## Cumarrial



## Aillerfisiry.



DAMY PACLFIU OUMMEHOLAL AUVERTISER, SEPTEMBER 8, 1891.


| (nimili $\triangle$ LAND CO.'S y |  |  |  |
| :---: | :---: | :---: | :---: |
|  | Three burglaries night before last | defies the police. Barefooted Bill Visit a Nu | ${ }^{66} \text { AOPUSt }$ |
|  | and one attempt. |  |  |
|  | International Rifle Association | Sunday night was celebrated by Barefooted Bill, or some one of the company |  |
|  |  |  |  |
|  | took place yesterday. |  | I had been troubled five months |
|  | chain bracelet has been |  |  |
|  |  |  |  |
|  | The Waialeale sails to-day at 4 | there by a trap door in the ceiling of the storerom. |  |
|  |  |  |  |
|  | Messrs. G. W. Macfarlane \& Co. offer 500 tons best Scoteh splint |  |  |
|  | for sale |  |  |
|  | Hon. J. S. Walker and several |  |  |
|  | M |  |  |
|  |  | rs | City, Pa., in whose e.mplog Inad |
|  | to town and will resume teaching at once. See his card. | this enorereatio oingingitity waskown by | Been for seven years. Finally I usedAugust Flower, and after using just August Flower, and ateers, was en-one bottle for two weks.tirely telieved of all the trouble tirely relieved of all th |
|  |  |  |  |
|  | Morgan \& Hitecheock an- cut in the price of fire- | Ono bar |  |
|  | wood, delivered in tow | Vst |  |
|  | new chemical engine for Engine | - |  |
|  | Company No. 2 came by the brigan |  |  |
|  | San Francisco. |  | at 39 James St., Allegheny City, Pa. Signed, JoHN D. Cox. |
|  | The Justices of the Sapreme Court were busy in their rooms yesterday, |  | G. G. GREEN Sole Manufacturer, Woodbury, New Jersey, U. S. A. |
|  | and the clerks at their and were heard. |  | ave alouertisenents. |
|  |  |  |  |
|  |  |  | THE HONOLULU |
|  | ouly ones on the Islands. |  |  |
|  | Yesterday's Bulletin seems to have been edited by the foreman. There was nothing in the editorial column except an advertisement of a sure |  |  |

Baddwin Lacomondives!

The anderaigned haring been appointed

ros tuif casamatres Baldwin Locome

Burrham, Parry, Willims \& Co,
 $\underset{\substack{\text { rece } \\ \text { rize and dutyle. }}}{ }$

Por Plantation Purposes,


 hero thit inatrin

> wM. G. IRWIN \& Co.,


Wr. G. Invin \& Canpany,

Lime and Cement

Compounds and Roofing

Fat Stanm Pipo Covering, all siseer
Fertilizers:
Wool Doast, Ment,

зск
High Grade Chemical Cane Manure.
grass skeds :
refingd sugars,
Falrbank Oanning Coo's Cornee
Beof, 1 and 2 lb. tins.
saimon in barbers,
NOTICE.


 HonoluIn. Sedt. 5. 1890.
112-9
C. AFAT, Dealer in Clothing, Puruishing Goods

General Merchandise
 next to Empire Saloon.



RUPTURE


Rae iinule

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 GENT'S FURNISHING GOODS,
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and much beter than theimporet.
 For sale by all Retailers honolulu soap works co II. W. Mecteswey \& SOSS 2778-3m AGENTS. NHW GOODS
 Hand-painted Porcelain Dinner Set. A few of those fine hand-embroidered
SILK and SATIN SCREEIN: EBBONY FRAMEES,
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Sill Shawls. Elegan Tete.s te Cups

## Manila Cigars and Cheroots

100 in a B Box.
Scart Pins in aroat var
Lily Bulbs.
A ew of those handy Mosquito ( Trns.
Also, an assortment of new styles of
Rattan Chairs and Tables Also, a small selection of JA PANESE Also a mes.
cosTUMElection early and examine this in
asortment of New Goods. WING WO CHAN \& $C 0$.
${ }_{2651-9}{ }^{\mathrm{N} \text { o. } 22}$ Nuuanu Street.

Millinery, Plowers, Peathers \&Norelties Ever Seen in Honolulu. CHILDRENS' UNDERWEAR BOY'S WAISTS, ETc. BOY'S \& MISSES' HATS JUST RECEIVED PER AUSTRALIA THE CHOICEST LOT OF
 New Goons Every Steamer. GOOD'S,

## McIntyre Block, Fort Street.

 Just Received Just IRece Pianos ! TiTM PianosFrom the Celebrated Factory of
C. BECHSTEIN, LONDON and BRELTE
H. HACKFELD \& CO., Sole Agents for the Hawaiian Islands.
$\mathrm{T}_{\text {at }}^{\mathrm{HIS}}$ PAPER IS KEPT ON FILE


In the Supreme Court of the Hawaiian Islands

In Banco.
July Term, 1891 The King $\underset{\substack{\text { vs. Willaan } \\ \text { Kalawata. }}}{\substack{\text { and }}}$ BEFORE JUD, C. J., BICEERTON, AND
DOLE, J. J.; M'CULLY, J., ABSENT. Agreed to be submitted on briefs without argument.




## 

The defendants were at the last
term of this Court convicted by the term of this Court convicted by the
jury on their appeal, on a charge of
violating Chapter 40 of the Laws of 1886, by being found by night witth
out lawnule excuse in or upon the en-
closed yard or houses of the Kapio closed yard or houses of the Kapio
lani Home in Honolulu. At the close of the case for the prosecution, the
defendants' counsel moved the Court
to discharge the defendants on the to discharge the de
(1) That the law under which the
defendants are charged is unconsti-
(a) That there is no evidence that
(2ither or both of the defendants are
ent either or both of the defendants art
vagrants, or that either or both of
them have no visible means of sub sistence within the meaning of the
law. That the facts are not sufficient
(3) bring the case within the charge
to This motion was denied, and th question bronght to os by the bill of
exceptions is whether it should have
been granted. been granted
The second
The second ground for the motion
to discharge the defendants is full to discharge the defendants is full
covered and disposed oo by ou
opinion in this case decided Febru
ary 10, 1891 Wa beld the the ary 10, 1891. We held that the sta-
ute in question (Chapter 40 of the
Laws of 1886) adds to the previ Laws question (Chapter 40 of t to
Laws adds to the previou
law, Chapter 37, Penal Code ( mhic
punishes punishes vagrants), several solenesses
which are ach as solicitiog
alms, subscriptions or contributions alms, subscriptions or contributions
under false pretenses, or entering by
night without lawful excuse a dwel ander false pretenses, or entering
night withount lawful excese a dwel
ling house, warehouse, outhouse ling house, warehouse, outhouse
onclosed yard, ett. We said "va- va-
grancy being a status rather than an amt, a, peroson found guilty of the last
mentioned offenses and mentioned offenses and punished
therefor, is not thereby convicted of
vagrancy vagrancy ven though the two classes
of offenses are defined in the same
act and punished with the same of offenses are defined in the same
ant and punished with the same
penalties." penalies. first ground that the Act
On tueestion is unconstitutional
in in question is unconstitutional,
counsel for dofense having failed to
file any brief, we are left to file any brief, we are left to conjec
ture the ground upon which this
Act may be attacked. It is not for
the Cont Act mayrt to proceed to the discous-
the Cout
sion of so serious a matter as the sion of so serious a matter as the
constitutionality of a law, unless its
repugnancy to the Constitution repungancy to the Constitution is
pointed out by counsel. For this
reason we pass reason we pass the point by.
In answer to the third point, we
find that the evidence was find that the evidence was conclusive
that the defendants were found by
nigh that the defendants were found by
night on the enclosed premises of
the Kapiolani Hom in Honolula for children of leprous parents, and that
no lawful excuse therefor was shown
by them. We therofore by them. We therefore overrule the
exceptions.
Deptoty Attorney-General Creigh-
ton for the Crent Depaty Attorney-General Creigh-
ton for the Crown; Messrs. Rosa
and and Kaulukou for defendan
Honolulu, August $26,1891$.

##  M. W. MeChesney \& Sons, Wholesale Grocers, Commission M 40 Queen st., Honolulu. ${ }^{2440-1 \mathrm{y}}$ JAMES NOTT, JR., TINSMITH \& PLUMBER King and Aln Honolulu, H . <br> TELEPHONE-Workshop, Mutual residence, Mutual, 236 . <br> Cold Estimates furnished on all classes of Plom bing nand Tinsithing work. FIrst class workmanship and material guaran-  <br> CASTLE \& C00KE

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diffusion machinery in aul its branches
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