio, executor."

## RECEIPT FOR MONEY.

George Lucas, clerk, on December 18, 1900, notes the filing of this receipt: "In the Circuit Court, First Circuit of the Territory of Hawaii, in probate, At Chambers, "In the matter of the estate of Manuel Antonio Barete, late of Kailhi, Oahu, deceased. "Receipt of Trustee. "Received from Circuit Court of the First Circuit of Hawaii for the sum of Twenty-four hundred and thirty-eight dollars and thirty-eight cents (\$2438.58) being cash paid in said Court by Richard Antonio, Executor, pending the appointment of a Trustee. "December 18th, A. D. 1900. "P. D. KELLETT, JR., "Trustee under the Last Will and Testament of the late Manuel A. Barete, deceased."

## LONG DELAYED REPORT.

Under proceedings taken by W. C. Achi, attorney for certain of the heirs, Kellett on July 19, 1905, filed in court (before Judge Robinson) a report covering a period of four years, six months and fifteen days. In it the trustee charges himself with \$3874.67, of which \$2825.19 represents income, of which \$2825.19 represents income. He asks to be allowed \$6293.50 disbursements, M. T. Simonton as master, on Judge Robinson's reference, reports, July 29, upon the account. The master finds shortages in income account amounting to \$258.35; also receipts for taxes and insurance from a tenant, which the trustee had not applied to their respective purposes; also a failure to account at all for the principal of a certain loan of \$1200; also a crediting himself with taxes of over \$500 and insurance premiums of \$90 which he had never paid; also with having violated the provisions of the trust with respect to payments of income to the beneficiaries of the will; also with failure to invest \$2435.85 in hand for more than seven months. With regard to this last matter, the master reported that the trustee had failed to exhibit his bank deposit book.

## SUSPENDED AND ARRESTED.

In the meantime Judge Robinson, having been apprised that the trustee's accounts were not straight, suspended the trustee. Then, upon the failure of Kellett to obey a command of Judge De Bolt, whose clerk he was, he was brought to the sheriff's office for investigation and, after admitting more than even the master's report charged, a warrant of arrest sworn to by Sheriff Brown was served on him. He is now at large under \$2500 bail to appear for preliminary examination before Judge Robinson on a charge of embezzlement.

Among the facts revealed by the in-

# CAN MAKE OKOLEHAO

"I have not issued any distillery license under the law passed at the last session of the legislature," said Territorial Treasurer Campbell yesterday. "There seems to be some kind of a hitch in the Federal law. I do not know what it is. Indeed, I know nothing whatever about it. But I have heard that there is no provision by which they can use the ti root for purpose of distilling. I would advise you to see Internal Revenue Collector Chamberlain about the matter, because as I say I know nothing about it. All I know is that there have been no distillery licenses taken out."

"There is not a thing in the Federal law against making okolehao of ti root," said Internal Revenue Collector Chamberlain, "provided the distillers comply with the law. There are certain exemptions given under the law to the manufacturers of fruit brandies. These exemptions are given to enable wine-makers to distill these brandies to fortify their wines. But as for the rest, under the grain provision, liquors can be distilled from ti roots or from boot heels, if the laws are complied with. We have had some inquiry about this matter in the office. Of course the plant would be expensive, but the thing can be done if the men who propose to do it will go at it the right way."

The new Territorial law levies a five dollar license only on distilleries, and was passed only the express purpose of encouraging the manufacture of liquor from the ti root, but the thing is hardly feasible from a business standpoint for small distillers—and perhaps that is just as well. At all events, it is known that the field is being prospected by parties who propose to go into the manufacture of the liquor that is peculiarly Hawaiian on a large scale, if the investigations now on foot show that there is likely to be a profit in it.

Investigation it is known that the \$2435.85 for which Kellett received nearly five years ago has entirely disappeared, with the exception of perhaps three dollars, and none of it has reached the widow and children. Other discoveries have been made, but they do not pertain to the Barete estate.

# TACKLING MAUNA LOA ON HAMAKUA SIDE

Today Superintendent of Public Works Holloway will leave for the big island on the Mauna Loa, and will be one of a party that will endeavor to make the ascent of the volcano of Mauna Loa from the Hamakua side.

"Our party will consist of Paymaster Brown of the navy, J. W. Waldron, Eben Low, Mr. Forbes and Mr. Jerdun," said Mr. Holloway yesterday. "We want to see if the mountain can be climbed from that side. We expect to meet the Pickering party somewhere among the lava flows up the mountain."

# ELECTRIC EGGS PROLONG LIFE

ALAMEDA, July 20.—Dr. Oster's age theory will have no chance at all when the invention recently perfected by George J. Foster of 1311 Oak street, comes into general use. Not only may limit lift up their heads with hope, but limit lift up their heads the forty-year even the sexagenarians whom Dr. Oster relegates to the tomb, may welcome Foster as their deliverer.

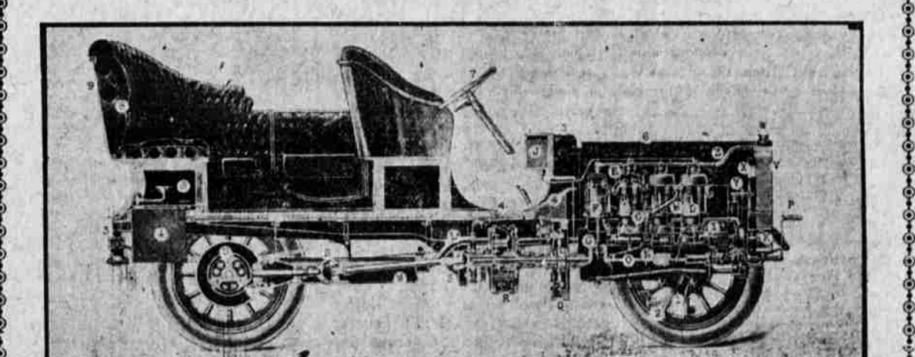
The humble hen eggs are the means by which Foster will put his invention into general use. Experiments made by him with barnyard fowls have convinced him that the egg, properly electrified, is the elixir of life so long sought for. Coils of wire were laid around the nests in the henhouse, and the current turned on when the hens went to lay. The result was quickly noticed. From the time of the installation of the electric wires the eggs took on a different property. When eaten they acted like a tonic. Foster distributed the eggs to the aged of his neighborhood. The effect was wonderful. Dimmed eyes became bright, the halting step gave way to one of elasticity, bent shoulders were straightened, and soon, in all the neighborhood, there was neither an old man nor an old woman.

By careful selection Foster has bred a race of fowls that are endowed with the electric properties from birth. The wires are still kept around the nests, however, in order to maintain the high efficiency of the eggs. Another virtue that he claims for his invention is that rats, cats and other prowling enemies of the chickens are kept away from electrified eggs.

## TO SELL PROPERTY.

Henry Waterhouse Trust Co., Ltd., administrator, petitions for leave to sell real estate in the estate of the late W. H. Cornwell. The estate is indebted in a sum of \$40,000 and, besides the personal property incidental to the ranch business that the will directs shall be carried on for five years after the testator's death, there is no personal property with which to pay debts. It is a piece of land containing 2.33 acres which it is desired to sell, and an offer of \$575 made therefor by Waialua Sugar Co. is said to be a fair one for the property. Consents of the devisees to the sale are filed.

# CROSS SECTION OF AN AUTOMOBILE



A—20 Gallon Gasoline Tank. B—Filler. C—Carburetor. D—Copper Waterjacket. E—Cylinder Head Showing Valve Chamber. F—Piston. G—Connecting Rods. H—Gas Inlet Pipe. I—Camshaft Gear, Oil Governor and Water Pump. J—Coil. K—Commutator. L—Exhaust Pipe and Pressure Feed to Gasoline Tank. M—Muffler. N—Oil Reservoir Governor. O—Governor Piston Shaft. P—Starting Crank. Q—Fly Wheel and Clutch. R—Planetary Change Speed Gear, 3 Speeds Forward and 1 Reverse, Operated by Hand Lever. S—Universal Joints. T—Bevel Gear. U—Differential Gear. V—Radiator or Water Cooler. W—Water Inlet. X—Vane Fan. Y—Fan Drive. Z—Water Circulating Pipe. 1—Steering Knuckle. 2—Steering Knuckle Socket. 3—Rear Platform Spring. 4—Footboard. 5—Dashboard Containing 5-Gallon Gasoline and Pressure Feed Oil Tank. 6—Hood or Bonnet. 7—Steering Wheel. 8—Upholstery. 9—Back of Body.

This car is of the general type, in which the power plant consists of a vertical, four-cylinder, gasoline engine placed lengthwise under a bonnet at the front of the frame. The engine cylinders are mounted on a crankcase, within which the crankshaft, or engine mainshaft, is carried in suitable bearings. Within each cylinder works a piston, coupled by a short connecting rod to a corresponding crank on the crankshaft. The power is derived from the mixture of gasoline vapor and air, which enters the cylinders above the pistons, and is there ignited by an electric spark that occurs at the proper point in the stroke of each piston. This mixture is provided by a carburetor, into which the gasoline is fed from a fuel tank, and in which it is sprayed into a fine mist by drafts of air occasioned by the downward movements of the pistons on their suction stroke.

# OLD WAY AND NEW

Colonel John T. Baker gave his military science an airing on the witness stand in the Parker guardianship case before Judge Lindsay yesterday. To paraphrase the song of "The Hundred Pipers," the evidence of the living picture of Kamehameha awakened reminiscences of "the helmets and feathers and glittering gear" of the martial days of Kalakaua.

Suppose he were a ranch manager and had issued directions for a cattle drive to the lunas—Mr. Kinney asked him—and when the animals were on the move he found that the cowboys were not doing the work properly. Would he go over the heads of the lunas and himself give direct orders to the cowboys?

"I would act according to my military experience," was the answer.

"You mean that, in commanding a body of soldiers, if anything went wrong you would not give direct orders to the privates, but issue them to your captains and lieutenants?"

"Well, I might talk to the men if I was inspecting officer of the line."

Holding the witness a little while to his military analogy, the attorney had him admit that under certain circumstances he might, as a ranch manager, order the cowboys around without the intermediary of the lunas.

The controlling of wild cattle and prevention of their increase formed the subject on which Col. Baker's cross-examination was mostly conducted yesterday.

"Don't you understand that the catching of wild animals in traps has been tremendously increased in Carter's time?" was asked.

"For myself I would not want to do such a thing," the reply came, "because it is too much of a loss."

He had seen cattle caught in traps and then turned loose. This was at Waimea. The place he indicated up in the mountains he considered to be in Waimea district.

"Don't you know, either from observation or reliable information, that Carter has caught hundreds of wild cattle in traps?"

"I have heard of cattle being caught in large numbers in the pen—until it was full—but what was done with them afterward I don't know."

Mr. Kinney mentioned two places where traps were located, asking the witness if he had not seen large numbers of cattle trapped therein.

His reply was that he had seen many cattle in the pen, and the boys had pointed out animals as wild cattle, but he had never heard the boys say they were caught in the trap. Asked if he was not aware that some 250 cattle were caught in the Puuanaana trap the first time it was used, the witness said he had no personal knowledge of it, but only information.

Col. Baker showed that his favor clove to the old-fashioned lariat. He was asked:

"Don't you know that to catch 200 cattle in the mountains by the old way of lassoing would be months of work?"

"No," was the reply and, to further questions, he gave an account of catching 60 head of wild cattle in a week, he having been along as a spectator for pleasure. However, he admitted that all the work of catching was small compared with that of getting the animals caught down to the paddocks. He seemed to traverse this statement a moment later, when he said that a crew of six men with lassoes, assisted by several others tending tame animals, would get 60 beasts down to the paddocks in a week. But Mr. Kinney asked him:

"Have you ever known that to have been done?"

"I did not see the cattle brought down," was answered, "but I was present and helped to see them caught, and I know that 60 could have been brought down."

"But you never saw it done?"

"No."

It was all an interesting wild west story of the tropics for the uninitiated—about trapping and lassoing, and the bracing of tame brutes with wild ones to lure the latter out of the wilderness for treatment in the paddocks. So far as the case is concerned, though, all that Low's witness testified yesterday went to prove that Carter's ranching methods are somewhat in advance of the expert Hawaiian drover's experience. In other words, the old way of cattle corraling and regulation of increase is getting the dust of the road from the new way on the Parker ranch.

Mr. Kinney made a remark that is liable to create more consternation than any political bad word that has blown thither from Hawaii since annexation. He was sticking for the exact interpretation of a Hawaiian word, when Mr. Magoon showed some unrest of nerves over the seeming finesse, and he said:

"This may all go to Washington, and we want the record straight."

That "all go to Washington!" Then if Chief Justice Fuller do not accept superannuation, and as gracefully as possible will allow, it will be because interminable details of litigious allegations, all mixed through other, are the meat upon which the greatest jurists wax fat and full of sup.

Wm. R. Sims, master, has reported on the account of Samuel M. Damon, guardian of T. R. Keyworth, an insane person, covering the period ending March 31, 1905. The guardian charged himself with \$11,768.24 and asked to be allowed \$11,678.24. Disbursements include \$587.59 invested. The accounts are reported correct and investments proper. The master submits to the court a citation of law forbidding the charging of an estate in trust with the premium for surety on

the trustee's official bond. It was allowed by the court's predecessor, Judge Gear, and the master says:

"The propriety of recommending either an allowance or a surcharge of the item I am unable to determine. In view of the good faith of the guardian in seeking and obtaining the guidance and authorization of the court, while on the other hand there is the undoubted right of the cestui que trust to freedom from such charge under the law."

In this case the premium is \$200, the guardian's bond being \$25,000.

In the matter of the application of James Love for an allowance of \$600 out of his estate, the petitioner by his attorney, Henry E. Highton, has entered a demurrer to the plea in abatement of Annie K. Hart and James Love Jr. It is set forth that all the matters in the plea appear on the face of the petition, and therefore the plea in abatement is not the proper remedy of the respondents making it.

Judge Lindsay appointed Ng See administratrix of the estate of So Yong Chong, her late husband, without bonds. The estate is valued at \$385. Ninety-three shares of Oloa Sugar Co. are entered at \$5 a share.

Virginia Gomez was appointed by Judge Lindsay executrix of the will of her late husband, Jose do Espirito Santos, without bonds. The estate is valued at \$1575 and is left to the widow.

Lyle A. Dickey has brought a suit for partition against William C. Cummings, Clarissa C. Cummings, Esther Cummings Lucas, and Parker, Jonah B. Edward and Ernest Cummings, minors, the defendants being heirs of the late William H. Cummings, who died intestate at Husatsu Springs, Japan. Plaintiff bought a one-ninth interest in the property involved at a foreclosure sale. He says there is no dispute about title between the parties, and the property can be divided without sale. There are eleven parcels scheduled in the petition, the lands being on Oahu and on Maui.

A suit to foreclose mortgage has been brought by the Waiulua Agricultural Co., Ltd., against George H. Holt, Eliz. K. Holt, Annie Holt Kentwell, L. K. Kentwell, Victoria Ward and the Waiulua Sugar Co., Ltd. The mortgage is alleged to have been given by George H. Holt to Annie Holt Kentwell to secure a promissory note for \$2500 made July 27, 1901, and the property covered is George H. Holt's undivided interest in a parcel of land known as the ahupuaa of Paalaa, Waiulua.

Judge Lindsay granted a decree of foreclosure in the foreclosure of mortgage suit of the Bank of Hawaii, Ltd., vs. Samuel K. Pua and others, appointing W. R. Sims as commissioner under a bond of \$500. The debt is \$3471.33 including interest, and the mortgaged property the well-known Pua homestead at Kahawali, Kapalama, Honolulu, containing an area of 1.645 acres together with buildings thereon.

Wm. R. Sims has filed his bond in \$500 as commissioner of sale in the foreclosure suit of Bank of Hawaii vs. John K. Prendergast. It was stipulated in the decree that the property should not be sold before August 20 without the consent of Prendergast.

## DON'T EXPERIMENT.

YOU WILL MAKE NO MISTAKE IF YOU FOLLOW THIS HONOLULU CITIZEN'S ADVICE.

Never neglect your health.

If you have pain in the back, urinary disorders, dizziness and nervousness. It's time to act and no time to experiment. These are all symptoms of kidney trouble and you should use a remedy which is known to cure those troubles safely and surely.

Doan's Backache Kidney Pills is that remedy, and if you wish to be cured of kidney disease without experimenting, do not fail to use it. Others have been cured and cured permanently. Why not follow the advice of a Honolulu citizen and be cured yourself?

J. D. Conn, of this city, is a carpenter by trade, and is employed at the Oahu railroad. "I was troubled," says Mr. Conn, "with an aching back. The attacks occurred periodically for years, and especially if I happened to catch cold. There was also other symptoms which plainly showed that my kidneys were out of order. A short time ago, I heard about Doan's Backache Kidney Pills and the wonderful things they were doing.

"Proceeding, then, to Hollister & Co.'s drug store, I obtained some of these. Since taking these pills there is a great improvement in me. I always keep some of the pills on hand now so as to be provided for any emergency. I feel sure if anyone troubled as I was should give Doan's Backache Kidney Pills a fair trial they will not fail to be benefited by them."

Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes \$2.50) or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Remember the name, Doan's, and take no substitute.

## HANAIEI NOT SOLD.

The Inter-Island steamer Hanalei which has been laid up at San Francisco for the past year awaiting a purchaser, has been withdrawn from the market according to recent reports.

The Hanalei is one of the largest cargo boats owned by the local company, and with the amount of sugar produced here, constantly increasing, good use may be found for the steamer in the future. Anyway for the present the Hanalei has been withdrawn from the market.

Clarence L. Peterson, son of Dr. Chas. A. Peterson, leaves for the Coast on the Mongolia to enter Stanford University.

# VANILLA IN HAWAII

The Chronicle says: E. G. Edwards has imported the vanilla plant into Hawaii, the enterprise has proved successful beyond his fondest anticipations; the department of chemistry at the University of California has analyzed the product and pronounced it fully as valuable commercially as the best product of Mexico (where the highest priced vanilla is grown); the success of Mr. Edwards has stirred a great interest in the new industry, and in the fall of this year he will sail to Fiji to fetch 100,000 cuttings of the vanilla plant back to Hawaii for the use of himself and of others who are to begin its culture. That is to say, in a region of Uncle Sam's dominions where crops that can be grown profitably are much needed, Mr. Edwards has introduced one that seems certain to be grown successfully, which is peculiarly a "small farmer's" crop, and which pays a good profit on the capital invested, which need not be much. All this is told by the vanilla pioneer from Hawaii, and his own words are best to tell the tale.

It may be said right here, however, that the vanilla is a very valuable product of the soil. The best varieties fetch, when ready for the market, as much as \$20 a pound. The value of the vanilla beans imported by the United States during the last year was \$1,438,000. The most of this came from Mexico. Now the American planter seems likely to have a chance to supply in the course of time—the American market; and the birth of an important industry seems to have been born when this pioneer landed in Hawaii two years ago and saw a vanilla plant raised under glass. The idea occurred to him: perhaps it would grow outside of glass, in the interior. So he took a walk, as it were, into the interior. He came to Kona, a valley on the island of Hawaii, and there he found what he sought, a climate and a soil suitable for the growing of vanilla.

"I had long experience in the growing of vanilla in the Seychelles islands," said Mr. Edwards to a "Sunday Chronicle" writer, "and when I visited Kona I reached the conclusion that it was as well adapted as any place in the world to the cultivation of the plant. No vanilla had hitherto been successfully raised in Hawaii; indeed, there was no serious attempt to do so. A few plants were grown in gardens or conservatories as an exotic plant might be, but that was all. I had made up my mind to leave the Seychelles, hence my trip to Hawaii. When I investigated the region around Kona I made up my mind to try to raise the vanilla plant there. So I went to Fiji and bought some eleven thousand cuttings. Unfortunately, the steamship people put the plants in the hold, instead of transporting them on deck, as had been agreed, with the disastrous consequence that twenty-five per cent of the cuttings died before the vessel reached Hawaii.

"This was the first time, by the way, to my knowledge, that vanilla cuttings have been transported. I had boxes in which one hundred cuttings each were put, and left the ends of the boxes open for ventilation.

"I had taken up two hundred acres in Kona. Now, although the cost of labor in Hawaii is high compared with that prevailing in other vanilla-producing countries, I estimate that when the vines are bearing fully the vanilla can be put upon the market at a cost of about \$150 a pound. An acre will give from 250 to 300 pounds. This will give, and does give, a very handsome profit, as vanilla of the quality raised in Kona will fetch an average price of \$5 a pound. The price, of course, fluctuates with the state of the market. The best Mexican product fetches from \$4 to \$20 a pound. The Mexican vanilla is the best. The plant is also grown in Bourbon, on the east coast of Africa, in the Seychelles islands, and there is a large quantity sent from Tahiti into the United States. This last, however, is of very inferior quality, and does not bring more than fifty cents a pound."

The method of cultivation of this newest crop to enrich soil in Uncle Sam's land is thus briefly described by Mr. Edwards: "When we clear the land in Kona we allow it to remain for a few months to 'sweeten,' to get the benefit of air and sunshine. Then it is 'lined.' The lines are drawn eight feet apart, and in these lines the cuttings are planted five feet apart, which allows of about 1000 plants to the acre.

"The vines begin to bear about twelve months after being planted, but we find that it is not advisable to marry the plants in the first year, as to do so would impoverish the vines.

"Did I say we married the flowers? I did. Taking a thorn of the orange tree (instead of orange flowers, as at human weddings), or some other sharp pointed instrument, I open the female of the vanilla bloom and allow the pollen from the male part, situated immediately above, to fall into the receptacle. If this was not done no pod would be produced. About seven months elapses after fecundation before the pod matures.

"The first thing that is done after the pods are gathered is the plunging of them into water heated almost to the boiling point. This is done to check vegetation, and to prevent them from splitting. Then the pods are placed in blankets, and these into airtight boxes, which is done to sweat the bean. The following day the boxes and blankets are opened and the pods taken out, wiped clear of moisture, and placed in the sun. These operations, with the exception of the plunging into hot water are repeated for a term of about ten days. Then they are placed

on shelves to remain until they are thoroughly cured, after which the pods are placed in bundles, fifty pods to the bundle, then into airtight cases, ready for market.

"My really quite surprising success is leading other planters into the industry. The great drawback at present is the lack of cuttings; for the cuttings from my own vines I am using to plant, and there are no other available plants. But this will be remedied in the fall, when I shall go to Fiji and personally superintend the bringing of 100,000 cuttings to Kona. From each and every vine planted a cutting can be taken after twelve months, which means that every year a planter may double his acreage.

"And the vanilla crop has been an exceptionally successful one in Kona. No such disaster has befallen it as has come upon almost every other crop there—where coffee and tropical fruits are raised—that is to say, the blight of some insect or other. They say that there is a 'bug to everything that grows' in Kona, but so far the vanilla has had no such enemy.

"For the benefit of small farmers a large curing establishment is to be built, and there the curing will be done for him at a small cost. There is little machinery required, merely a few traps and a man with little capital can successfully engage in the vanilla culture. The Hawaiian Promotion Committee is already receiving many requests for information, and on all sides a large influx of vanilla growers into Kona is anticipated. There the rainfall is evenly distributed, the soil is all that it should be, and irrigation is not needed, as it is elsewhere."

It is desired by some of the members of the militia party who are going to Seagriff to represent the Hawaiian National Guard that there shall be furnished to the guardsmen to take with them samples of the various products of the islands, besides sugar, for distribution among the representative people from all parts of the United States who will be present at the shooting. This would seem to be a chance for the Promotion Committee and the several commercial bodies to get busy, as well as for the men and firms who are engaged in the industrial development of the islands.

The men who will be at Seagriff will come from all parts of the United States, and will naturally be anxious to find out what is doing in the more distant and tropical regions. There are more people on the mainland interested in Hawaii than the people here have an appreciation of, perhaps. Samples of island coffee, island tobacco and other products could be sent easily enough, and it might even be possible to send pineapples and samples of vanilla and even bananas, if favorable shipping arrangements could be made. At all events, the chance is worth trying—and the products that could be sent without any trouble at all would be well worth while. Because the militiamen from the several states would tell what they had seen and tested, and Hawaii would thus become talked about.

In short, this Seagriff trip will provide an excellent opportunity to do some of the kind of advertising for the islands that pays. It is the communities that have taken advantage of just such opportunities as this that have grown and prospered. Not a doubt that either Major Pratt or Col. Jones would take charge of the consignments, and see that they were used where they would do the most good.

The engagement of Miss Annie Hall to Mr. Francis Wong Leong, is announced.

## THE BRIGHT SIDE

of life. It is a feeling common to the majority of us that we do not get quite the amount of happiness we are entitled to. Among the countless things which tend to make us more or less miserable ill health takes first place. Hannah More said that sin was generally to be attributed to biliousness. No doubt a crippled liver with the resulting impure blood, is the cause of more mental gloom than any other single thing. And who can reckon up the fearful aggregate of pain, loss and fear arising from the many diseases which are familiar to mankind; like a vast cloud it hangs over a multitude no one can number. You can see these people everywhere. For their life can scarcely be said to have any "bright side" at all. Hence the eagerness with which they search for relief and cure. Remedies like WAMPOLE'S PREPARATION have not attained their high position in the confidence of the people by bald assertions and boasting advertisements. They are obliged to win it by doing actually what is claimed for them. That this remedy deserves its reputation is conceded. It is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites, Extracts of Malt and Wild Cherry. Nothing has such a record of success in Scrofula, Influenza, Throat and Lung Troubles, and emaciating complaints and disorders that tend to undermine the foundations of strength and vigor. Its use helps to show life's brighter side. Professor Reddy, of Canada, says: "I have much pleasure in stating that I have used it in cases of debility and found it to be a very valuable remedy as well as pleasing to take." You cannot be disappointed in it. Sold by chemists,

## EQUANIMITY OF OUR SAILORS.

Between the departure of our fleet from a certain base and the commencement of the Naval Battle of the 27th May, there was an interval of a few hours, during which time the blue-jackets were allowed to take a recess. Most of the crews averted themselves of their leave by sleeping. On observing this an officer, second-in-command of a certain battleship, expressed his admiration at the equanimity displayed by our sailors.

## GALLANTRY OF AN OFFICER.

A gun lieutenant in another battleship during the battle refrained from entering the gun turret because from that place he was unable to clearly observe the enemy. He, however, remained near a mast and from that position directed his gunners. The latter repeatedly asked him to seek safety within the turret, but this he refused to do. Similar gallantry is said to have been observed on board several other vessels on the Japanese side.

## A RUSSIAN HIROSE.

Among the Russian officers and men who participated in the naval battle in the Sea of Japan, there are some who have earned fame worthy of warriors. In particular, Captain Rojoff, Commander of the Admiral Nakhimoff, may be compared to the immortal Commander Hirose of our Navy. The Nakhimoff, as stated in our official report, was severely attacked by our main force and torpedo boats and destroyers during the day and night of the 27th and totally disabled. When she was about to sink in the vicinity of Tushima at dawn on the 28th, the commander of the vessel ordered her crew to land at the eastern coast of Tushima, and after disposing of all the secret papers, being assisted in this task by the chief navigating officer, he calmly changed his clothes, and was ready to share the fate of the vessel. Our commissioners appointed to capture the vessel tried to persuade him to come to the Japanese vessel, but all in vain. They forcibly conveyed him to the side of a boat, but by this time the vessel had heavily listed, and her end was drawing near. The captain looked for the chief navigating officer, and, failing to discover him, rushed into the vessel and sank with her. Our commissioners were deeply touched by the gallantry of this Russian officer. Fortunately he and the navigating officer were afterwards saved by a fishing boat and are now at one of the prisoners' quarters in this country.

## COMMANDER KAMAYA.

The Sado Maru, which was almost sunk by the Vladivostok squadron in its raid to the Tushima Straits in June, last year, acted as special service ship during the recent battle. On the afternoon of the 28th, she saved the officer second in command of the Vladimír Monomach and other Russians, who were drifting in the sea in

# IRWIN HOLDS OLD BONDS

The man who purchased the Territorial refunding bonds, Mr. William G. Irwin, is the holder of \$369,000 of the five per cent. bonds which it is supposed to refund with the three per cents for which the gentleman has given a premium. That fact, however, will but make the transaction the easier to carry out, and the same premium will be paid on the price of this lot as on the balance. The rest of the \$600,000 in bonds to be refunded will be called in by the Territorial Treasurer and the whole transaction will be closed up by the first of October.

The most favorable comment was heard on the streets and in financial circles yesterday upon the bond transaction carried through by Acting Governor Atkinson and Treasurer Campbell. Very generally the opinion was voiced that nothing better could have happened for the credit of the territory. There seems to have been small doubt that there was a combination in Wall street, in a quiet way, to get control of the entire Hawaiian bond issue. It is a good investment for idle money, and the banks could use the bonds.

And, of course, if the bonds were to be peddled about to the New York bond houses, nothing in the world could have prevented the success of the combination. In fact, under the circumstances, Hawaii has been lucky in the past to sell its bonds as well as it did. For the bond houses would keep each other advised of each new issue, and would not bid against each other. The fact that the refunding bonds have been taken up by local capital breaks the combination absolutely.

"It is an excellent thing for the credit of the Territory," said County Treasurer Trent yesterday, speaking of the sale of the refunding bonds to Mr. Irwin. "I was glad to hear of it. It shows that Hawaii can get all the money that it needs at home."

"A very good thing for the Territory," said Supervisor George W. Smith.

"The effect will be much more far reaching than most people imagine," remarked Bert Peterson. "The Wall street fellows will begin to sit up and take notice, realizing that there is money in Hawaii for Hawaiian securities. The effect of this purchase by Mr. Irwin will be to advance the price of every Hawaiian stock in the market. It is notice to the world that we believe in ourselves. Now the others will believe."

"It is a big thing," said W. R. Castle. "I am very glad that the sale has been made."

And this was the class of comment heard everywhere. Acting Governor Atkinson has been instrumental in bringing to a successful conclusion the move that has so far been most beneficial in establishing territorial credit on a high class basis.

## THE OVERLAND LIMITED.

ELECTRIC LIGHTED. RUNNING EVERY DAY IN THE YEAR. Only Two Nights between Missouri and San Francisco.

Montgomery St. San Francisco, Cal. S. F. BOOTH. General Agent.

the vicinity of Karasaki, Tushima. The same afternoon she hurled with due honors a Russian stoker who had succumbed to his wounds. She then endeavored to tow the Monomach. The latter, however, was hopelessly damaged. At 2:30 p. m. a tremendous explosion occurred in the vessel, and her bows began to sink. Commander Kamaya of the Sado Maru ordered the crew to assemble on deck and the band was instructed to play the Japanese song, "With the life in hand." Thus the sinking of the enemy's vessel was duly respected.

A communication was received yesterday by Supervisor Lucas of the supervisory road committee, from some party in Koolauloa, making charges against one of the employees of the road department in Koolauloa. The communication was referred to a special committee consisting of Lucas and Paele for an investigation of the charges. Mr. Lucas said yesterday that he did not feel at liberty to make the communication public until the committee had investigated it. He stated, however, that the official in question had been accused of misappropriating road funds.

Five applications for Kellett's job have been made to Judge De Bolt. The men who want to serve the court are Job Bachelor, D. L. Stain, A. A. Braymer, J. Marcellino and C. A. Hopkins. Bachelor is a former license inspector, Braymer was a clerk in the office of the Secretary of the Territory, Marcellino is a clerk in the Judiciary Department and Hopkins is bailiff of De Bolt's court. Judge De Bolt will probably not make any appointment before next week. George Lucas, clerk of the Supreme Court, is engaged in straightening out matters in the court.

Prof. W. H. Pickering, of Harvard, W. F. Pickering, Mrs. Pickering and Miss Pickering left on the Kinau for the Volcano yesterday. The party will remain on the big island about three weeks, and Prof. Pickering will make a study of the craters there with a view to comparison with lunar craters, which those of Hawaii are said to most nearly resemble.

## NOTHING THAT WILL TAKE ITS PLACE.

We have used Chamberlain's Colic, Cholera and Diarrhoea Remedy in our family for years for all bowel troubles, and it always gives the best of satisfaction. We never could find anything to take its place.—D. S. Booth, editor and proprietor of the Echo, Alice, Texas, U. S. A. For sale by all Dealers and Druggists, Benson, Smith & Co., Ltd., Agents for Hawaii.

# Rambour-Bremen Fire Insurance Co

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of F. A. SCHAEFER & CO., Agts.

# North German Marine Insur'ce Co.

OF BERLIN.

# Fortuna General Insurance Co.

OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

# General Insurance Co. for Sea

River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

# UNION PACIFIC

The Overland Route.

It was the Route in '49! It is the Route today, and Will be for all time to come.

## THE OLD WAY.

Illustration of a stagecoach pulled by a horse.

## THE NEW WAY.

Illustration of a train passing through a landscape.

Illustration of a steam locomotive.

Illustration of a passenger train.

Illustration of a modern train.

Illustration of a train crossing a bridge.

Illustration of a train in a tunnel.

Illustration of a train at a station.

Illustration of a train with a large passenger car.

Illustration of a train with a baggage car.

Illustration of a train with a mail car.

Illustration of a train with a dining car.

Illustration of a train with a sleeping car.

Illustration of a train with a parlor car.

Illustration of a train with a lounge car.

Illustration of a train with a smoking car.

Illustration of a train with a observation car.

Illustration of a train with a dome car.

Illustration of a train with a cupola car.

Illustration of a train with a pilot car.

Illustration of a train with a flag car.

Illustration of a train with a water tower.

Illustration of a train with a signal tower.

Illustration of a train with a station house.

Illustration of a train with a platform.

Illustration of a train with a ticket booth.

Illustration of a train with a baggage claim check.

Illustration of a train with a lost and found.

Illustration of a train with a first class car.

Illustration of a train with a second class car.

Illustration of a train with a third class car.

Illustration of a train with a fourth class car.

Illustration of a train with a fifth class car.

Illustration of a train with a sixth class car.

Illustration of a train with a seventh class car.

Illustration of a train with an eighth class car.

Illustration of a train with a ninth class car.

Illustration of a train with a tenth class car.

Illustration of a train with an eleventh class car.

Illustration of a train with a twelfth class car.

Illustration of a train with a thirteenth class car.

Illustration of a train with a fourteenth class car.

Illustration of a train with a fifteenth class car.

Illustr

CASTLE & COOKE CO., Ltd. HONOLULU. Commission Merchants. SUGAR FACTORS. AGENTS FOR The Ewa Plantation Company, The Waialua Agricultural Co., Ltd., The Koolala Cigar Company, etc.

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In Connection With the Canadian Australian Steamship Line Tickets are Issued To All Points in the United States and Canada, via Victoria and Vancouver.

Mountain Resorts: Banff, Glacier, Mount Stephens and Fraser Canon.

Empress Line of Steamers from Vancouver Tickets to All Points in Japan, China, India and Around the World.

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CHAS. BREWER & CO'S NEW YORK LINE Bark Nuanuu sailing from New York to Honolulu on or about March 1st. FREIGHT TAKEN AT LOWEST RATES.

REAL ESTATE TRANSACTIONS.

Entered for Record July 29, 1905. Lemuel C Ables to Claus Spreckels & Co. Kina and hsb to Josepha Kahawai D Wong See and hsb et al by atty of mtgee to D Campbell, etc.

Entered for Record July 31, 1905. Daniel Aka and wf et al to W O Crowell. Kawai Nathesuhau and hsb to W Vredenburg. Keona and wf et al to Gay & Robinson.

Recorded July 21, 1905. Nalu (w) to Joseph Kauluni, D; gr 4842, Kalaooa 3, N Kona, Hawaii. \$40. B 269, p 238. Dated May 17, 1905. J G Serrao and wf to Cabrlnha & Co, D; por lot 43 Patent 4606, Kaiwili, Hilo, Hawaii. \$75. B 269, p 239. Dated July 15, 1905.

Recorded July 22, 1905. Palolo Land & Improvment Co Ltd to Mrs Isabelle Souza, D; lots 3 and 4 blk 202, Palolo Valley, Honolulu, Oahu. \$1000. B 272, p 326. Dated June 24, 1905.

Recorded July 23, 1905. East of George C Stratemeyer by Tr to Manuel Gomes, D; por lot 362 of R P 3269 bldgs, etc, Pihiko St, Honolulu, Oahu. \$2550. B 272, p 327. Dated June 29, 1905.

Recorded July 24, 1905. Kalaan Kahuluna and wf to Rufus A Lyman, D; 1-2 int in por gr 1346, Koae, Puna, Hawaii. \$250. B 269, p 243. Dated Jan 17, 1905.

PROFESSOR J. E. DUERDEN ON HAWAIIAN ZOOLOGY

Last year Professor J. E. Duerden spent several months in Honolulu, studying and collecting the live corals of Hawaii, under the auspices of the Carnegie Institute. Professor Duerden was then connected with the University of Michigan.

The June number of "Science," the organ of the American Association for the advancement of science, contains the following pleasant and appreciative notice of the Professor's sojourn in Honolulu:

MARINE ZOOLOGY IN THE HAWAIIAN ISLANDS.

To the Editor of Science: At a time when zoologists are making their plans for summer vacation work it seems opportune to direct attention to the advantages offered even in such a distant territory as the Hawaiian Islands. During a visit to the islands last year, under the auspices of the Carnegie Institution, for the purpose of studying the living corals, I was afforded the privileges of the public aquarium recently established near Honolulu.

The aquarium is a modest structure, erected a little over a year ago, and is under the control of the Rapid Transit Company, though the funds were largely provided by the generosity of different gentlemen interested in the welfare of the islands. It is most advantageously situated at Waikiki Beach, a suburb of Honolulu, and the adjacent coral flats constitute most favorable collecting ground.

Our knowledge of the marine fauna of the Hawaiian Islands is becoming rapidly extended, mainly through the reports on the collections made by the U. S. Fishery Bureau, under the direction of President D. S. Jordan, during two successive seasons, 1901 and 1902. The large addition to the number of species of fishes alone shows how very desirable was such faunistic work, and other groups are yielding a corresponding number of new forms.

For the student of terrestrial forms the islands are particularly interesting on account of the influence of introduced animals and plants upon an indigenous fauna and flora. Representatives from the east and from the west, from temperate and from tropical regions, here flourish, and against the pests a strong corps of entomologists is engaged in further introduction of possible remedial forms.

"Of all situations about the island of Oahu, the submerged reef which extends from the entrance of the harbor of Honolulu to some distance past Waikiki furnishes the most prolific supply of fishes, both as to number of species and amount of the catch. This reef at low water is from a few inches to a few feet under water and extends from one mile to two or three miles from the shore, where the water abruptly reaches great depths.

Rhodes University College, Grahamstown, Cape Colony.

REFUNDING BONDS WILL BEAR DATE OCTOBER 4 (From Wednesday's Advertiser.) "I received a cablegram today from the New York trust people asking me whether it would answer our purpose if the refunding bonds were delivered here on October 4."

Throat Coughs A tickling in the throat; hoarseness at times; a deep breath irritates it;—these are features of a throat cough. They're very deceptive and a cough mixture won't cure them.

Scott's Emulsion is just such a remedy. It has wonderful healing and nourishing power. Removes the cause of the cough and the whole system is given new strength and vigor.

PROMINENT WEST INDIA MERCHANT CURES HIS DAUGHTER OF A THREATENED ATTACK OF PNEUMONIA. "Some time ago my daughter caught a severe cold. She complained of pains in her chest and had a bad cough."

SCOTT & BOWNE, Chemists 409-415 Pearl Street, New York 50c. and \$1.00. All druggists.

BAD COMPLEXIONS Dry Thin and Falling Hair and Red Rough Hands Prevented by CUTICURA SOAP.

MILLIONS use CUTICURA SOAP exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes, for ulcerative weaknesses, and for many sanative antiseptic purposes which readily suggest themselves to women, and especially to mothers, and for all the purposes of the toilet, bath, and nursery.

NO MONEY IN SIGHT TO REDEEM WARRANTS

"It is all off," said Treasurer Campbell yesterday. "The parties who were to put up the \$500,000 to handle the Territorial warrants, thus cutting off the discount of the banks, have notified me that the negotiations are at an end. They were to have made five per cent for the money advanced, but this with the time and trouble that it would have taken to adjust the deal and get matter in running shape, would have netted more than four per cent. They say that they can get four per cent for their money without any trouble at all—in fact, are getting four per cent for it now. And I suppose that that is true."

BRITAIN'S ADOPTED SAILOR PRINCE TO VISIT AMERICA

GIBRALTAR, August 1.—A British squadron under Rear Admiral Prince Louis of Battenberg, has sailed for a three months' visit in American waters.

His Serene Highness Prince Louis Alexander of Battenberg, G.C.B., G.C., V.O., Personal Aide-de-Camp to the King and Rear Admiral in the Royal Navy, is one of the most popular of Britain's sailor princes. Although a British subject and an officer of the British navy, Prince Louis was born in Graz, Austria, and his dominions are in Hesse, Germany. He was born May 24, 1854, and was the eldest son of Prince Alexander of Hesse and grandson of the famous Louis II, Grand Duke of Hesse. He married his cousin, the Princess Victoria, daughter of Louis IV, Grand Duke of Hesse, K.G., and of Princess Alice, the daughter of Queen Victoria. The marriage occurred in 1884. The Prince is a Protestant.



In 1868 the prince was naturalized a British subject and entered the Royal Navy as a naval cadet. He was made a sub-lieutenant in 1874, a lieutenant in 1876, commander in 1885, captain in 1891 and recently he was promoted to the grade of rear-admiral. Prince Louis served in the Egyptian War in 1882 and received a medal and the Khedive's Star. He has no property in the United Kingdom, but owns Hellenberg Castle and Estate in Hesse, Germany. His heir is Prince George, born 1892. The prince is a member of numerous London clubs. The fleet which England is sending to American waters under Prince Louis comes on an errand of good-fellowship between the two nations. England has recently acknowledged the sufficiency of the American navy to care for the Western Hemisphere by withdrawing her fleets from American waters. This will be the first visit of a British fleet to America since English vessels were withdrawn from Canadian waters and the Gulf. It is safe to say that the visiting squadron will be welcomed with a spontaneous demonstration of international friendship and that the visit of Prince Louis and his gallant tars will be one long to be remembered.

AFTERNOON REPORT. ST. PETERSBURG, August 1.—The Council of Ministers assembled today at Peterhof with the Emperor presiding. The object of the Council was to examine into the project for a national assembly. NAGASAKI, August 1.—Secretary Taft and party sailed today for Manila in the Manchuria. ST. PETERSBURG, August 1.—The draft of the new Franco-Russian treaty has been completed.



The steamer Maui arrived from Maui ports yesterday morning at 5 o'clock. The Mikahala sailed for Maui and Niihau ports last night at 5 o'clock. She took a small number of passengers.

Repairs are being made to the boilers of the U. S. S. Iroquois. The Honolulu Iron Works is doing the work.

The Inter-Island flag ship Mauna Loa sails at noon today for Lahaina, Maunaloa Bay, Kona and Kau ports. She will take a number of people going to the volcano.

The schooner W. H. Marston, which sailed for San Francisco last Saturday with a load of sugar, put back into port yesterday afternoon, having sprung a leak.

The O. S. S. Alameda will arrive from the Coast this morning with a week's mail and paper files. As she is just off the dry-dock she should make a good trip down.

The Lawton Minstrels are to give a performance at the Orpheum Theater tonight. The show will be given as a benefit for the wives and families of the victims of the Bennington disaster and merits a large attendance.

One of the coral trains of the Alakea, Kakaau & Eastern Railroad ran into a bunker occupied by some sailors yesterday. Fortunately no one was injured. The accident was caused by the horse which backed on the track.

The naval transport Solace and Lawton are receiving coal now. The black diamonds are being put into the bunkers as fast as a big gang of stevedores can do the work. The Solace will probably get away for San Francisco at about 5 a. m. Saturday. The Lawton will sail Sunday morning if present orders are not changed.

The dredger people are doing some heavy work now in the coral strata that the "Governor" has struck. The dipper no longer brings up mud but clean, cream-colored coral rock. Some of the big lumps are much bigger than it was intended the dipper of the dredger should handle. Some are too big to slide through the scoop when the bottom is opened.

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THE OLD RELIABLE ROYAL BAKING POWDER Absolutely Pure THERE IS NO SUBSTITUTE

Stone and two children; Lieut. J. E. Walker, U. S. N.; Lieut. C. M. Toser, U. S. N.; Mrs. C. M. Toser; Lieut. E. P. Jessop, U. S. N.; 2nd Lieut. W. Kurst, U. S. A.; Mrs. Wm. Korst; Ensign R. Morris, U. S. N.; Ensign E. E. Scranton, U. S. N.; Ensign E. J. King, U. S. N.; Ensign H. S. Klyce, U. S. N.; Ensign G. Darst, U. S. N.; Ensign D. C. Bingham, U. S. N.; Ensign W. W. Smith, U. S. N.; Ensign J. O. Fisher, U. S. N.; Ensign C. Bean, U. S. N.; Midshipman A. H. Van Keuren, U. S. N.; Midshipman F. G. Coburn, U. S. N.; Asst.-Surg. R. A. Bachmann, U. S. N.; Asst.-Surg. J. P. Traynor, U. S. N.; Asst.-Surg. J. H. Holloway, U. S. N.; Asst.-Surg. J. L. Neilson, U. S. N.; Mrs. Emma Neilson; Paymaster J. Brooks, U. S. N.; Mrs. J. Brooks and Misses Brooks (2); P. A. Paymr, S. E. Barber, U. S. N.; Mrs. F. W. Sibley, Mrs. Rogers and two children; Colonel Duncan and Misses Duncan (2), Mrs. J. D. Reame and child, Miss Beattie Bedell, Miss Agnes Bryant, Miss A. A. Tracy, Miss Roberta A. Johnson, Mr. L. Tucker; Chief Bos'n A. Anderson, U. S. N.; Gunner L. C. Hull, U. S. N.; Chief Carpenter F. Johnson, U. S. N.; Mrs. E. Johnson; War. Mach. C. Hammond, U. S. N.; Mrs. C. Hammond and Miss Hammond; War. Mach. D. Mulian, U. S. N.; War. Mach. J. Bryce, U. S. N.; War. Mach. H. E. White, U. S. N.; Paymr's Clerk J. B. Horton, U. S. N.; Mrs. J. C. McDermott, Mrs. J. A. Hickey, Mrs. Max Cazin and two children; Mrs. G. Anderson, wife and two children; Mr. D. T. Kirk, Mr. F. A. Lahnardt.

Per stmr. Mikahala, August 2, from Kauai ports: W. R. Kinlela, C. Healy and wife, Miss S. Kamaucha, C. H. W. Norton, J. M. Chose, Miss E. Ladd, H. F. Stipp, Master Felix, G. N. Wilcox, H. P. Payne, Mrs. E. Omsted, Miss C. Jordan, P. R. Isenberg, A. M. Davies and wife, Mrs. C. A. Felix, Miss L. Bushman and 40 deck.

Per bkn. Irmgard, August 1, for San Francisco: D. B. Maconachie and wife, Mr. and Mrs. Ferguson, Miss Ferguson.

SHIPPING INTELLIGENCE

ARRIVED. Tuesday, August 1. Stmr. Mauna Loa, Simerson, from Maui, Kona and Kau ports, 5:25 a. m.

Thursday, August 3. Stmr. Ke Au Hou, Tullett, from Kauai ports, 7 a. m.

Stmr. Maui, Parker, from Maui ports, 5 a. m.

Am. bk. W. H. Marston, Govt. from sea (in distress), 2 p. m.

Stmr. Heiense, Nelson, from Kawahala, Hilo and Hawaii ports, 2:50 a. m.

Wednesday, August 2. Stmr. Mikahala, Gregory, from Kauai and Niihau ports, 5:40 a. m.

Stmr. Niihau, W. Thompson, from Kauai ports, 6 a. m.

U. S. S. Solace, Bull, from Manila, Guam and Oriental ports, 9:15 a. m.

U. S. S. Lawton, Winder, from Manila and Guam, 5:45 p. m.

Departed. Am. bk. George Curtis, Calhoun, from San Francisco, 1:30 p. m.

Stmr. Niihau, W. Thompson, for Kauai ports, 4:30 p. m.

Stmr. Mikahala, Gregory, for Kauai and Niihau ports, 5:55 p. m.

Tuesday, August 1. Stmr. Kinau, Freeman, for Hilo and way ports, 12 noon.

Stmr. Likelike, Naopala, for Molokai, Maui and Lanai ports, 12:15 p. m.

Stmr. W. G. Hall, S. Thompson, for Kauai ports, 5 p. m.

Stmr. Noeau, Pederson, for Honokaa and Kukuhaele, 5 p. m.

Stmr. Noeau, Pederson, for Hawaii ports, 5 p. m.

S. S. Kirklee, Dermody, for Newcastle, 4 p. m.

Stmr. Niihau, W. Thompson, for Kauai ports, 5 p. m.

THE TROLLEY EXPRESS CAR

Honolulu has assumed its place with New York as one of the two cities having an electric city parcel delivery system under Wells, Fargo & Company's Express. The delivery service has been in operation for three days in Honolulu and already it is becoming very popular, and the business is increasing every day.

Two a day the express car goes over the Rapid Transit system visiting all the sub-stations and collecting and delivering parcels. The car is a regular electric express car, Number 81, and has the words, "Wells, Fargo & Company's Express—City Parcel Delivery" on the sides in English, Hawaiian and Chinese.

The express car makes two trips over the system each day and persons may meet the car at any street corner and give packages to the messenger or receive them, or they may have them delivered from the nearest sub-station. Unbreakable articles may be thrown into yards as the car goes past at the owner's risk, if he orders them to be so delivered. The company also does a C. O. D. business, taking parcels from stores and receiving the payment for them when delivered.

A number of American cities have electric express cars on interurban lines and have suburban express deliveries by trolley, but it is stated that Honolulu is the only city except New York having a city delivery on the city electric car system, and it is doubtful whether the New York system furnishes all the conveniences that the local one does.

PUGILIST HUIHUI SUED FOR DIVORCE

Bill Huihui, the prize fighter, is being sued for divorce on the ground of brutality. Rose K. Huihui, complaining of William H. Huihui, shows that they were married at Honolulu on December 28, 1904. She alleges that, beginning about six weeks after their marriage, her husband has been guilty of extreme cruelty toward her in the form of grievous physical assaults, he having "beaten, bruised, kicked, blacked the eyes and pulled the hair" of the libellant, "without provocation, excuse or justification."

On one of such occasions she caused his arrest, and he was fined in the District Court of Honolulu. About June 22 last at Lahaina, where the couple was visiting, the libellant states, he committed another unprovoked assault upon her, "causing her great physical and mental pain." He beat and bruised, blacked her eyes and otherwise disfigured her countenance. When she sought to prosecute him for this assault he compelled her to leave Lahaina and return to Honolulu before she could carry out the purpose.

Mrs. Huihui states that she is without means to pay costs or counsel, but had borrowed from friends sufficient money to pay the cost deposit, on her promise to repay the loan when the case should be decided. Neither of the parties has any property other than clothes and personal belongings. The prayer for divorce and costs of proceedings is immediately preceded by the following allegations: "That said libellee is by profession a prize fighter with a too highly developed disposition to practice the manual features of said profession upon this libellant; and that during intervals between his professional engagements said libellee is by occupation a dispenser of liquid beverages, generally called a bar tender, in Honolulu, at which occupation he earns sufficient to enable him to pay the costs, counsel fees, etc., incurred or which shall be incurred by said libellant in this action."

C. W. Ashford is attorney for the libellant.

THOS. CHRISTLEY'S WILL FOR PROBATE

Richard H. Trent files for probate the will of the late Thomas Christley, in which he is named as trustee and executor. The will was executed on July 19, 1905, five days before the testator's death, in presence of A. S. Humphreys and E. G. Ferreira. It leaves to the

widow whatever belongs to her under her marital rights, and for the rest the estate is to be held in trust for the maintenance and education of the testator's two minor children—Llewellyn, son, aged about nine years, and Beatrice, daughter, aged about seven years—until the younger child shall attain legal majority, and thereafter, to pay the entire revenue to them, share and share alike, until the younger shall attain the age of twenty-five years, then to convey the whole of the property to the children, share and share alike.

Full power is given to the executor to lease, mortgage, sell or otherwise dispose of the property without leave of any court, and it is the wish of the testator that no bond be required of him. It is directed that the executor shall receive five per cent. upon the gross amount of all and every sum of money coming into his hands.

The estate is represented in the petition as consisting of real estate in Honolulu valued at \$26,500 and personal property at \$1574.56, mostly cash.

MILITIAMEN WILL SAIL ON SATURDAY

On the naval transport Solace, sailing Saturday, the National Guard team will take passage for the shooting tournament at Seagirt. The team will be composed of Col. J. H. Soper, Col. J. W. Jones, Major James W. Pratt, Major W. R. Riley, Captains Sam Johnson, G. Rose, Alonzo D. Wise, Merle M. Johnson, James W. Thompson and Arthur Costa, Sergeant Edward Davau-chelle and W. S. Ellis, and Privates J. Gouveia, William Todd and J. Ferreira. The men will get transportation both ways, and draw full regular army pay according to rank while away. They will be gone probably six weeks.

It is the purpose of the Promotion Committee