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HAWAIIAN GAZETTE

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FAREWELL TO MONARCHY.

The Senate Passes the Turpie Res-

olution Unanimously.

WASHINGTON, May 29.—By a vote taken in the Senate today it is believed a large majority of the members of that branch of Congress are in favor of the annexation of Hawaii. A test vote was taken by the Senate on the resolution of Senator Kyle to force the Senate to act on his resolution of non-interference on the part of this Government with the present situation in Hawaii. He failed to get a vote on his resolution, but he succeeded in drawing from the Senate a most emphatic declaration upon the subject of annexation.

By a vote of thirty-six to eighteen the Senate today passed a resolution offered by Senator Vest declaring against the annexation of Hawaii by the United States at any time hereafter. Senator Frye, an acknowledged annexationist, said later: "That vote means a majority in favor of annexation. It certainly means a large majority in favor of the policy of non-interference. I hope the Senate will in a few days finally dispose of this matter. I do not believe there are more than eight Senators in the chamber who are opposed to some form of resolution declaring against interference on the part of the United States. I know of several who voted in the negative on the motion to table the Vest amendment who are in favor of the passage of a resolution against interference. I believe this majority will soon cause the passage of the long postponed expression of opinion."

Senator Vilas, it is said, will offer a compromise resolution as a substitute for Kyle's resolution. It declares against intervention, and omits any reference to annexation. Senator Kyle says there is great need of immediate action to quiet affairs in Hawaii.

"I have received word from the islands," he said today, "which convinces me that the royalists have been using every possible argument and fiction to persuade the natives that the President is going to take active measures to place the Queen back on the throne. One of my friends writes me that during a recent business trip to the island of Hawaii, the largest of the group, he found the royalists busily engaged in circulating a letter in the native language among the Kanakas assuring them that the United States would soon forcibly recover the Queen and warning them to keep away from the polls."

"It was broadly intimated that at any person who voted with the Provisional Government at the forthcoming election would be noted secretly, and that when the Queen returned to power, as according to these prophets she surely would, do all these individuals would be properly punished."

WASHINGTON, May 31.—The Senate today, Senator Mills of Texas alone voting no, passed the resolution declaring that the United States will not interfere with the affairs of the Hawaiian Islands, and that the United States will regard interference by a foreign power as an unfriendly act.

The Turpie resolution is as follows: Resolved, That from the facts and papers laid before the Senate it is now seen and inexpedient under existing conditions to consider at this time any project of annexation of the Hawaiian territory to the United States; that the Provisional Government therein having been duly recognized, the highest international interests require that it shall pursue its own line of policy. Foreign intervention in the political affairs of these islands will be regarded as an act unfriendly to the Government of the United States.

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Although the fact that the Rev. Dr. Talmage was to speak at Central Union Church was announced at very short notice, the news of it spread through the town like a prairie fire and a large audience gathered at the building at 3 o'clock. Dr. Talmage was introduced by Chief Justice Judd. His remarks were very ably translated into Hawaiian by the Rev. Steven Desha. Mr. Talmage spoke substantially as follows:

I have just stepped ashore for a few hours and go on in a few hours, but I find it a happiness to salute you with words of good cheer. I have heard



Young Dr. T. De Witt Talmage

(The picture is copied from the San Francisco Call. The signature was given an "Advertiser" man on the Alameda yesterday.)

for many years of the fruits and flowers and the hospitality of these islands, and now I say with the Queen of Sheba, "the half was not told." My remarks will be informal and I will only be careful to avoid all politics. I remember some years ago in London when addressing an audience I told them I should steer clear of politics, because an American's ignorance of English politics was only equalled by an Englishman's ignorance of American politics. Of all the centuries, this is the best century of all the decades, this is the best decade, of all the years of this decade, this is the best year. Of all the months of the year this is the best. This is the best week, and this is the best afternoon of all. We are at the same of history. It took all the ages to make this moment. I tell my tent toward the sunrise. The mightiest agency of the world is now on foot. The most popular book is the Bible. The most popular name is Jesus; 10,000 would die for him where one would die for any body else. The Gospel of Christ is making mightier strides than ever before in all history. The kingdoms of the world are becoming the kingdoms of Christ. Sometimes expressed by another, it is going forth from conquest to conquest. When in London I received a telegram from Gladstone saying, "Come to Hawarden." I accepted the invitation. Going up and down his park Mr. Gladstone said something which led me to ask him if he did not think some people had a wrong religion in the head and a good one in the heart. He said, "I have no doubt of it, and can give you an illustration." In the African war a soldier with a broken leg had to be left with an old woman. She refused a large sum of

ten different subdivisions be considered separately.

Carried.

Minister Smith moved the Convention go into committee of the whole.

Carried.

The President called Vice-President Wilder to the chair.

The committee proceeded to the consideration of Section 2, paragraph 1.

Councillor Allen moved to require three years' residence for naturalization.

Delegate Kahalelio moved it be five years' residence.

Delegate Robertson favored the provision as it stood in the original draft. He believed that every person of good moral character coming here and residing for a year and engaging in some lawful business, with the intention of staying here, should be entitled to the privileges of citizenship. Such a provision would encourage a desirable class of immigration.

At 12 M. the committee took a recess until 1:30 P.M.

AFTERNOON SESSION.

The Convention was called to order at 1:30.

Councillor Brown said that he sustained the amendment to make the necessary residence three years.

Minister Smith said he thought one year sufficient. The judge of the court must understand that the proposed citizen intends to become a permanent citizen. It seemed to him that after the person had performed all the necessary requirements he was qualified. It would be better to have a good class of citizens rather than a number of aliens who would be under the control of other countries. He would have to come to this Government for protection, not to others. He will have cast his lot in with this country. It will be better for us to have a number of people join us who will strengthen our Government and make us stable. The kind of people we desire are those who will become good citizens, who will enter into our industries. All these reasons weighed with those who framed this Constitution. I believe we should pass it as in the bill.

Delegate Baldwin: "I am in favor of a three year's residence. The next paragraph says the proposed citizen must become a permanent resident. It does not seem that a year is enough to make up his mind to comply with all the requirements here."

Councillor Waterhouse thought a compromise to two years would be a good thing and so moved.

Councillor Young: "I feel disposed to favor three years. A long period, such as five years, will stand in the way of people coming here. One year is too short a time."

Delegate Ables favored one year. He thought that the Convention lost sight of the fact that they wanted to become a little of a greater republic. There was a little danger of renegades and fugitives from justice becoming Hawaiian citizens.

Delegate Josepa favored five years' residence, on the ground that it would take a man at least that time to make up his mind.

Delegate Kuniakia favored the section as it was.

Delegate Kahalelio said that in the United States the law had been changed several times, but five years had been settled on permanently. He favored five years' residence.

Delegate McCandless favored one year. Several States in the Union gave all men who had taken out their first papers full rights of citizenship in one year. He favored such a clause here.

Delegate Carter thought the Council had done well in recommending one year. The right of citizenship was one that should be liberally recognized. All new-comers should have a welcoming hand extended to them if they come here intending to be good citizens of our country. We cannot afford to keep such new-comers waiting more than one year. "For the benefit of those who lay stress on the fact that a five years' residence in the United States is necessary, I would like to say that in many States those who have declared their intention to become citizens are given full rights of citizenship after one year, and in some cases after four and six months. We cannot afford to stand back of a five years' barrier. We must extend a helping hand to people, and we cannot make the time too short before we receive them into the full rights of Hawaiian citizenship."

The paragraph carried at two years. It was necessary to call the ayes and noes, resulting in the motion carrying by 17 to 15.

Paragraph 1 passed as amended.

Paragraph 2 passed as read.

Paragraph 3. Delegate Vivas moved to insert after the word "English," the words "or any other European." He said he had heard a great deal about emigration. Amongst these men there would be many who would be desirable citizens, but might not know English or be able to learn it in a year, so as to be able to explain the constitution.

President Dole said the reason of this provision was that English was to be the national language. It is the language of the future of this country, and it is a reasonable requirement that intending citizens should know it. The reason for not extending it to other European languages is, that it would be a discrimination against the Japanese and Chinese, which they have protested against. If such a provision should be introduced again it would bring on more trouble; that the Government wishes to avoid.

Delegate Kahalelio was in favor of the section as it stood. The English language was the language of the future, and it should be a necessity of Hawaiian citizenship.

Delegate Vivas—The argument is a poor one, as all men who come here are subject to our laws, whether they can understand them or not. The knowledge of English does not make a good citizen.

Delegate Hitchcock—I do not see why we should discriminate against any one who wants to become a citizen, just because he cannot speak English. He may be a good man, qualified in every other respect, and just because he cannot understand English, we will not take him. I move the paragraph be stricken out.

Delegate Carter—The short residence required is not sufficient to give a man of ordinary European extraction a chance to thoroughly understand the Government. A knowledge

of English is necessary for this.

Delegate Josepa said it was true that heretofore the Hawaiian was the language of this country; but there was no doubt that the English language was the coming language, and this clause was necessary.

Councillor Emmeluth moved to refer to a committee.

Councillor Ena moved to offer an amendment to Delegate Vivas' amendment, by inserting the words "or Asiatic." [Laughter.] The amendment was seconded by Delegate Hitchcock.

The amendment was lost.

Delegate Vivas' amendment to insert the words "or European" was lost.

The paragraph passed as printed.

Paragraph 4. Delegate Kahalelio moved to strike out the words "any article or articles of." Lost.

The paragraph passed as read.

Paragraph 5. Councillor Brown asked the Minister of Foreign Affairs if our treaties with foreign countries provided for naturalization.

Minister Hatch said he had no such knowledge of such treaties.

Minister Smith moved to substitute the words "reciprocally provided for" for the word "concerning."

Councillor Brown moved to strike the paragraph out.

Delegate Ables thought this a good time to stop and reflect on the paragraph.

Delegate Baldwin moved that the committee rise and report progress and ask leave to sit again.

The committee rose and reported, and the report was adopted.

Minister Hatch moved to adjourn until 9:30 today, in deference to the bereavement of the family of Minister Damon.

Carried.

Sixth Day.

WEDNESDAY, JUNE 6, 1894.

The Convention was called to order as usual. Prayer by chaplain. Roll call.

Minutes of preceding day read and approved.

Delegate Kahalelio introduced a resolution prohibiting smoking in the Convention.

Delegate Baldwin favored the resolution. Delegates Robertson and McCandless opposed it.

Delegate Kahalelio considered the delegates' attention should not be divided between the Constitution and a cigar.

The resolution was lost—12 to 15.

At 10 o'clock the Convention went into committee of the whole, Councillor Emmeluth in the chair.

Consideration of paragraph 5, section 2, article 18, was resumed. The paragraph is as follows:

5. He shall be a citizen or subject of a country having express treaty stipulations with the Republic of Hawaii concerning naturalization.

This had been amended by Minister Hatch, substituting for "concerning" the words "reciprocally providing for."

Councillor Brown renewed his motion to strike out the paragraph. He was afraid we might not be able to obtain the reciprocal treaties referred to, in which case all naturalization would be shut out.

Councillor Smith was not in favor of Mr. Brown's motion at all. He favored Minister Smith's proposition to substitute the words "providing for" for the word "concerning."

Councillor Wilder favored Mr. Brown's motion unless someone could satisfy him that it would be a good thing to shut ourselves up like an oyster and keep everybody out. The object of the paragraph was to exclude the Asiatics, but while they did that, they were excluding every other nationality.

Delegate Carter said that the Supreme Court of one State of the United States, and practically those of one or two others, had decided that Hawaiians were not eligible to citizenship. The intimation in regard to Asiatics was unwarranted, and might involve the Government in serious trouble. He moved reference to Judiciary Committee.

Carried.

Paragraph 6. He shall be of good moral character and not a refugee from justice.

Passed.

7. He shall be engaged in some lawful business or employment, or have some other lawful means of support.

Passed.

8. He shall be the owner in his own right of property in the Republic of the value of not less than \$200 over and above all encumbrances.

Passed.

9. He shall have taken the oath prescribed in article 100 of the constitution, and an oath abjuring allegiance to his native land or that in which he has heretofore been naturalized, and of allegiance to the Republic of Hawaii.

Passed.

10. He shall make written application, verified by oath to a Justice of the Supreme Court, setting forth all the foregoing requirements, and shall prove the same to the satisfaction of such Justice.

President Dole moved to add after "setting forth" the words "his compliance with."

Carried and the amended paragraph passed.

ARTICLE 19—DENIZENS.

No letters of denization shall be issued to any person not by this constitution eligible to become a citizen; except that no previous residence in the Hawaiian Islands, nor intention to become a permanent resident of the Republic, nor oath abjuring allegiance to his native land or of allegiance to the Republic, nor application to the Supreme Court, shall be required.

Councillor Brown moved to strike this article out. It placed too much power in the hands of the Executive. It would inevitably be a matter of political favor. It should not be possible for a resident of six weeks to be placed on an equal footing with one who had been here two years. He did not believe it was the practice of any other nation in the world to grant letters of denizenship under such circumstances.

Delegate Carter failed to comprehend why denizens should be absolved from the necessity of taking an oath of allegiance to the Republic. He would move to strike out the words "or of allegiance to the Republic."

Councillor Wilder moved to refer

the article to the committee having paragraph 5 of the preceding section in hand.

Carried.

ARTICLE 20.—DIVISION OF POWERS OF GOVERNMENT.

The supreme power of the Republic is divided into the executive, legislative and judicial. Except as herein provided these shall be preserved distinct.

Carried.

Delegate Carter moved to strike out the last sentence. The theory expressed originated with Montesquieu, but modern experience had exploded it.

Minister Smith moved the article pass as read.

Carried.

EXECUTIVE DEPARTMENT.

ARTICLE 21.—EXECUTIVE COUNCIL.

Section 1. The executive power of the Republic shall be vested in a President and Cabinet.

Carried.

Section 2. The Cabinet shall consist of a Minister of Foreign Affairs; a Minister of Interior; a Minister of Finance and an Attorney General.

Carried.

Section 3. The President and Cabinet sitting together shall constitute the Executive Council.

Passed.

Section 4. Wherever in this Constitution the action or approval of the Executive Council is required, it shall mean that the action or approval of a majority of such Council, of which majority the President shall be one, is sufficient.

Carried.

Councillor Ena did not favor a provision which enabled a majority of the Cabinet to override the President.

President Dole explained that this would be the case only in those cases where the Constitution vested the executive power in the Executive Council.

In France the President had been made a mere figurehead. This must be guarded against. The Constitution went very far in limiting the powers of the president, which he approved. But to allow the Cabinet to override the President seemed to him going too far.

Minister Damon held that where matters came before the Executive Council, the majority should rule. His experience as a Cabinet Minister before had convinced him of this. He would move reference to a committee, as this was a serious matter which should not be passed on without due consideration.

Minister Smith hoped that the section would pass as read, pointing out at some length the advantages of the measure.

Delegate Baldwin said the question was new to him, and he had not made up his mind. It was an important matter, and the Convention should go slowly on it. He moved reference to the Committee on Executive.

A discussion arose on the question of referring the article to a large or a small committee.

President Dole pointed out the radical distinction between the situation of a president and the sovereign. The president was elected for a term, strictly responsible, subject to impeachment, and with defined powers. The power of the President of the United States were greater than those of any constitutional sovereign in the world. The President here had far less power. He was limited in every direction. He could hardly appoint an officer without the approval of the Cabinet; he could not even remove one of his own cabinet without the consent of the senate. He approved of these limitations; but they might be carried too far, and that would be very injurious to the character of the Executive.

The section passed.

Delegate Carter moved to add a new section, as follows:

Section 5. Whenever requested so to do by the President and three of the Cabinet, a minister shall resign.

Delegate Carter strongly urged the importance of adopting the section. Previous experience had shown the necessity of a provision of this kind.

Delegate McCandless seconded the section. He heartily approved of it.

Delegate Robertson was not in favor of this amendment. The working of this Constitution would be that the Senate would practically elect the Cabinet. It would not be fair in such a case to allow three of those ministers to oust a fourth. Perhaps the election in the Senate would result in a compromise, the minority getting in one man. If this one could be thrown out by the others it would defeat the original intention of the Senate. The section would play directly into the hands of the "family compact" if such a thing existed.

Delegate Kahalelio favored the section and hoped it would pass.

Minister Smith said if the conduct of a Minister became of such importance as to impede the transaction of public business the Senate could be convened, and it could make the removal, with the consent of the President. He thought that on the whole it would be best to leave it there.

Delegate Lyman was heartily in favor of the article of the Constitution which vested the power of appointment and removal of the Cabinet jointly in the President and the Senate. The passage of this section would practically annul this provision.

Delegate Carter held that Delegate Robertson's arguments ran directly in favor of the section. A minority in the Senate might get a Minister into the Cabinet with the direct object of blocking annexation. The power which he proposed to vest in the President and majority of the Cabinet would only be used in cases of extreme urgency.

Councillor Brown held that this proposed section might be in conflict with Article 28, and he moved reference to the Committee on Executive.

Delegate Robertson submitted that this proposed amendment destroyed the symmetry of the Constitution which united the powers of appointment and removal. One member of the Cabinet would not be able to ob-

struct a treaty of annexation as such a treaty could be negotiated with a majority of the Cabinet and Senate.

The vote on the reference to a committee being a tie, the ayes and noes were called for with the following results:

Ayes—Dole, Hatch, W. O. Smith, Baldwin, Fernandez, Horner, Kahalelio, Kuniakia, Lyman, McCandless, Carter, Brown, Mendonca, Rice, G. N. Wilcox, Vivas—16.

Noes—Damon, King, Ables, Allen, Emmeluth, Ena, Hitchcock, Josepa, Kuniakia, Morgan, Nott, Robertson, D. B. Smith, Young, Waterhouse, A. S. Wilcox, Wilder, Young—18.

Absent—Bolle, Kalua, Pogue.

Delegate Carter moved further consideration of the amendment be deferred until Friday.

Councillor Waterhouse moved the amendment be tabled, but subsequently withdrew his motion.

Mr. Ables opposed the amendment, but also opposed haste; and thought Delegate Carter was entitled to a delay, as the Convention was divided.

The motion was lost.

Delegate Carter withdrew the amendment.

At 11:50 A.M. the Committee took a recess till 1:30 P.M.

AFTERNOON SESSION.

The Committee resumed its session at 1:30.

OF THE PRESIDENT.

ARTICLE 22.—QUALIFICATIONS OF PRESIDENT.

In order to be eligible to the office of President, a person shall:

Be not less than thirty-five years of age;

Have been born in the Hawaiian Islands or resided therein for not less than fifteen years;

And be a citizen of the Republic.

Councillor Brown moved the words "or resident therein for not less than fifteen years" be stricken out.

Councillor Smith objected.

Minister Smith moved to pass as read.

Minister Damon did not like to narrow this down so closely. In years to come there might be people here who would be eminently suitable who had not been here more than five years. He moved to make the necessary residence five years.

Councillor Waterhouse moved to compromise to ten years, seconded by Councillor Smith.

Delegate Kahalelio said he was in favor of fifteen years. He would like to have it to twenty years, but as the motion had been made to reduce to five and ten years he believed a good average would be struck at fifteen years.

Councillor Young was well pleased with the article as it stood. It is only fair that a foreigner coming here should remain for fifteen years before he should be eligible as President, and he should support the bill as read.

Delegate Baldwin: "It seems to me that it would take fifteen years for a man to enter thoroughly into our political life, and the time is not too short."

Councillor Brown's motion was lost. The article passed as read.

Delegate Robertson moved to strike out the word "of" in the title of the article.

Carried.

ARTICLE 23.—FIRST PRESIDENT.

..... is hereby declared to be the President of the Republic of Hawaii, to hold office until and including the thirty-first day of December, A. D. 1900, and thereafter until a successor shall have been duly elected and qualified.

Delegate Lyman moved that the words "Sanford B. Dole" be placed in the blank space. (Applause.)

President Dole moved that the matter be left until the third reading.

Delegate Carter did not think the matter should be left until the last, and hoped President Dole's motion would not be seconded.

Delegate Ables moved to strike out the year "1900" and substitute "1898," making it a four year term.

Minister Smith said this matter had caused a great deal of thought. Many thought it was a mistake to have the term fixed at four years, but that it should be fixed at six years, and that the President should not be eligible to re-election. The Executive thought that if the term was for four years only, the president should be eligible for re-election.

Delegate Ables said he had intended to move that the President be eligible for election to a second term. If a man serves us faithfully for four years he can be elected by the people again. The matter should be left to the voice of the people.

Delegate Kahalelio was in favor of the article as read.

Delegate Robertson said that he thought the discussion was out of order. It should be discussed under the next article. He moved to insert the year "1902," making an eight year term. The article on the Senate provides that the senators shall hold office until 1901. They will, therefore, have been in office for six years before they shall elect a President. In that time it may come about that they are not representatives of their constituents. My idea is that the senators elected in 1901 should elect the President.

Councillor Smith was in favor of the President of this Republic being elected by the people. He moved that the name of S. B. Dole be submitted to the people for ratification.

Minister Smith thought the matter was out of order. He called for the question on the first motion.

Delegate Vivas moved that the ayes and noes be called.

Councillor Ena thought the name Sanford B. Dole should be written out in full.

Delegate Vivas' motion was carried.

On the motion to insert President Dole's name, all voted aye except D. B. Smith, who said he did not think that appointments should be made. He voted no, but afterwards changed his vote to aye.

Delegate Ables moved to insert "1898" instead of "1900."

Delegate Baldwin thought there was considerable justice in the motion of Delegate Robertson to make the term eight years, on account of the fact that the senate would be in office for six years before it appointed a president.

Minister Smith said the two questions were somewhat related, but not especially so. Before 1900 there will

be three elections of representatives, and there will undoubtedly be some vacancies in the senate. Even were there not, the public will undoubtedly prevail. The six-year term he considered the best.

Minister Damon said that to put off the election of the President until 1902 or 1900 was entrenching too much on the good nature of the people. He thought it was better to give the people more voice in the matter, and to make the term shorter.

Delegate Ables said the fact that the body of men assembled here were not the people, should not be lost sight of. The Government did not want to act like a sole corporation.

Delegate Vivas said he did not believe there was a greater admirer of President Dole in the country than himself. But he did not believe the people should be saddled by a president for more than four years. Then, if the people wished, he could be re-appointed.

Delegate DePa thought that those who wanted four-year term today would think differently tomorrow. Had not the year 1900 been printed in the draft, he would be in favor of appointing President Dole for life. If the United States had a President for six years we would not be trying to form a Constitution, but would be part of the great Republic. Therefore he supported the motion to increase the term to eight years.

The motion to have the term extended to 1902 was carried.

The article passed as amended.

ARTICLE 24.—ELECTION OF PRESIDENT.

Section 1. On the third Wednesday of September, A. D. 1900, and on the third Wednesday of September in every sixth year thereafter, the Legislature shall meet to elect a President for a term of six years, to begin with the first day of January of the year following.

Section 2. For the purposes of such election the Senate and the House of Representatives shall sit together.

The election shall be by ballot, and the person receiving a majority vote of all the elective members to which the Legislature is entitled, which majority shall include a majority of all the Senators, shall be President for the succeeding term; or for the unexpired portion of such term in case no person shall have been elected prior to the first day of such term.

Section 3. If the Legislature shall fail to elect a President before the first day of January following the date when the Legislature is required to meet for such election, the President whose term has then expired shall continue to be the President until his successor is elected and qualified; but such failure to elect shall in no case discharge the Legislature from their duty to immediately proceed with such election.

Section 4. No President of the Republic shall be eligible for re-election as President for the term immediately following that during which he has been President.

Section 1—Delegate Baldwin moved that instead of "1900," "1902" should be inserted.

Carried.

Section 1 passed as amended.

Section 2 passed as read.

Section 3—Minister Smith moved to insert after the word "expired," the words "or the Minister acting as President."

Carried.

Minister Smith also moved that the words "his successor" should be stricken out, and the words "a new President" substituted. Not seconded.

Delegate Robertson moved that the word "the" after the words "continue to be" be stricken out and the words "or act as" substituted.

Delegate Carter moved to refer the section, with the proposed amendments, to the Committee on Executive.

President Dole did not think it necessary to do this, as the section was clear enough.

Delegate Carter withdrew his motion.

Delegate Robertson's amendment was carried.

THE ISLE OF CHAMPAGNE.

Charles A. Byrne and Louis Harrison are Declared the Authors.

HAYNE HANDLED WITHOUT GLOVES.

The Editor of the San Francisco Music and Drama Gives His Opinion of the Alleged Fact in Unmistakable Terms. —Says He is a Pretender.

Julian D. Hayne, who writes poetry, and who thinks he is an actor, was interviewed some weeks ago by a reporter on an evening paper, and, in the course of the conversation, the "gifted writer" stated that he was the author of a well known comic opera—the "Isle of Champagne." After this bold statement came out in print, the ADVERTISER, in a polite way, informed Mr. Hayne that he must be mistaken; but he would not be called down, and, in a letter, he reiterated that he was the man who wrote the libretto, but admitted that Byrne and Morrison, who are the reputed authors, assisted him in placing it on the stage. For a time the matter was dropped, but it is reopened this morning on account of an article that appears in the San Francisco Music and Drama under date of May 28th. The paper mentioned has a national reputation, and its editor, John F. Thrum, has a record for exposing people who attempt to foist themselves on the theatrical profession without the consent of the people who compose it. The article mentioned handles Mr. Hayne without gloves, and is very interesting reading. Mr. Hayne imagined, perhaps, that this city was inhabited by Indians, and that he could make extravagant statements without being questioned. He will not think so any more; but it is an even bet he will write another letter of explanation. Editor Thrum's remarks are appended:

A RIDICULOUS CLAIM.

Honolulu, the Hawaiian metropolis, is evidently being victimized by a person who calls himself Julian D. Hayne and boldly makes the following statements in the Star of that city: "I have written a great many songs and operas, though none have proven so successful as my Isle of Champagne, written at Vienna some time ago and now being played by the Rolin Hood Company." When this statement was questioned Hayne further stated in another communication that "Charles A. Byrne and Louis Harrison would be quite as surprised as I am to learn that any one claimed that either of them had anything to do with the words of The Isle of Champagne. The former gentleman arranged the libretto and Mr. Harrison the stage business." Hayne is a long distance from New York and has a fine opportunity to make the above or any other outrageously untrue statements without fear of contradiction. It is proof presumptive that he does not tell the truth, on the principle that "false in one means false in all;" for The Isle of Champagne is not being played by the Rolin Hood Company, nor have either of the organizations of that name owned and controlled by the Bostonians ever played it. Byrne and Harrison are the recognized authors of The Isle of Champagne, as far as libretto and lyrics are concerned, and have been receiving royalties therefore ever since it was originally produced. They are the authors of several other successful light operas, and it would be pleasant to know how many of these popular productions were written by this Hayne who says he is the author of many operas. As he names one of Byrne and Harrison's so readily, why not make a clean breast of it and confess that he wrote all of them? Hayne says that he has written a new opera upon the subject of the Hawaiian troubles and has sent it to his publishers, who will put it on the presses at once. That certainly proves him to be an author of experience, for writing an opera in a foreign country and sending it from there direct to the American publishers is exactly what an experienced author would do. Of course, the formality of copyright does not bother great authors, and possibly that is the reason why Byrne and Harrison hold the rights for The Isle of Champagne. Like all other distant and isolated places, Honolulu is easily imposed upon by a pretender like Hayne, to whom New York would become many degrees hotter than the "Paradise of the Pacific" were he to make such a ridiculous statement in a metropolitan paper.

While in Topeka last March, E. T. Barter, a prominent newspaper man of La Cygne, Kan., was taken with cholera morbus very severely. The night clerk at the hotel where he was stopping happened to have a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy and gave him three doses which relieved him and he thinks saved his life. Every family should keep this remedy in their home at all times. No one can tell how soon it may be needed. It costs but a trifle and may be the means of saving much suffering and perhaps the life of some member of the family. 25 and 50 cent bottles for sale by all Dealers. BENSON, SMITH & Co., Agents for H. I.

HARDEN IS OUT.

The Cheerful Young Man Objects to Being Called a Bandit.

Once more the shadowy groves of Chinatown will know one of their most favored spirits. Francis Leo G. Harden is again at large, and the heart of Arthur Fitzgerald is at peace. His chum is restored to him.

Harden was released Tuesday afternoon. He had been in jail ten days, and, although he is not averse to having ten days free board and lodging, yet he was very willing to leave his Merchant street dungeon.

Mr. Harden was seen last evening, shortly after his release. He said:

"I had a fine time while I was in jail. Attorney-General Smith had given orders that I was to have everything I wanted. I had coffee at 5 o'clock in the morning, all I wanted to drink, as long as it was not intoxicating, and other little dainties that common prisoners are not allowed. Yesterday I asked for scented soap, and the authorities rebelled. I could have everything but soap with a sweet smell. The line was drawn there. "Am I going away? Not by a d—d sight. Honolulu is all right, and Fitzgerald and I are going to hold the fort here for some time to come."

"One thing I want to say is this: I have been treated most unfairly by the Bulletin. It's awfully easy to call a man a thief, coward and bandit, as the Bulletin has done—and that is what makes the action so despicable. In spite of every inducement, I refused to give up the name of my masked friend; was that cowardly? I did not attempt to take a dollar of the \$500 which Bailey says he had; is that the action of a thief? I have been ten days in prison, without the semblance of a trial, and, in the eyes of the law, am innocent. I consider the action of the Bulletin on a par with an assassin who stabs his helpless victim in the dark."

Harden is cheerful, as usual. He seems very much pleased to get out of jail, and said he knew what he was about when he promised to leave on the Arawa. He hinted, last evening, that he might try to obtain a passage on the little schooner Kusiloff, as he thinks his talents will be appreciated in Guam.

THE NAVAL ACADEMY.

Admiral Walker to Have the Superintendency When He Returns.

It is generally accepted in naval circles that Admiral Walker is the President's choice for superintendent of the Naval Academy, and that that detail will be kept open for him until he returns to Washington in September next. The four years' term of Capt. Phythian as superintendent will expire in June, but he will continue to serve there beyond that date indefinitely, until regularly detached. Capt. Phythian is booked for an important sea command. Capt. McNair, superintendent of the Naval Observatory, is also a strong candidate for the Annapolis detail, and it is said that he may eventually be selected instead of Admiral Walker. Capt. Philip, commanding the New York, was an applicant, but withdrew, so it is said, on being informed that the President had promised the place to Admiral Walker. The latter is now at Honolulu, but is expected home in a few months.—Washington Star.

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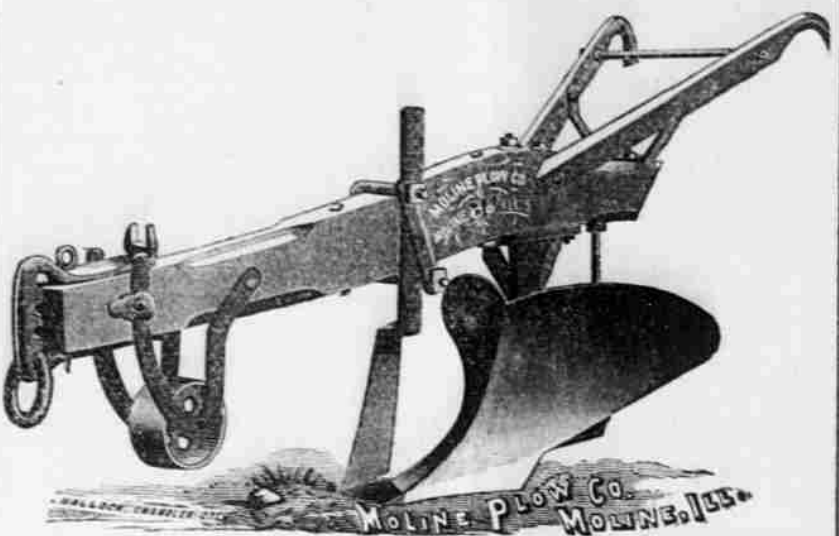
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NORTH BRITISH AND MERCANTILE

Hawaii in Gazette

SEMI-WEEKLY.

FRIDAY, JUNE 8, 1894.

SUGAR has dropped again. It has reached 278 cents, the lowest point in its history.

AN effort is being made in the Kona district to start a telephone system there, which shall connect with the lines running around the island. This is a step in the right direction, and it is to be hoped that the gentlemen who have had the enterprise to take the matter up will not let it drop until they have carried it to a successful issue.

LATE advices from New York show that the woman suffrage agitation is as active as ever. Outside of the large cities, it has failed to excite any general interest, but in New York city itself, and the other large centers, it has absorbed attention to the exclusion of almost everything else. The zeal with which many society women have thrown themselves into the movement, is an unexpected feature of the situation.

THE charges made by Senator Kyle and another that an attempt was made to bribe them to vote against the tariff bill is of a highly sensational nature. Senator Kyle is a man of high personal character, and not one to make accusations without good grounds for doing so. In the meantime, the result of all is that the tariff bill still hangs between earth and heaven, and no mortal can predict whether it will go up or down.

THE ADVERTISER has received a copy of Senator Higgins' speech on the annexation of Hawaii, made in the course of a discussion of the Wilson bill a short time since. It is able, eloquent and exhaustive, and shows that its author has bestowed a vast amount of attention and thought upon the Hawaiian question. It recapitulates the evidence from beginning to end, drawing upon Blount's and Morgan's reports, and making an extensive use of the correspondence. Senator Higgins also quotes largely from the famous Dole Reply.

THE Central Union Church was crowded yesterday afternoon with people, all eager to hear the famous Dr. Talmage. In spite of the prejudice against him excited by his sensational methods, it must be acknowledged that he has the indefinable gift of the orator. The preacher who turns his church into a theater, and then plays to the gallery, must as a rule content himself with the applause of the vulgar. Yesterday, however, there was little of this sort to offend. For half an hour the talented orator charmed his audience with such golden words that most of them would like to keep the appointment which he made with them, at the gates of heaven.

DISPATCHES FROM NOWHERE.

THE Holomua seems to possess in a remarkable degree that power to find and distill out that "soul of goodness in things evil" which Shakespeare says is always on hand. The Alameda's news, which was supposed by everyone else to have terminated royalty's last reprieve, has thrown this hopeful organ into a fever of prophetic jubilation. It claims that the Senate has declared itself fully in favor of the policy of restoration, and that Cleveland's hands are now free to carry it out. It predicts the immediate revival of the monarchy by American marines, and already sees "Her Majesty" walking back to her throne over the "corpses" of her enemies.

No one will believe that any intelligent person about the Holomua office really attaches any credit to these editorial dreams, supported by dispatches from nowhere. In the meanwhile, the interests of the native Hawaiian are incalculably injured thereby.

A LITTLE QUEER.

It is rather remarkable that no query is raised in the Convention as to the manner in which the Constitution when finally adopted is to become law. The question of two readings or three, which is after all a mere matter of detail, excites considerable debate, but the great question, What is to be done with the Constitution when it is passed, when and how is it to become a law, seems to trouble none.

The reason for this rather curious state of affairs may be that the majority of the delegates probably assume that the passage of the Constitution by the Convention will be an authoritative adoption, and of itself turn the document into law. That this is the case, however, seems far from certain. While it may not be necessary to determine at the present stage the mode by which the Constitution is to become law, it would seem proper at least that the Convention should find out where it stands and ascertain the limitations of its powers.

NATURALIZATION.

The Convention yesterday, after considerable debate, decided to fix at two years the length of residence required as a prerequisite to naturalization. The time named in the original draft was one year.

We think this change is not a judicious one, but is unnecessarily harsh. The peculiar conditions prevailing in Hawaii make it very desirable to throw as few obstacles as possible in the way of naturalization. The other conditions specified in the Constitution should be a sufficient protection against the naturalization of mere adventurers. Hawaii wants to get a good class of emigrants and of citizens, and the conditions under which they are obtained should be made as easy as possible.

It is very inconsistent to hedge naturalization about with grievous restrictions, and at the same time grant the rights of citizenship without requiring any naturalization at all. If the Convention really feels that citizenship should only be granted upon severe conditions, its members should be very chary of passing the special certificate section, which dispenses the privileges of citizenship with a free and liberal hand.

HANDS OFF.

The action of the Senate in passing the Turpie resolution is only the belated payment of a just debt. The course of the American Government toward Hawaii had been of such an equivocal nature, that a specific declaration of its policy was rightfully Hawaii's due. That this declaration was for months not forthcoming has been a grievously disturbing factor in her internal affairs, and has worked a practical injury which we have been compelled to suffer in silence. It has kept alive the futile hopes of the royalists, and has thus delayed the work of reconciliation, of binding up wounds, which must be completed before the future of Hawaii is assured.

There is no need, however, of any recrimination. It was not to be expected that the United States Senate should fully realize the fact that its inactivity had an unfortunate influence in the domestic affairs of this country. The Senate has spoken at last and very much to the purpose, and the friends of Hawaii have every reason to be satisfied.

THE Constitutional Convention has given itself to its work with a seriousness and a dispatch which reflect upon it the greatest credit. In fact, more rapid progress would imply the haste of carelessness, not the speed of earnestness. It is, of course, at this early stage, impossible to prevent the duration of the Convention, but all indications are that it will not, at the longest, outlast the month.

Dr. Talmage, accompanied by Chief Justice Judd, spent a few minutes at the meeting of the Councils yesterday afternoon.

TOO MANY YEARS.

The Convention voted yesterday to confirm President Dole in office for a period of eight years, or until 1902. We believe that the community generally will regard this as a mistake which the Convention should not fail to rectify upon the second reading.

While the confirmation of the President in his office by the Constitution itself is open to some objections, it is a compliment which he has richly earned, and in taking this course there can be no doubt that the Convention will simply give expression to the confidence in the capacity and fidelity of Mr. Dole, which is felt throughout the islands. At the same time the term of four, or at the farthest six years, should not be exceeded. The objection to the six-year term, that under the provisions of the present draft the Senators chosen this fall would participate in the election of the second President, is, of course, a valid objection, and to obviate it the date of the election of the second set of Senators should be changed. The difficulty is one which can be disposed of with very little trouble.

CABINET UNITY.

There is much to be said in favor of the amendment proposed by Mr. Carter, to require the resignation of any member of the Cabinet on the request of his colleagues and of the President. This would make it impossible for one inharmonious member to interfere with, and, if not successful in blocking the measures or policy of the rest of the Cabinet, to impair very seriously the prestige or efficiency of the Government.

It is not every man who either understands or if he understands will conform to the rules which ought to govern in all Cabinet matters. No Government can long succeed which does not in its final action act as a unit. No Government will last long which has in its members who decline to abide by the determinations reached by the majority of their number or who goes, "on his own hook," with measures which concern the national policy.

Only a man who is thoroughly alive to the necessity and binding obligation of unwritten Cabinet law can be trusted long in such a place. The joint responsibility which prevails among partners cannot be discarded with safety.

Any Cabinet is liable to be wrecked by a member who persists in acting on his own ideas without reference or deference to his colleagues.

But what shall be done in such case, assuming as often would be found, that such member insists on his own way, and will not resign?

It is a balancing of evils, whether to require such member's resignation at the request of his colleagues, or to retain him until a majority of the Senate consent to his removal, and to the appointment of his successor.

Volcano House Transportation.

A short time ago some tourists complained that J. R. Wilson's transportation service to and from the Volcano House was not of the best, but it is evident that there was no cause for complaint, as Rev. H. H. Rice and the members of his party have sent Mr. Wilson a flattering testimonial, in which it is said, "such complaints are unfounded and without any justification whatever. In short, we have nothing but praise for that part of the trip entrusted to your care."

Mr. Sylvanus Crosby, for many years Hawaiian Consul at Callao, died on the 10th of April.

I have two little grand children who are teething this hot summer weather and are troubled with bowel complaint. I give them Chamberlain's Colic, Cholera and Diarrhoea Remedy and it acts like a charm. I earnestly recommend it for children with bowel troubles. I was myself taken with a severe attack of bloody flux, with cramps and pains in my stomach, one third of a bottle of this remedy cured me. Within twenty-four hours I was out of bed and doing my house work. Mrs. W. L. DUNAGAN, Bonagua, Hickman Co. Tenn. For sale by all Dealers BROWN, SMITH & Co., Agents for H. I.

THE COUNCILS IN SESSION.

The Davies Correspondence Is Read at the Meeting.

THE WINE BILL BECOMES A LAW

Mr. Tenney Wants Some Explanation as to the Sudden Enforcement of the Sunday Law—The News of the Passage of the Turpie Bill Creates Applause.

The Councils met at 1:30 yesterday afternoon, with President Dole in the chair. There were present Ministers Hatch, King, Smith and Damon, and Councilors Tenney, Young, McCandless, Nott, Morgan, Mendonca, Emmeluth, Waterhouse, Wilder, Allen, D. B. Smith, Ena.

REPORTS.

Minister Hatch noted the receipt of the following telegram from Mr. Hastings:

"Advise Hatch that Turpie resolution passed Senate by unanimous vote." (Applause.)

Minister Hatch also reported that the objectionable clause had been stricken out of the Chinese petition and recommended it being referred to the Constitutional Convention, which was done.

The Minister of Finance presented his weekly statement which was received and placed on file.

Minister Damon asked for instructions from the Council as to printing the weekly finance statement.

Mr. Allen thought the reports should be published, as they were important.

Minister Emmeluth thought the Finance report was a matter of news, and the newspapers should publish it as news.

Mr. Ena thought it necessary to publish it only in one paper.

Mr. Allen moved to have the report published and charged to the expenses of the Provisional Government.

Carried. Mr. Emmeluth reported for the committee on the wine bill. He presented a substitute act.

ACT.

An act licensing the manufacture of wine from grapes of Hawaiian growth, and the storage and collection of an internal revenue thereon.

Be it enacted by the Executive and Advisory Councils of the Provisional Government of the Hawaiian Islands:

Section 1. The Minister of the Interior is hereby authorized to grant licenses for the manufacture of wine from grapes of Hawaiian growth, provided the applicant for such license shall first file with said Minister a bond in the following form, with one good and sufficient surety:

"Know all men by these presents that we, ———, principal, and ———, surety, residing at ——— in the island of ———, Hawaiian Islands, are held and firmly bound unto ———, Minister of the Interior, and to his successors in office in the penal sum of Five Hundred Dollars to be levied on our respective joint and several property, in case the conditions or any or either of them herein set forth shall be violated. For the faithful payment of which we hereby bind ourselves, our heirs, executors and administrators.

Witness our hands and seals this ——— day of ———, A. D. 18—

The condition of this obligation is, that whereas the said ———, principal, has this day obtained a license to manufacture wine out of grapes of Hawaiian growth; now, if he shall not manufacture any brandy, rum or other spirituous liquors; if he shall send the wine so manufactured to the Collector General for storage in bond; if he shall not manufacture wine out of grapes grown in any foreign country; if he shall not sell any wine manufactured under this license to any person other than to licensed dealers in spirituous liquors; if he shall, on or before the last day of December in each year, furnish the said Minister with a correct statement, in writing of the quantity of wine manufactured by him during the past year, the quantity sold and still on hand, then this obligation to be void; otherwise, upon proof being made to the satisfaction of any District Magistrate of the violation of any or all of the above conditions, the penalty mentioned in the above bond shall be forfeited for the benefit of the Hawaiian Government.

(L. S.) ———, Principal.

(L. S.) ———, Surety.

Section 2. All wine manufactured under the provisions of this act shall be sent by the manufacturer or licensee to the Collector General of Customs, who shall store the same in bond, subject to such rules and regulations as may be in force regarding the storage and delivery of imported wines and spirits in bond; provided, however, that the rate of storage of such wine shall not exceed one-quarter of one cent per imperial gallon per month.

Section 3. The Collector General of Customs shall levy and collect an internal revenue upon all wine so manufactured and stored, of one-half of the amount levied and collected upon wines of foreign manufacture of equal alcoholic strength. Such internal revenue shall be collected upon the delivery of such wine to any licensed dealer in spirituous liquors purchasing the same from the manufacturer thereof.

Section 4. Upon a forfeiture of the bond provided for in Section 1 of this Act, the license granted by the Minister of the Interior shall cease and determine.

Section 5. Whoever shall manufacture wine for sale without first obtaining a license as prescribed by this Act, or who, having obtained said license, shall sell said wine otherwise than as prescribed by the conditions of the bond set forth in Section 1 of this Act, shall, on conviction thereof, before any District Magistrate, be liable to the fines and penalties prescribed for selling spirituous liquors without a license.

Section 6. An act permitting the manufacture of wine, approved on the 13th day of December, A. D. 1893, and

and her acts or parts of Acts in conflict herewith are hereby repealed.

Section 7. This Act shall take effect from and after the date of its publication.

The report was laid on the table for consideration with the bill.

PETITIONS.

Mr. Tenney presented a petition from W. W. Savase, Mr. Pfeffer and E. A. Jacobson, asking leave to name and number the streets in the city. Referred to the Executive.

Mr. McCandless asked if it was true that T. H. Davies had applied for permission to represent this Government at Ottawa. If so he moved that the correspondence be read to the Councils.

Carried. Mr. Tenney asked, while waiting for the correspondence, what the sudden activity of the police meant in regard to the Sunday law.

Minister Smith—Police have been reporting that the shops have been kept open more and more, and business carried on. The Deputy Marshal was instructed to warn all those who were not allowed to keep open to close their doors. Nearly all those who were spoken to were willing to comply with the law, provided that it was enforced impartially. A few did not regard it and were prosecuted.

Minister Hatch then read the Davies correspondence, which appears elsewhere.

Minister Hatch stated that a few words had been left out of the appropriation bill for the military last week, and moved that the bill be amended by adding the words "for the support of the military forces of the Government."

Carried and the amendment passed its first reading.

The rules were then suspended and the amendment passed its second reading.

UNFINISHED BUSINESS.

The wine bill was then taken up again for second reading, and was considered section by section.

Mr. Emmeluth moved to substitute section 1 of the substitute wine bill for section 1 as read.

Minister Smith favored making the term of license three years and was agreed with by Mr. Emmeluth. After some discussion, three years was fixed as the limit.

The rest of the substitute bill was substituted for the original bill, and the act passed as a whole.

The Councils then adjourned until 7 o'clock this evening.

OFFICERS ELECTED.

The Meeting of the Hawaiian Evangelical Association.

The Association met at 9 A. M. yesterday at Kaunakapili Church. The reading of the minutes was postponed in order to have time for addresses from other nationalities.

Mr. F. W. Damon spoke for China's millions. Their national history reaching back thousands of years before the Christian era was a record of unique and honorable among all the peoples of the earth. The many of mingled Hawaiian and Chinese blood had reason to be proud of their Chinese descent. He showed a brick he had brought from the Chinese wall, 1500 miles long, built 220 years before Christ. But the higher and more ancient wall of exclusiveness that Satan had built around the nations was disappearing under the mollifying influences of Christian philanthropy. He showed also a praying machine from Tibet, almost the only machine remaining into which the light of the Gospel has not penetrated. By recent telegrams we learn that permission has at last been given for strangers to make permanent homes in that country, and soon the superstition, that trusts in a whirligig, will be supplanted by a living faith that welcomes the Divine Redeemer into the heart.

Rev. Mr. Hoshima, pastor of the First Congregational Church, Tokio, Japan, told of the recent wondrous progress of the Gospel in his country, and the influence it has there, as here, in uplifting the lives as well as the ideas and hopes of men.

Rev. A. V. Soares spoke for the Portuguese, rejoicing that God's love know no limitations of color or clime but all were his children, equally near and dear.

Hon. P. C. Jones spoke for the Central Union Church at whose prayer meeting last evening a deep interest was aroused as the story was told of the burden of debt that had fallen on the Hawaiian Board this year. It was the wish of many that it should not be allowed to hamper the work in the least. Retrenchment had begun and that was wise; but it would be better to rise to the emergency and meet it with renewed effort. He said that he was ready to give \$500, and hoped others would be as ready and willing to help lift the burden, and push forward the work with new vigor.

The Treasurer's report was read by W. W. Hall, who explained that the liabilities remaining unliquidated were book accounts for publications. These had accumulated while the money imperatively needed for current expenses, though given with even more than the usual unstinted generosity, had not been sufficient for all the necessary expenditures in the greatly enlarged work of the Board since the incoming of so many different nationalities.

Rev. O. P. Emerson read the annual report of the Board giving condensed accounts of the educational, publication, home mission, foreign mission departments of the work. There has been no retreating in the face of special difficulties. The record of the year is one to inspire hopefulness and call forth new enthusiasm, fuller consecration.

Rev. Dr. Hyde read the annual report of the North Pacific Missionary Institute. Ten students have been in attendance through the year, the same as last year. Vacant parishes are waiting every one. Generous friends had made special contributions. The new buildings now afforded accommodations for nearly fifty ministers and delegates during this anniversary week. At the close of his report he said that he had been trying for several years to have an associate appointed by the American Board. Word came from Boston that

a man could be found, but the money could not be secured. He said that he had offered to relinquish his salary entirely, and with his wife would trust to other means of support, if the Board would send out next October some one to help in the work, which he did not propose to relinquish in any particular, but wished to have pushed forward on new lines. Letters had just come saying that the American Board would accept the offer and send an associate to begin work in the Institute next October.

The Association elected the treasurer and secretary for another year by acclamation. The members of the Hawaiian Board, whose term now expires, were re-elected.

THE TWENTY-SEVENTH TIME.

Annual Closing Exercises of the Kawaiahao Seminary.

The annual exhibition of the Kawaiahao Seminary was held at the old stone church last evening. The exercises were greatly enjoyed by the audience present. The girls are a credit to the careful instruction which they receive.

The following is the programme presented:

1. Chorus—"Night Sinks on the Wave"..... Henry Smart
2. Bible Recitation, 100th Psalm. Prayer.
3. Composition—"A Loaf of Bread"..... Abigail Alkue
4. Piano Solo—"Nocturne"..... Lucy Leleio
5. Hoop Drill..... Fourteen Girls
6. Recitation—"Rit tum tidi tidi"..... Helen Desha
7. Chorus—"Queen's Gavotte"..... Liluokalani Kawaiahao Seminary.

PART II.

8. "Euchantment"..... Herman Hawaiian Orchestra.
9. Composition—Kapiolani..... Julia Lovell
10. Piano Solo—"Mignon"..... Spadler Lydia Aholo.
11. "Daisy Time" (arranged by)..... Miss L. B. Davidson Children of Kawaiahao Seminary.
12. Piano Solo—"La Voix du Ciel"..... Nelly Violet Lima.
13. Composition—Th..... Higher Education of Hawaiians..... Emma Ai
14. Chorus—"Lullaby"..... Goward "Spring Waltz"..... Veazie
15. Recitation—"Jephtha's Daughter"..... N. P. Willis
16. "Aia Hiki Mai," "Ua Like no a Like"..... Kawaiahao Seminary.

Nigel Jackson arrived on the S. G. Wilder yesterday. This time he did not stow away, but worked his way down like a little man. At first the Custom House people were not going to allow him to land, but later in the day they changed their minds. Jackson says that he is glad to get back.

307

May 28, 1894.

There's roast beef, fowl and ham and knives for cutting each separate article. For beef, we have the celebrated French Cook Knives that stand without an equal for kitchen work. Then there's the long "Jointed," built expressly for carving fowls. In the hands of anyone, the obstacle in the way of finding the second joint is removed, the jointer gets there while you are thinking about it. And when you get to ham—good sweet ham, you want a long thin knife that will carve so you can see the steel through the slice. We have the knives for this class of work and they're good ones. The French Cook Knives are not remarkable for beauty, but they are "away up" for use.

For bread or cake, get a Clauss Knife; it is always in condition, because your cook cannot use it for cutting meat or splitting kindlings, it's made for bread or cake, and will cut without making crumbs. No other knife will do as well as the Clauss for the purpose.

As soon as the Iwalani matter is definitely settled, we expect to receive an order from the government for material enough to fence Necker island with the Jones Locked Fence. Economy is the order of the day and when the government can get a better article for eight cents than it usually pays 17 cents for it will get it.

THE HAWAIIAN HARDWARE CO., 307

FORT STREET, HONOLULU.

LOCAL BREVITIES.

Good-bye, monarchy.

Hall's furrow plow is attracting a great deal of attention.

The Paradise of the Pacific offers a prize for a short story on Island life.

Kona people are trying to make arrangements to have a telephone system put in their district.

Neil Boyle has resigned from the police force to accept the position of driver of No. 2 engine.

J. D. and Adolph Spreckels recently purchased a piece of property for which they paid \$500,000.

J. Monsarrat, of Kapapala ranch, is prepared to take parties to Mokuweo, the summit of Mauna Loa.

Captain Barker, of the Philadelphia, was an interested spectator at the Convention yesterday afternoon.

Enough horses have been entered to fill every race on the 11th of June programme. Some close contests are looked for.

The crew of the Irwin were all ashore yesterday, engaged in raising a new flag pole at W. G. Irwin's Waikiki residence.

Interpreter Wilcox says that W. O. Smith is the most sensible man in the whole Convention. He translates his own remarks.

A large number of people went on board of the Alameda yesterday to shake hands with Dr. Talmage. Some were successful and some were not.

The funeral of the late Edward C. Damon took place yesterday afternoon from his late residence. The body was interred in the Nuanu cemetery.

A variety company will arrive on the Belgic, due here on July 5th, and will give a performance at the Opera House. The company is en route to India.

A book entitled "Vestiges of the Molten Globe," by W. L. Green, is wanted. Anyone having the volume is requested to communicate with "X." at this office.

If the new Hawaiian opera of Julian D. Hayne was written by the same author as his "Isle of Champagne," it will be a success. If he wrote it, it probably will not.

Julian D. Hayne, poet and author, expects to leave for San Francisco this morning on the barkentine Jane L. Stanford. The band will not be present when the vessel swings out.

It did not take very long yesterday for the public to find out that Dr. Talmage would deliver an address, as the Central Union Church was well filled before the preacher appeared on the platform.

Lieutenant Boeter, who wants to eat fruit and wear no clothes, departed on the Alameda yesterday bound for Samoa. Contrary to his usual custom, the Lieutenant wore a hat when the steamer pulled out.

B. R. Foss, the Kauai school teacher, who was arrested a few months ago and taken back to California on a charge of embezzlement, has been found guilty and sentenced to five years in the penitentiary.

James Steiner pleaded guilty yesterday to a charge of violating the Sunday law. He was fined \$1 and Court costs amounting to \$4. Mr. Steiner evidently changed his mind about making a test case of his arrest.

Those wishing to subscribe to the Fourth of July fund can do so as the following places: Hawaiian News Company, T. G. Thrum, Hobson, Newman & Co., Benson, Smith & Co., Hollister & Co. and the Hawaiian Safe Deposit Company.

By the last mail, this office received a volume entitled "Health and Pleasure on America's Greatest Railroad," issued by the New York Central Railroad. It is beautifully illustrated with half-tones, and contains, among other things, a short sketch of Hawaii.

A Serious Accident.

Danny Vida met with what may yet be a very serious accident yesterday afternoon. He was riding a horse of his brother's and the animal became unruly. He reared and the saddle girth broke. Vida pulled too tightly on the reins, and the horse turned completely over, falling on top of him.

He was taken to his home, where he was unconscious for several hours. Shortly after seven o'clock he regained consciousness, and recognized his family. During the night he was resting comfortably, although not considered entirely out of danger.

CONSTITUTIONAL CONVENTION.

The Solons Continue Their Activity in the Legislative Hall.

PRESIDENT'S TERM RECONSIDERED.

One Third of the Constitution Has Been Read a First Time—The Committee List is Made Out at Last—The Record of a Short Sitting.

Seventh Day.

THURSDAY, June 7, 1894.

The Convention was called to order at 9:30 A.M., President Dole in the chair. Prayer by Rev. J. W. Lamson. Roll call, minutes of preceding meeting read and approved.

On motion of Delegate Robertson, the report of the Committee of the Whole for the preceding day was reconsidered, and Articles 23 and 24 were referred to committee.

Delegate Baldwin presented Delegate Pogue's request for a leave of absence, which was granted.

The President appointed the following committees:

EXECUTIVE COMMITTEE: Messrs. Baldwin, Kalia, Wilcox, Hatch and Vivas.

JUDICIARY COMMITTEE: Messrs. McCandless, Lyman, Ables, Robertson, and Carter.

LEGISLATIVE COMMITTEE: Messrs. W. O. Smith, Brown, Joseph, Waterhouse and Hitchcock.

FINANCE COMMITTEE: Messrs. G. N. Wilcox, Allen, Damon, Emmelhuth and Elin.

Delegate Kahanalei moved that, in view of the good news from the United States, the Convention adjourn until 9:30 A.M. Friday. The day would be one which would always be remembered. It had brought news which had ended all our doubts and suspense.

Delegate Rice moved to amend by allowing Delegate Kahanalei to take a vacation for the day to celebrate the occasion.

The resolution and amendment were tabled.

At 10:05 A.M. the Convention resolved itself into committee of the whole, Delegate Rice in the chair.

OF THE CABINET.

ARTICLE 33—COUNSELLORS OF THE PRESIDENT.

The Cabinet shall be the special counsellors of the President, and shall be consulted by him concerning all matters of public policy, appointments to office, and other matters of importance concerning which action is contemplated.

The President shall not be bound to follow the advice of the Cabinet, except in the instance where, by this Constitution, the approval of the Cabinet is required as a prerequisite for his action.

Passed.

The of in the title was stricken out.

ARTICLE 34—REPORTS, RESPONSIBILITY, POWERS OF APPOINTMENT AND REMOVAL.

Section 1. Each member of the Cabinet shall keep an office at the seat of Government, and shall, not later than the last Wednesday in February in each year, present to the President a full report of the principal transactions within his department during the year ending December 31st last preceding, together with such recommendations as he may think proper.

He shall also at any time, when requested in writing by the President, make report to the President on any subject within the scope of his department.

Minister Smith moved to strike out the word "make" in the second paragraph, and also to substitute "him" for "President."

Delegate Carter moved to amend by adding after the word "President" the words, "or by either House of the Legislature," and by striking out the following words, "to him."

Minister Smith and Councillor Brown did not favor the amendment of Delegate Carter. The Cabinet officers should report to the President. The latter would communicate their reports with his message.

Delegate Carter held that the Legislature should have power to secure information from any member of the Executive at any time.

President Dole thought this would be wrong and inconsistent with the system of government which they were trying to create. In this system the Cabinet were not directly responsible to the Legislature. If they were not careful they would get the Cabinet as it was in France. The members of the Cabinet had seats in both Houses, and there they would have to answer questions as a matter of course. He thought that would meet Delegate Carter's point. All formal reports for information should be addressed to the President, except the questions which are asked of the Ministers directly in the House.

Delegate Carter withdrew his amendment, but gave notice that on second reading he should move an amendment to Article 30, which would cover the point, as it did not seem to be otherwise provided for.

The amendment of Minister Smith passed. The same Minister moved to substitute the word "authority" for "department," at the end of the article.

The amendment was adopted, and the section as amended passed.

Section 2. The members of the Cabinet shall be responsible for the conduct of their respective departments; and, with the approval of the President, shall have the appointment of the following heads of Bureaus, under their respective departments, viz:

The Superintendent of Public Works, the Surveyor-General, the Registrar of Deeds, the Superintendent of the Honolulu Water Works, the Chief Officer of the Honolulu Fire Department, the Marshal, the Collector-General of Customs, the Tax-As-

sessors in Chief and the Postmaster-General and also the heads of any other Bureaus created by law.

Councillor Brown said the Chief Officer of the Fire Department was appointed by the Fire Commissioners, who were appointed by the Cabinet. He would move to substitute for "Chief Officer of the Honolulu Fire Department" the "Fire Commissioners."

Minister Damon moved to add after "Superintendent" in the first paragraph, the words, "and removal."

A considerable debate ensued on the section.

A number of amendments were made and withdrawn.

The words "chief officer of the Honolulu Fire Department" were stricken out.

Delegate Carter moved to insert after "bureaus" in the last line, the words "in any executive department of the Government."

The same delegate drew attention to the fact that there was a manifest contradiction between the section and section 3 of article 25.

Councillor Emmelhuth held that these subjects should be left to the law and not regulated in the constitution.

The section passed without the last amendment.

Section 3. Each head of a bureau shall be responsible for the conduct of his bureau, and shall have the appointment of the officers under him, subject to the approval of the Minister in whose department he is employed.

He may also, with the approval of such Minister, remove any such subordinate officer.

Minister Damon moved to amend by adding in the second paragraph "and also at the request of such Minister, with the approval of the Cabinet."

Minister Smith held that this was not in harmony with the system created by this constitution. The head of the bureau should have control of his office.

The amendment was lost and the section passed.

Section 4. The financial responsibility of any officer of the Government, for his own conduct, or that of his subordinates, shall be determined by law.

Passed.

Minister Smith moved to add a new section, to be called section 5, as follows:

Section 5. The President shall have the appointment of all officers of the Government whose appointment is not otherwise provided for.

Passed.

President Dole favored the introduction of a section forbidding appointments and removals for partisan reasons as follows:

Section 6. There shall be no appointments to nor removals from office solely for party reasons.

He held that this was a matter for the constitution and not law, because it was the statement of a principle.

Minister Smith subscribed most heartily to the principles of civil service reform, but he did not think it expedient to insert such a clause in the constitution itself.

Minister Damon thought that in our present political situation such a provision would not work.

Delegate Carter objected to the provision. It was not suited to our situation, and was, moreover, too vague to be of any practical use.

President Dole said that his amendment would not apply to the case of men who were disloyal to the Government. They could not be called party men. The policy of the Government was perfectly clear on that head. It did not want, and would not have men in office who were disloyal to the Government.

Delegate Robertson and Councillor McCandless opposed the proposed section.

Councillor Emmelhuth was heartily in favor of the section.

The section was rejected.

ARTICLE 35—ACTING PRESIDENT IN CASE OF DEATH, DISABILITY OR ABSENCE OF PRESIDENT.

Section 1. In case of the temporary disability or absence from the country of the President, the Minister of Foreign Affairs, while such disability or absence continues, shall act as President; or,

In case of the disability or absence from the country of such Minister, the Minister of the Interior, while such disability or absence of the President continues, shall act as President; or,

In case of the disability or absence from the country of both such Ministers, the Minister of Finance, while such disability or absence of the President continues, shall act as President; or,

In case of the disability or absence from the country of the three Ministers aforesaid, then the Attorney-General, while such disability or absence of the President continues, shall act as President.

Passed.

Section 2. In case of the death, resignation, removal or permanent disability of the President, the Minister of Foreign Affairs shall thereupon act as President until a successor to the President is elected in manner herein designated; or,

In case of the disability or absence from the country of such Minister, the Minister of the Interior shall act as President for the time aforesaid; or,

In case of the disability or absence from the country of both such Ministers, the Minister of Finance shall act as President for the time aforesaid; or,

In case of the disability or absence from the country of the three Ministers aforesaid, the Attorney-General shall act as President for the time aforesaid.

Delegate Baldwin wished to hear the reason for the failure to provide for a Vice-President.

President Dole said the first idea the Government was to follow of American plan, and have a Vice-President, who should be ex officio President of the Senate, but in view of the dissatisfaction expressed there they had concluded to substitute a member of the Cabinet for it.

Vice-President until a successor to it President could be elected. The position of Vice-President was like that as he was waiting for a rich uncle to die. His position was a useless one.

Vice-President Wilder said he occurred in every word the President said.

President Dole said the position the Vice-President of the Provisional Government was somewhat different.

The section passed.

Section 3. If at any time during the absence from the seat of government, an occasion shall arise requiring a declaration of martial law, or suspension of the writ of habeas corpus, the powers in and concerning such matters herein granted to the President, may be exercised by one of the Cabinet Ministers, who shall act in order of priority below named, each succeeding in case of disability or failure of those previously named, to act, viz:—

The Minister of Foreign Affairs; The Minister of Interior; The Minister of Finance; The Attorney-General.

President Dole moved to add after "absence" in the first line the words "of the President or acting President."

Carried, and the section passed.

Section 4. In case of the death, resignation, removal or permanent disability of the President, the Minister shall immediately summon a special session of the Legislature to meet within thirty days, to elect a President to fill the unexpired term of the President who has died, resigned, been removed or become permanently disabled.

President Dole moved to add the words "unless the Legislature is in session."

Carried.

Delegate Carter moved to amend so that the Legislature should not be summoned to elect a successor unless the term of the President had more than six months to run.

Minister Smith moved reference of section and amendment to the Committee on Executive.

Carried.

Section 5. In case any Minister shall act as President as herein provided he shall, while so acting, have all the rights and powers, and be subject to all the duties, obligations and disqualifications by this Constitution granted to or prescribed for the President.

Minister Smith held that the Minister acting as President should not be subject to all the disqualifications of the President. He moved to strike out "disqualifications."

Carried, and the section passed.

ARTICLE 36—EX OFFICIO MEMBERS OF THE LEGISLATURE.

The members of the Cabinet shall be ex-officio members of both Houses of the Legislature, with all the rights, powers and privileges of elected members, except the right to vote.

Councillor Elin inquired how the Ministers would be divided up between the two Houses?

President Dole said they would be free to go and come in either House.

Minister Smith moved to allow Ministers to vote in the Houses, except on matters involving themselves.

Councillor Emmelhuth agreed with Mr. Smith, that to sit in the Legislature without voting was absurd. He did not believe in their voting, so he moved to strike out the section altogether.

Minister Hatch agreed with the Attorney-General that the section was not very satisfactory. It was an attempt to avoid the difficulties of two systems, without securing the benefits of either. The Ministers could be members of both houses, and presumably both houses could enforce their attendance at the same time.

Councillor Brown favored passing the section as it was. It would be out of the question for the Ministers to vote. They would be nearly one-eighth of the entire Legislature, and more than a fourth of either house.

HE DID NOT GET THE JOB.

The Correspondence Between Davies & Co. and the Government.

THE OFFER DECLINED WITH THANKS.

Theophilus' Representatives Here Think He Would Be a Suitable Man to Present the Virtues of the Country to Ottawa's Convention—Others Don't.

Some days ago, the Government received a communication from Davies & Co., asking that its chief should be appointed as a representative of this Government at the Ottawa Convention. The Government sent a polite but firm refusal of the valuable services of Theophilus. These facts were stated in the ADVERTISER, but the correspondence is now made public for the first time.

The letter from Davies & Co. is as follows:

To His Excellency F. M. HATCH, Minister of Foreign Affairs, Honolulu, Hawaiian Islands.

SIR:—We respectfully beg leave to remind Your Excellency that the date fixed for the Inter-Colonial Conference in Ottawa is June 21st proximo.

It appears from his letters, that it is the intention of Mr. T. H. Davies to attend this Conference, and it has occurred to us that he may possibly be able to render a service to this country if Your Excellency's Government is disposed to give any information on any point that would be likely to be useful, or instructions on any matter regarding which information is required.

It would be of special service if Your Excellency could authorize Mr. Davies to indicate, at this forthcoming Conference, what facilities, remissions and concessions would be given in Honolulu to the Canadian steamship line running here regularly; also, what concessions this Government would give to any company laying a Pacific cable connecting with these islands.

We would respectfully call Your Excellency's attention to the fact that, since its inauguration, the O. A. S. S. line has been charged and has paid the usual port charges without any rebate whatever. We respectfully suggest that the goodwill of the Hawaiian Government towards this steamship line be shown by granting permission to Mr. Davies to make known at the Conference that, in future, its steamers will be allowed the freedom of the harbor without charge.

As regards the laying of the Pacific cable, we understand that this is a matter which will receive especial attention at the Conference, and it would be very satisfactory if it could be made possible for Mr. Davies to lay before the Conference the views of the Hawaiian Government on this all-important topic.

The S. S. Arawa is due at this port on her voyage to Vancouver on the 1st proximo, and, as this will be the only opportunity of communicating with Mr. Davies before the Conference meets, we respectfully ask that we be favored by Your Excellency with a reply to this letter in time to enable us to address Mr. Davies by the Arawa's mail.

We have the honor to be, Sir, Your most obedient servants,

THEO. H. DAVIES & CO.

To the above effusion, Minister of Foreign Affairs Hatch sent the following answer:

FOREIGN OFFICE, June 1, 1894.

T. H. DAVIES & CO.: SIR:—I have the honor to acknowledge the receipt of your letter of the 30th ult., calling attention to the fact that it is the intention of Mr. Theo. H. Davies to attend the Inter-Colonial Conference, to be held in Ottawa on the 21st inst., and suggesting that Mr. Davies might be able to render service to this country at such convention, although it is not made apparent in what capacity Mr. Davies proposes to be present.

The proffered assistance of Mr. Davies is respectfully declined.

In regard to the matter of port charges which have been paid by the steamers of the Australian and Canadian line, without rebate, this Government is disposed to consider favorably a proposition looking toward the reduction or total abolition of these charges in relation to your steamships; but would prefer to treat of this matter in connection with the subject of the carriage of the mails. The word will of the Government to your line has already been made manifest.

In regard to a trans-Pacific cable, negotiations are on foot of a confidential nature respecting the utilization of Hawaiian territory for that purpose. At the present time the Government is unable to say more than to express its great interest in the project of a cable, and its desire to expedite it in any way in its power.

I have the honor to be, Sir, Your most obedient servant,

FRANCIS M. HATCH, Minister of Foreign Affairs.

A Pointer.

Under date of May 15th, the Honolulu correspondent of the New York Herald writes as follows:

"ROYALISTS READY TO ACT."

"It is asserted that the royalists are ready to make a bold move for the reinstatement of Liliuokalani as soon as the new Republic is declared. They believe Admiral Walker will aid them, thinking he will carry out the original policy of President Cleveland."

By Whom?

"A visitor from Kona mistook the editor of the Bulletin for Councillor Emmelhuth this morning. A challenge has been issued."—Bulletin.

By Mr. Emmelhuth?

THEY WANT TELEPHONES.

Kona People are Making Arrangements to Get Them.

KONA, HAWAII, June 4.—In this district where little transpires to give gist to conversation, the subject of coffee in some shape or other almost invariably crops up when two or more meet in any lengthened visit. It is the same in the sugar producing districts with sugar, the talk soon becomes identified with that industry. A short time ago some half dozen of the residents here were discussing the coffee subject when yields of trees that have produced heavily came up.

One of the parties present said he had six trees on his place from which he expected to pick 300 pounds of clean coffee this year. This was a staggerer, but he invited those present to see for themselves. He also stated for the cause of such a yield that the trees were in a hollow which had received the washings and drainage from a cow byre, and also that the trees that had attained this product were only six years old. On viewing the trees later, it was very apparent that they would have an enormous yield, but as they were not through blossoming it was impossible to estimate the correctness of his assertion. The subject, however, was not dropped and in telling it to a party in North Kona he expressed his belief in the possibility of it, and told of a tree that he knew and had seen recently in that district that was so heavily loaded, that were four men to get into the tree they would not weigh it down more than the coffee that was then on it.

Later again the subject came up at another house, and a party thoroughly conversant with the districts stated, that in South Kona he knew of several trees that he was positive would yield more than fifty pounds each of cleaned coffee. In further verification of these big yields another party stated that he had it from Father Bailey of Maui, that he had a tree in his garden that produced thirty pounds of cleaned coffee. These are all wild trees that were enormously large, and all but the first lot, very red, but the wonderful thing is that any tree can produce such a yield.

The Kona Tea and Coffee Company have a small patch of two acres on the Thurston road to Kailua, which is really the first cultivated coffee to produce a crop in this district. It promises very handsome results, and it will be with much interest that the yield will be learned.

A meeting was held at Akau's store in Kailua on the 24th of May to consider the advisability of a telephone system for the Kona. There was a fair representation of the white residents present and all manifested great interest in the project. A committee was appointed to procure estimates as to cost, number of probable subscribers, etc., and also to find out what it would cost to connect the system with the island lines by either Kau or Kawaihae. When the necessary information has been obtained another meeting will be held.

A luau was given at Keaou on the 26th inst. which was largely attended by natives and whites.

A slight shock or earthquake was felt on Monday morning the 28th inst. lasting only a couple of seconds.

A schooner load of lumber making in all about 200,000 feet for this year is expected here any day now. This is the fourth schooner during the last five months. If any one wants a better evidence of Kona's awakening than this they will have to come up here and talk with old residents, some of whom are even getting a move on and taking a live interest in coffee.

Building operations have been commenced on the McWayne and Scott premises, and these two places will soon commence coffee planting.

J. Costa announces an auction sale of his effects; he is going to leave the district.

Mr. and Mrs. Bryant of Kohala are here on a visit to Mrs. Greenwell.

Mr. and Mrs. Diaz of Honolulu are stopping at Mrs. Yates' at present.

Some changes in Government officials are likely to be made here shortly. Failure to take the oath to support the Constitution is given as the cause of removal.

After a prolonged spell of rain and fog it has at last settled down to Kona weather and golden sunsets.

The coconut palm tree alone would sustain man for a long time. Its wood is used for buildings and furniture; its leaves thatch roofs, and cattle will eat them; brooms, brushes, rope, mats and paper are made from its fibre; the kernel of its nut gives man food, drink and other necessities; the nut's shell makes useful kitchen implements, and the outside husk can be manufactured into clothing.

BY AUTHORITY

Sale of a Strip of Government Land in Kaulea, South Kona, Hawaii.

On TUESDAY, July 10, 1894, at 12 o'clock noon at the front entrance of the Executive Building, will be sold at public auction, a strip of Government Land in Kaulea, South Kona, Hawaii, containing an area of 15 3-10 acres, a little more or less.

Upset price—\$75.50.

J. A. KING, Minister of the Interior.

Interior Office, June 4th, 1894.

3705-3t

In the Supreme Court of the Hawaiian Islands.

MARCH TERM, 1894.

PEOPLE'S ICE AND REFRIGERATING COMPANY VS. HAWAIIAN ELECTRIC COMPANY.

BEFORE ECKERTON AND FEAR, J. J. AND CIRCUIT JUDGE WHITING, SITTING IN PLACE OF JUDGE, C. J. DISQUALIFIED.

The signature of the defendant alone, whether vendor or vendee, is sufficient under the provision of the Statute of Frauds which requires contracts for the sale of lands or any interest in them to be signed by the party to be charged therewith.

OPINION OF THE COURT BY FEAR, J.

This is an appeal from a decree ordering specific performance of an agreement for an exchange of leases. The defense is twofold, first, that there was no contract, and secondly, that the statute of frauds was not complied with.

Whether there was a contract or not depends upon whether the written offer of April 6, 1893, made by the defendant was accepted by the plaintiff. A few days after the receipt of the offer by the plaintiff corporation, its directors held a meeting and voted to accept it. Immediately after the meeting the plaintiff's manager, according to his own testimony, called upon the defendant's then president and notified him orally that the offer was accepted by the plaintiff. The defendant's president does not remember this but admits that it may be true. A similar oral notice of acceptance appears to have been given a few weeks later by the plaintiff's secretary to the defendant's president, although there is some difference of opinion as to just what was said at that time. There is some evidence that on several subsequent occasions the defendant's president made statements to the plaintiff's officers tending to show that the former considered the contract closed and binding. But on one occasion in particular, as shown by the testimony of three of the plaintiff's officers, a meeting was held by these three officers and two of defendant's officers at the request of the latter, the object of which was to obtain a release from the contract, the reason for this being that the defendant had purchased or was about to purchase certain other property in fee simple upon which to erect its electric works and therefore had no further use for the leasehold premises. The testimony of the plaintiff's officers, corroborated as it is by the conduct of defendant's officers, clearly establishes the contract. The doubt upon this question in the mind of defendant's president, who was the only witness for the defense, appears to have arisen from his idea that the acceptance must be in writing. Indeed, he himself goes so far as to say that aside from the fact that he had received no written answer he believed until recently that the contract was binding. This brings us to the second ground of defense which is that the statute of frauds required the contract to be signed by the plaintiff as well as by the defendant.

The statute requires the contract to be signed by the party to be charged therewith. This can mean only the defendant, whether vendor or vendee, lessor or lessee. By the express terms of the statute in a few of the United States the contract must be signed by the party who is to make the conveyance, whether plaintiff or defendant. But under our statute, as held almost uniformly under similar statutes elsewhere, unless the terms of the contract itself require the signature of both parties or of the one who afterwards becomes plaintiff, the signature of the defendant alone is sufficient, for he is the party to be charged. There must be mutuality of contract, not necessarily mutuality of remedy. This is the rule at law, and in equity it is the same, so far as the statute of frauds is concerned, although as a rule in other cases equity will not grant relief in favor of one party if corresponding relief could not be given against him in favor of the other party. See Reed, St. of Fr. Secs. 363 & 364, and Brown, St. of Fr. Secs. 365, 366, and cases there cited.

The case (Wilkinson v. Heavenrich, 58 Mich. 574) cited by counsel as holding that under a statute similar to ours the contract must be signed by both parties does not appear to us to go so far. Not one of the numerous authorities there cited by the court supports this view; several as recognized by the court support the contrary view; others were decided under a statute which made the contract void (not merely unenforceable) unless signed by the vendor (not party to be charged); but the greater number were based upon want of mutuality of contract irrespective of the statute of frauds. Some of the language of the court, it is true, would seem to indicate that the court intended to hold that the signature of both parties was requisite, but from the language as a whole, from the actual facts of the case, and from the authorities chiefly

relied on, it would seem that the decision was really based, or at least ought to have been, upon want of mutuality of contract rather than upon non-compliance with the statute. The defendants promised to pay for certain work, if it should be done, but the plaintiff did not promise to do it. The defendants promised to pay in consideration of the performance of the work, not in consideration of the promise to perform it, and therefore they were at liberty to withdraw their offer at any time as to the future and were obliged to pay, as they did, only for the work already done. See Reed St. of Fr. Sec. 363; Langdell, Cases on Contracts, Summary, Sec. 183 et seq.

It is urged by counsel that the contract in the case at bar being for an exchange of leases differs from the contracts upon which other cases have been decided, in that each party must make a conveyance. But the statute does not specify that the contract must be signed by the party who is to make the conveyance but only by the party to be charged, that is the defendant, whether vendor or vendee. It was enacted for the benefit of a vendee as well as of a vendor, and was designed to protect either from being held as defendant except upon a contract the terms of which were fully set forth in writing and witnessed by his own signature. Accordingly we find that specific performance is granted in favor of a vendor who has not signed as well as in favor of a vendee. See Reed v. Slade, 7 Ves. 275, and other cases cited in Clason v. Bailey, 14 John. 488.

The disadvantage resulting from want of mutuality of remedy is not so great as might at first appear, for neither party will be compelled to perform until the other has performed or satisfied the court that he will perform. See Reed, St. of Fr. Sec. 365. But the disadvantage, such as it is, results from the statute, which must be followed until altered by the legislature.

The decree appealed from is affirmed. Carter & Carter for the plaintiff; F. M. Hatch and Cecil Brown for defendant. Honolulu, May 29, 1894.

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a full assortment to suit the various demand

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made expressly for Island work with extra parts

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Lubricating Oils in quality and efficiency surpassed by none.

General Merchandise, it is not possible to list every thing we have, if there is anything you want, come and ask for it, you will be politely treated. No trouble to show goods.

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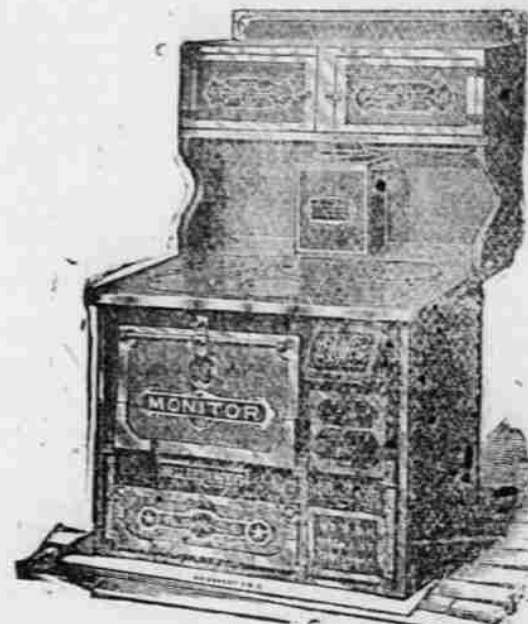
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LATEST NEWS FROM ABROAD.

A Resolution Against Restoration Introduced by Senator Kyle.

SUGAR SCANTAL AMONG SENATORS

The New York World Exposes Itself Concerning the Salaries of Hawaiian Government Officials—Coxey's Army Still on the Rampage, Coxey in Jail.

A Sugar Scandal.

A great scandal was precipitated in Washington during the past fortnight when Senators Kyle and Hutton came forward with a statement that Major C. W. Butts, formerly a member of Congress and now a lobbyist, had attempted to bribe them to vote against the Tariff bill. The sum of \$15,000 each was said to be offered in the interest of a speculative ring in New York. The negotiations were started through the sons of the two Senators.

Instantly there was a commotion and a demand for an investigation. The feeling was further renewed by the publication in the Philadelphia Press that the sugar Trust had attempted to influence legislation, though no connection was shown with the Butts attempt at bribery.

On the 16th Senator Lodge introduced a resolution in the Senate authorizing the appointment of five Senators to investigate both charges.

This was done at once. Two Republicans, two Democrats and Allen (Rep.) were named as the committee. They went into the Butts charges and evidently found that the attempt had been made, but the connection of any syndicate was not proved.

On the 24th the committee began the Sugar Trust inquiry.

New York, May 29.—Cuban centrifugal, 80 degrees, 275-100 cents; granulated, 304-100 cents.

The San Francisco market continues good.

The situation in Washington continues to attract attention. It is believed that Hill and his Democratic disaffection will make their last rally against the Tariff bill around the sugar schedule. It is thought that about four days will be devoted to the schedule. The Hawaiian treaty will not be touched, and in any event Hawaiian planters will profit by the duty, whatever it may be.

Senator Moore has expressed the opinion that the sugar schedule could be disposed of in two days, but the opponents of the bill do not think it can be got out of the way in such a short time. Senators on both sides of the chamber are looking forward to the vote on sugar with an interest that amounts almost to anxiety. It is very evident that the result of the contest over this schedule will be regarded in a large measure as a test of the strength of the respective sides on the bill as a whole. If the committee amendments should be accepted, the Democrats expect to have smooth sailing on the other portions of the bill until the income tax shall be reached, and are even hopeful that, with sugar disposed of, they will be able to get the opponents of the bill to name a day for taking a vote on the passage of the bill. After the sugar debate there probably will be no long speeches, unless they be made on the income tax. The Republicans probably will make their strongest effort in connection with the sugar schedule, to have the bounty of the present law retained.

Hawaiian News.

Senator Kyle has introduced a resolution declaring that it is the sense of the Senate that the United States shall not use force for the purpose of restoring to the throne the deposed Queen of the Sandwich Islands or for the purpose of destroying the existing Government, and that the Provisional Government, having been duly recognized, the highest international interests require that it shall pursue its own line of policy.

In one sense this resolution is doubtless intended as a notice to President Cleveland and Secretary Gresham to keep their hands off the Hawaiian Islands hereafter, but it may equally be intended to lay the foundation for the recognition of a Hawaiian Republic, the formation of which was recommended in the advice recently received from the islands. Very possibly the warning to Cleveland and Gresham was not needed, the general impression being that they have installed the Hawaiian business they was but the other phase of the question, the recognition of a Hawaiian Republic, may very properly be anticipated, at least by implication. The United States should be the first nation of the world to welcome the birth of a new Republic, as it was in the case of Brazil.

No sound or valid reason can be assigned why a republican form of government should not succeed in Hawaii. We know that the Provisional Government has succeeded much better than the monarchy did, and it is only one step farther to the creation of a Republic. The new Government, if it comes into existence, will be influenced if not controlled by the men who dared to dethrone the Queen, and they will lend to the Republic the same admirable qualities of statesmanship which have insured the success of the Provisional Government. There will be a great many details to adjust and many sharp corners to smooth down, but patriotism and ability can overcome much more formidable obstacles than the conversion of Hawaii into a Republic. (—C.H. media.)

Salaries in Hawaii.

The New York World published an editorial on the 26th, which is said by Charles d'Almeida Hastings of the Hawaiian League to be an example of the misrepresentation which characterizes a portion of the Eastern press. The World says: "The total revenues of the Government are \$2,000,000, yet their Chief Justice is paid a salary larger by \$1500 than that of the Chief Justice of the United States. Each of the members of the Cabinet is paid \$1000 per annum."

more than our Cabinet officers, and other officials are paid with similarly magnificent liberality. The salary for a governor is nearly one half the entire revenues of the country. Even Tammany could hardly make better use of 'era of good stealing'."

Hastings says that the appropriations recently made are for the next two fiscal years. The salaries per annum are: President, \$12,000; Cabinet officers, \$4500 each; Chief Justice, \$6,000. United States Cabinet officers are paid \$3800, and the Chief Justice is paid \$10,500. The total appropriations referred to by the World as being half of the entire Government revenue include all the expenses of the Hawaiian school system, the hospital system and all the money required for the isolation of lepers and the maintenance of the leper settlement at Molokai. The resident Chief Justice and four Cabinet officers are ex-officio members of the Court of Fourteen, but eight of the latter serve without any compensation.

Commonwealers and Strikers.

Coxey, Carl Brown and Jones have been sentenced to jail for twenty days for displaying a banner on the Capitol grounds on Monday.

The Coxey movement still gains strength, and there are now 5000 men headed for Washington who will reach there about the same time next month. The authorities are somewhat puzzled to know what to do with them. Dispatches received at the Department of Justice from the United States Court of Montana are to the effect that the Industrials have attempted to seize another train on the Northern Pacific west of Helena. As the judicial officers were unable to cope with the men, General Schofield wired General Merrill at St. Paul to send a sufficient force of troops to the scene of disturbance to assist the United States Marshals.

The complications in the coke regions of Pennsylvania are still very serious, and bloodshed continues to occur. On May 24th the strikers undertook to drive off men who were at work near Minersville, and a fight ensued between the strikers and deputy marshals, in which four of the strikers were killed. Of the four only one was an American. The strikers in the Illinois mines are getting desperate and during the last week the strike of miners at Cripple Creek, Col., has developed into a dangerous affair. The strikers had a fight with deputies who were protecting property, and three men were killed, of whom two were police officers. By reason of this fight Governor Walke has succeeded in making a plot of himself again. In spite of the fact that the strikers desire to destroy the property at the mines, the Populist Governor has ordered out the entire National Guard of the State to assist the strikers. Many of the officers and men have refused to accept his orders. The latest dispatch says that troops are on the way to the mines; that the owners refuse to arbitrate, and that a battle between several hundred men is liable to occur at any time.

Foreign News.

A dispatch from Belgrade, Serbia, says that on May 21st King Alexander accomplished another coup d'etat. A royal proclamation issued this morning abolishes the Constitution of 1835 and restores that of 1869, giving the King the right to appoint one third of the members of the Chamber of Deputies. The proclamation denounces the alleged defects in the Constitution, the prevalence of party passions and expresses solicitude for the welfare of the people. The King then suspends the Constitution and restores that of June, 1869.

The Spanish Government proposes to wipe out anarchy if it is possible. On May 21st six anarchists were shot in public. They died game. Two of them required a second volley to kill them.

A dispatch from Paris says that, like his fellow-anarchists, Emil Henri died on the guillotine on Monday, May 21st, with the cry of "Vive l'anarchie" on his lips. The same instrument of justice was used.

The crazy King Otto, of Bavaria, is to be placed under guardianship, and the crown will be transferred to the heir presumptive, Prince Luitpold as regent. The French authorities have arrested an anarchist who is found to be worth 6,000,000 francs. He has made a will bequeathing 300,000 francs to the cause of anarchy.

HAWAIIAN DECORATIONS.

Senator Turpie's Bill to Allow Americans to Accept Them.

Senator Turpie has introduced a bill to authorize several American citizens to accept decorations and testimonials from the Hawaiian Government. The decorations the acceptance of which is authorized are: One to Bear Admiral George Brown of the navy; that of a knight grand officer of the Royal Order of Kalakaua, conferred upon him by King Kalakaua December 5, 1890. One to Ensign George P. Blow of the navy; of the Royal Order of Kalakaua, conferred upon him by the queen. One to Lieut. George L. Dyer; that of knight companion of the Royal Order of Kalakaua. One to Capt. George C. Bamey; that of knight commander of the Royal Order of Kalakaua, conferred by the King. One to Medical Inspector George W. Woods; that of the Royal Order of Kalakaua. A medal of honor to Frank Lanier of the Charleston, conferred by queen Liliuokalani for services to the late king. These decorations are all awarded on account of courtesies extended to the late King Kalakaua during his visit to California, just prior to his death, and the recipients are all connected with the United States navy. (—Washington Star.)

Sometime ago I was troubled with an attack of rheumatism. I used Chamberlain's Pain Balm and was completely cured. I have since advised many of my friends and customers to try the remedy and it speaks highly of it. S. L. GOSWAMI, San Luis Rey, Cal. For sale by all Dealers, Besson, Smith & Co., Agents for H. I.

NOT A PARADISE.

The Fruitarian Has Concluded that He Does Not Like the Place.

Lieut. Boeter is disappointed in Hawaii, and will leave on the Alameda for Samoa. He was seen by an ADVERTISER man, and stated that he was greatly disappointed in Honolulu, and he has concluded that the other islands of the group are just about as bad. He has not seen them, but he says he has inquired, and the information he has received obtained was sufficient to convince him that the whole outfit was equally unsuited to his requirements.

"Hawaii is too civilized," said the lieutenant despairingly. "I shall try Samoa, and see if it is any better. Give me a call when you come that way."

If Lieutenant Boeter could be induced to take Francis Leo G. Harden with him, he would be doing a good thing.

THE KAWAIAHAO SEMINARY.

Annual Examination Held Yesterday Before a Large Audience.

The annual Kawaihae Seminary examination was held in the chapel of the institution yesterday morning before a large number of friends and relatives of the pupils. The scholars acquitted themselves in a manner that reflects great credit on the principal of the seminary, Miss Pope, and her assistants, Miss Kinney, Miss Gilliam, Miss Kane and Miss Sears.

The pupils were examined in Hawaiian, geography, algebra, English and other studies.

After the examinations were finished a fair was held, at which cakes, candies and fancy work was disposed of, the sales amounting to about \$200.

Hood's Cures

Saved My Wife's Life

Weakness, Nervousness, Salt Rheum.



John W. Jones
Kalahe, Wash.

"Of my own free will and accord, unbiased by anyone, and wishing only to do good to the afflicted, I wish to tell of the good qualities of Hood's Sarsaparilla and Hood's Pills. I think there are no medicines equal to them, and have proved their merit by experience in my own family. My wife, Rachel, has been afflicted with weakness, nervousness, and salt rheum. I spent nearly all that I had of this world's goods for doctor's bills and medicine until we decided to try Hood's Sarsaparilla. It undoubtedly saved my wife from the grave."

The salt rheum has entirely healed and she is restored to good health. I have many friends and relatives in the east who will be glad to know that.

Hood's Sarsaparilla

Has cured my wife. John W. Jones, Kalahe, Wash. Hood's Pills are the best after-dinner pills, acting gently on the bowels. Try a box. Dr. HOBSON, NEWMAN & CO., 306G WHOLESALE AGENTS.



AYER'S PILLS
THE BEST
Family Medicine
CURE SICK HEADACHE,
CONSTIPATION,
Dyspepsia, Liver Troubles
EASY TO TAKE
PURELY VEGETABLE

The delicate sugar-coating of Ayer's Pills dissolves immediately on reaching the stomach, and permits the full strength of each ingredient to be speedily assimilated. As a cathartic, either for travellers or as a family medicine, Ayer's Pills are the best in the world.

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

Every Dose Effective.

Beware of cheap imitations. The name—Ayer's Pills—is prominent on the wrapper, and is blown in the glass of each of our bottles.

For Sale by HOLLISTER DRUG CO.

New Advertisements

SKINS ON FIRE

With AGONIZING ECZEMAS and other ITCHING, BURNING, SCALY, and BLOTCHY SKIN and SCALP DISEASES are relieved in the majority of cases by a single application of the Cuticura Remedies, and speedily, permanently, and economically cured, when physicians, hospitals, and all other remedies fail. Cuticura Remedies are the greatest skin cures, blood purifiers, and humor remedies of modern times, are absolutely pure, and may be used in the treatment of every humor, from the simplest facial blemishes to the severest diseases of the blood, skin, and scalp.

CUTICURA

The great Skin Cure, instantly allays the most intense itching, burning, and inflammation, permits rest and sleep, clears the scalp of crusts and scales, speedily soothes and heals raw and irritated surfaces, and restores the hair. CUTICURA SOAP, an exquisite Skin Purifier and Beautifier, is indispensable in cleansing diseased surfaces. CUTICURA RESOLVENT, the new Blood and Skin Purifier, and greatest of Humor Remedies, cleanses the blood of all impurities and poisonous elements, and thus removes the cause. Hence the CUTICURA REMEDIES cure every disease and humor of the skin, from pimples to scrofula.

How TO CURE DISEASES OF THE SKIN, SCALP, AND BLOOD, mailed free to any address, 24 pages, 50 illustrations, and Testimonials. A book of priceless value to every sufferer. CUTICURA REMEDIES are sold throughout the world. Price, CUTICURA, 50c; CUTICURA SOAP, 50c; CUTICURA RESOLVENT, 50c. Prepared by FOTTER DRUG AND CHEMICAL CORPORATION, Boston, U. S. A.

For rough and oily skin and hands, painful finger-ends with shapeless nails, are prevented and cured by Cuticura Soap, incomparably the greatest of skin purifiers and beautifiers, while rivaling in efficacy and surpassing in purity the most expensive toilet and nursery soaps. The only medicated toilet soap, as it is only preventive and cure of inflammation and clogging of the pores, the cause of pimples, blackheads, rough, red, and dry skin.

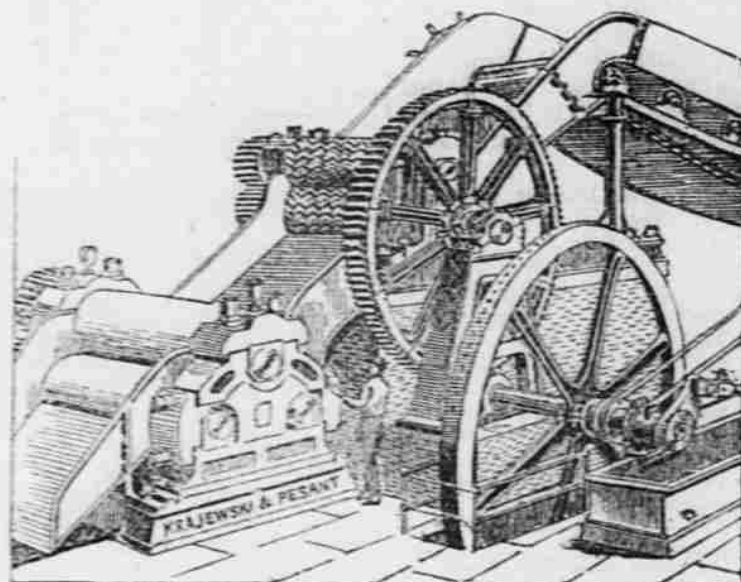
BENSON, SMITH & CO., Consignees, Honolulu, H. I.

383-y

KRAJEWSKI'S

PATENT

CANE CRUSHER



THE HONOLULU IRON WORKS COMPANY HAVING secured the EXCLUSIVE AGENCY for the Hawaiian Islands for the Krajewski Patent Sugar Cane Crusher, are now prepared to receive orders for the same, to be delivered in time for the next crop.

This machine, which has been invented but a few years, has been adopted by a great number of cane sugar manufacturers, especially in Cuba, where it was first put to trial and where it became extremely popular. Nearly one-third of the whole sugar crop made in Cuba is being made with the assistance of these crushers. These crushers have also proved a success in other West Indian Islands, and Louisiana, as can be seen by testimonials on hand.

These crushers when attached to any cane mill will increase its capacity by from 50 to 100 per cent.; will improve extraction; will regulate feed of the mill. We have three of these machines on the way. For further particulars enquire at the

Honolulu Iron Works Co.

DR. J. COLLIS BROWNE'S

CHLORODYNE

Original and Only Genuine.

COUGHS, COLDS, ASTHMA, BRONCHITIS.

IS THE GREAT SPECIFIC FOR DIARRHŒA, DYSENTERY, CHOLERA

DR. J. COLLIS BROWNE'S CHLORODYNE
Is a liquid medicine which attenuates PAIN of EVERY KIND, relieves a cold, refreshing sleep, WITHOUT SLEEPING, and invigorates the nervous system when exhausted.

DR. J. COLLIS BROWNE'S CHLORODYNE
Rapidly cures short attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, HYSTERIA.

DR. J. COLLIS BROWNE'S CHLORODYNE
IS THE TRUE PALLIATIVE IN NEURALGIA, RHEUMATISM, TOOTHACHE, NEURALGIA.

IMPORTANT CAUTION.—THE IM-MENSE SALE of this REMEDY has given rise to many UN-REPUTABLE IMITATIONS. S. B.—Every bottle of GENUINE CHLORODYNE bears on the Government stamp the name of the inventor, DR. J. COLLIS BROWNE. Sold in bottles, 1/4, 1/2, 1, 2, 4, 8, 16, 32, 64, 128, 256, 512, 1024, 2048, 4096, 8192, 16384, 32768, 65536, 131072, 262144, 524288, 1048576, 2097152, 4194304, 8388608, 16777216, 33554432, 67108864, 134217728, 268435456, 536870912, 1073741824, 2147483648, 4294967296, 8589934592, 17179869184, 34359738368, 68719476736, 137438953472, 274877906944, 549755813888, 1099511627776, 2199023255552, 4398046511104, 8796093022208, 17592186044416, 35184372088832, 70368744177664, 140737488355328, 281474976710656, 562949953421312, 1125899906842624, 2251799813685248, 4503599627370496, 9007199254740992, 18014398509481984, 36028797018963968, 72057594037927936, 144115188075855872, 288230376151711744, 576460752303423488, 1152921504606846976, 2305843009213693952, 4611686018427387904, 9223372036854775808, 18446744073709551616, 36893488147419103232, 73786976294838206464, 147573952589676412928, 295147905179352825856, 590295810358705651712, 1180591620717411303424, 2361183241434822606848, 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Special Notices.

**WILDER'S
STEAMSHIP CO.'S**

TIME TABLE

CLARKE. Commander.
Will leave Honolulu at 2 o'clock P. M., touching at Lahaina, Maialaea Bay and Makana the same day; Mahukona, Kawahae and Lanipohoe the following day, arriving at Hilo at midnight.

LEAVES HONORABLE.	
Tuesday.....	May 22
Friday.....	June 1
Tuesday.....	June 12
Friday.....	June 13
Tuesday.....	July 3
Friday.....	July 13
Tuesday.....	July 24
Friday.....	Aug. 3
Tuesday.....	Aug. 14
Friday.....	Aug. 24
Tuesday.....	Sept. 4
Friday.....	Sept. 14
Tuesday.....	Sept. 25
Friday.....	Oct. 5
Tuesday.....	Oct. 16
Friday.....	Oct. 26
Tuesday.....	Nov. 6
Friday.....	Nov. 16
Tuesday.....	Nov. 27
Friday.....	Dec. 7
Tuesday.....	Dec. 18

Returning leaves Hilo, touching at Lan
phoene same day; Kawaihae A. M., Maho-
pua 10 A. M.; Makana 4 P. M.; Maalea Bay
6 P. M.; Lihoua 8 P. M. the following day,
arriving at Honolulu 6 A. M. Wednesdays and
Saturdays.

ARRIVES AT HONOLULU.

Saturday	May 19
Wednesday	May 20
Saturday	Jun 9
Wednesday	June 28
Saturday	June 30
Wednesday	July 11
Saturday	July 21
Wednesday	Aug. 1
Saturday	Aug. 11
Wednesday	Aug. 22
Saturday	Sept. 1
Wednesday	Sept. 11
Saturday	Sept. 22
Wednesday	Oct. 3
Saturday	Oct. 13
Wednesday	Oct. 23
Saturday	Nov. 3
Wednesday	Nov. 14
Saturday	Nov. 24
Wednesday	Dec. 3
Saturday	Dec. 15
Wednesday	Dec. 25

STMR. CLAUDINE.
CAMERON, Commander.
Will leave Honolulu every Tuesday at 5 o'clock P. M., touching at Kahului, Huelo, Hana, Hamoa and Kipahulu, Maui, and Paohoa, Hawaii. Returning will arrive at Honolulu every Sunday morning.
No Freight will be received after 4 P. M. on day of sailing.

Consignees must be at the landings to receive their freight, as we will not hold ourselves responsible after such freight has

been landed. While the Company will use due diligence in handling live stock, we decline to assume any responsibility in case of the loss of same, and will not be responsible for money or jewelry unless placed in the care of Purser.

W. C. WILDER, President.
S. B. ROSE, Secretary.

Capt. J. A. KING, Port Supt

MARSHAL'S SALE

BY VIRTUE OF A WRIT OF EXECUTION, issued out of the District Court, on the 26th day of May, A. D. 1894, against Mrs. Nihoua (w), defendant, in favor of Mrs. Nihoua, plaintiff, for the sum of \$34, I have levied upon and shall expose for sale at the Police Station, in the District of Honolulu, Island of Oahu, at 12 o'clock of TUESDAY, the 3d day of July, A. D. 1894, to the highest bidder, all the right title and interest of the said Mrs. Opeina, defendant, in and to the following property, unless said judgment interest, costs and my expenses

List of property for sale:
1 old dwelling house, being a two-story building, situated on the Waikiki side of

Kaunakapu church, on Peretania street and is the second house from the said church. A. M. BROW, Deputy Marshal.
Honolulu, June 2, 1894.
3705 1556-2t

Administrator's Sale of Real Estate.

BY ORDER OF THE CIRCUIT
Court of the First Circuit, made this 4th day of May, A. D. 1894, in the matter of the estate of L. NAAGAG KAWAI, I will sell the following parcels of real estate at the auction rooms of L. C. M. & Co.,

First. A fine tract of grazing land near Pauwahi harbor on the south-east coast of Molokai, purchased from this man, Joseph K. K.

running from the sea beach into the hills called Pontuchun dila, comprising 56 acres, described in Royal Patent (Grant) 271. This land, together with that adjoining called Pontuchun akahi, with an area of about 56 acres is under lease for twenty years from January 1st, 1900.

Second. Two apas in Waialua, Molokai, described in Royal Patent 6199. Land Commission Award 45-0 in Rule, the first, comprising 3

1. One two patch included within this spanal of the foregoing lot with an area of 4,100 sq. ft. an acre.
2. One parcel of two and a half acres with an area of 56,100 sq. ft. of an acre on the north side a little be-

1. One-laro patch included within span of the foregoing loci with an area of 4-100 or an acre.
2. One parcel of tern and bulo land with an area of 96-100 of an acre on the stream a little be-

These lands will be sold in the foregoing order until enough has been realized to pay the debts and charges upon the estate.
Conveyances and costs at purchaser's expense.
Terms cash in U. S. gold coin.

ALFRED W. CARTER,
Administrator Estate of L. N. Kessel.
Hogonin, May 4, 1924. 1500-4w

Daily Advertiser, 75 cents a month.