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AN INEQUITABLE CAUSE THROWN OUT OF COURT

Argument of Counsel Cut Short --- Supreme Court Summarily Dismisses Dee vs. Smith. Clean Hands Not Shown.

Indignation was evident in the tones of the Supreme Court justices yesterday afternoon, when one by one they gave their reasons for summarily throwing the equity suit of Lawrence H. Dec against W. H. Smith out of court. As indicated by the remarks of the Chief Justice, the court regarded any deliberation over its decision a waste of time. J. A. Magoon and J. Lightfoot appeared for the plaintiff, and S. M. Ballou for the defendant.

Mr. Lightfoot was making the closing argument for Dee when, at 2:30 o'clock, Chief Justice Frear with a gesture signified that time was up. The speaker asked for just a minute longer, but was informed it was not necessary. Mr. Lightfoot had just been saying that Justice Wilder drew a certain deed, and that the defendant's counsel had tried "to drag the ermine from the bench and besmirch it in the mud."

Mr. Ballou, in reply to this, only remarked that it was not in Government is puzzled over how to proceed. evidence that Mr. Wilder drew that deed.

The official record of the decision orally rendered by the members of the court appears below. A history of the case, taken from the pleadings and Judge Gear's decree now affirmed, will show the full bearing of the decision.

HISTORY OF THE CASE.

"Lawrence H. Dee vs. Wm. H. Smith, bill to remove cloud from title," the case is entitled. It arises from the celebrated Kamalo Sugar Co. case, in which Judge Humphreys made a decree on June 9, 1902, awarding Harvey R. Hitchcock and others (including Dee) \$39,781.88 against Frank Hustace, J. J. Egan and Frank H. Foster.

Hustace paid into court his full one-third of the amount of judgment. Later he made conveyances of property to his brother, Charles Hustace, Jr., and J. F. Morgan-a fact worth noting here only because, in the case of Dee vs. Smith, these conveyances were introduced as collateral evidence to show that the conveyance by Hustace to Smith there attacked was part of a scheme to defraud creditors.

ADVICE TO HUSTACE.

Some time after the payment by Hustace of his share of the Kamalo judgment. Dee went to Hustace and, saying to him it "would be a shame" that he (Hustace) should be compelled to pay the entire judgment, advised him to make conveyances of his property so as to avoid the levying of executions thereon. When this was done, it was represented, Hustace could join with Dee and the other plaintiffs in the Kamalo case to bring suits against Egan and Foster. Egan's conveyance of his property was to be attacked as fraudulent.

Attorney Magoon also urged Hustace to the same course and went with him and Dec to the law office of Robertson & Wilder to enlist that firm in the scheme. "Both Dee and his attorney, Mr. Magoon," as Judge Gear's decree related, "urged Mr. Hustace to convey away his property so that the Kamalo Sugar Co., reprecented by both Mr. Dee and Mr. Magoon, could proceed against the property of Messrs. Foster and Egan, it being their claim that no proceedings could be taken against either Foster or Egan until an execution against Mr. Hustače had been returned nulla bona."

Mr. Robertson refused to have anything to do with Mr. Magoon's proposition, he having defended Egan and Foster as well as Hustace in the Kamalo litigation. In the hearing before Gear, Magoon said part of his proposition explained in Robertson & Wilder's office was llef prayed for. I notice that in the de- a clear and definite averment that no that Hustage was to give a bond for the entire judgment, which should be operative in the event that nothing could be got out of Foster and Egan. Robertson denied having heard any such thing those provisions were not properly infrom Magoon. As shown at the hearing, the proposed bond would have been fraudulent as against other creditors of Hustace than the Kamalo complainants.

THE CLASHING DEEDS.

Three months after the decree by Judge Humphreys already mentioned, Hustace conveyed to W. H. Smith a piece of land con- ings in the case, which I will not go taining 13 acres on the northwest side of Nuuanu Valley, the con- into. sideration named in the deed being one dollar. The same land was levied upon, under execution on the Kamalo judgment, and sold at auction in front of the police station on January 8, 1903. L. H. Dee was the purchaser for \$1000 and received a deed of the property from A. M. Brown, High Sheriff of the Territory.

SMITH'S PURCHASE.

Smith, in his answer to Dee's complaint, gives an explanation of his purchase of the land from Hustace. He had taken up a note of Hustace to the late M. Louisson for \$10,000, which had been secured by shares of Oahu and Ookala sugar stocks. The Louisson executors were about to foreclose on this collateral security, the market value of which at that time was much below par. It would not, at forced sale, have brought anything like the amount of the note and the deficiency would have been entered against Hustace. Smith paid the note in consideration of receiving, besides the collateral already mentioned, a deed of the Nuuanu Valley property in question and this, again, with the condition attached that the land would be conveyed back to Hustace when he repaid the loan of \$10,000. After a time Smith found it necessary to sell the Ookala stock, when he credited the net proceeds to Hustace on the loan. Smith had no knowledge, until Dee's suit was brought against him, that Hustace was under any liability for the Kamalo judgment.

The conclusion of Smith's answer was an offer to Dee to convey the land to him if he paid the balance due on his (Smith's) loan to

Neither Judge Gear nor the Supreme Court could find any fraud conveyance is attached and made a part

************ PRATT TO QUALIFY AS NEW POSTMASTER BEFORE COMING BACK

(Special Cable to the Advertiser.)

WASHINGTON, Feb. 23 .- J. G. Pratt has been confirmed as postmaster of Honolulu. He intends to qualify here.

THE STRIKE IN POLAND IS MARKED BY VIOLENCE

Russian Government Perplexed by the Railroad Situation---More Authors Are Put in Prison.

WARSAW, Feb. 24.—The strike is worse and is extending over all railway lines. The strikers are resorting to violence and the

WRITERS IN CUSTODY.

MOSCOW, Feb. 24.—Andrieff and two other writers have been arrested.

AFTERNOON REPORT.

MOSCOW, Feb. 23.—The funeral of the Grand Duke Sergius, killed by an assassin, took place today from the Chandoff monastery The ceremony was attended by the leaders of the nation and was very impressive.

WARSAW, Feb. 23.—The workmen have struck in all the factories of the Czarinakowska district and disturbances have arisen. Employes of the Lodz Kaluska railroad have struck.

in the conveyance by Hustace to Smith. Justice Hartwell held it was "in absolutely good faith."

AS TO CLEAN HANDS.

Referring to the bond by Hustace covering the whole Kamalo judgment, which Mr. Magoon said he proposed, the decree askedin the event of its being executed-what would become of the other creditors, for instance the Louisson estate with its claim of \$10,000, and denounced the proposition as fraudulent in equity. The decree also commented on the attempt of the plaintiff and his attorney to prove fraud by a deed the making of which they had counseled and advised. This procedure the Supreme Court also strongly denounces, the Chief Justice quoting the maxim that he who seeks equity must do equity-must come into court with clean hands.

Another thing severely condemned in the decree was the appearance of Mr. Magoon to prosecute a charge of fraud against Mr. Hustace after the latter had paid him a fee of \$150 to bring a suit against Egan and Foster, which he never brought, the court regarding this fee as a retainer to protect Hustace's interests.

court deems it unnecessary to take fur- dollar. In order, as I understand the ther time for consideration. The court is of the opinion that the decree appeal- the defendant-liable as a fraudulent ed from should be affirmed in so far as grantee for participating in an attemptt dismisses the bill and denies the re- ed fraud on creditors there should be cree there are some other provisions which have not been touched upon by terly inadequate counsel in their argument and possibly paid. I think therefore that the bill serted in the decree under this bill. As to that we need to express no opinion -simply the decree is affirmed as far as it dismissed the bill and denied the the way the Michigan case disposes relief prayed for.

There are other questions, some sugge ted by counsel, but really not ar- its own precedents or not is immaterial gued, and some suggested by the plead- to me; I like the equitable view pre-

The three main points argued by counsel seem to be those of election, and the innocence of the defendant in the transaction, and the matter of the estoppel, and the view that I take of the case, without committing my assoclates for all I may say-I think it would be unnecessary for me to go into those first two questions, the question of election and the question of the innocence of the defendant in the transaction-I base my opinion upon the other ground, that of estoppel.

The plaintiff certainly seems to have been an aider and an abettor and instigator of Mr. Hustace's transactions and he comes into court without clean ask a court of equity to set a ide that which he has connived at and advised

plaintiff's attorney had closed his opening remarks I did not see how the bill could possibly be sustained, and that opinion was fixed still more clearly in the first place it seems to me-and here I am not trying to express the views of my colleagues on the bench, merely my own—that the bill is not so framed as to hold the defendant as a fraudulent grantee. Saying that this conveyance s voluntary and without consideration does not make it so.

of the bill and it is not a voluntary The Chief Justice: In this case the deed, it is for a consideration of one proper pleading, to make the grantee consideration was paid or that an utconsideration was ought not to have been sustained on the pleadings.

Then as to the election by the plaintiff of these proceedings, I confess that of that question appeals to my sense of equity; whether it was contrary to sented by that case, notwithstanding the difficulties that arise by requiring the removal of a cloud upon title be fore a sale. In many caset, certainly seems to me, that the sale shall not be made first, and the purchaser after at the price commensurate with the circumstances, come in to get the benefit of the value when the alleged fraudulent deed shall be set aside-but as I say, I am simply expressing my own impression.

Then as to the transaction itself. As far as the evidence goes it appears to me that it is in absolutely good faith. How anybody can say, and I have listened for two hours very patiently, as patiently as I could, to an argument that this grantor Hustace and the defendant, had entered into a conspiracy to defraud the creditors on that con-Mr. Justice Hartwell: When the veyance, is beyond my willingness to comprehend. I consider the transaction in ab olutely good faith as between the grantor Hustace and the de-1 fendant. These alleged badges ny mind after his closing remarks. In fraud which have been spoken of, for title made to see what the title was taking an absolute deed instead of a of one dollar instead of the full actual consideration of ten thou and dollars and interest-if these are indica-A copy of the tions of fraud a large portion of the

BIG BATTLE IN PROSPECT

St. Petersburg Expects to Hear Soon of Stirring Events Fighting Line.

(ASSOCIATED PRESS CABLEGRAMS.)

ST. PETERSBURG, Feb. 24.—The absence of dispatches from General Kuropatkin is interpreted to mean that great events are impending.

NORTH SEA COMPROMISE.

PARIS, Feb. 24.—It is stated that the decision in the North Sea case will be announced Saturday. It is a compromise. THE RUSSIANS PLEASED.

ST. PETERSBURG, Feb. 24.—The news from Paris about the findings of the North Sea Commission has been received with quiet exultation.

RUSSIAN WARSHIPS SEEN.

ADEN. Feb. 24.—Five Russian warships have been sighted off Nogdishu.

SITUATION GRAVER.

ST. PETERSBURG, Feb. 22.—The railway strike is worse and there is much uneasiness here about the situation in Poland and along the Austrian border, where disturbances are increasing.

ST. PETERSBURG, Feb. 23.—The Grand Dukes will depart for Moscow tomorrow to attend the funeral of Grand Duke Sergius.

CZAR SUSTAINS KUROPATKIN. ST. PETERSBURG, Feb. 22.—The Czar has ordered Gen Grip-

penberg to return to his post, thus sustaining Kuropatkin. ST. PETERSBURG, Feb. 22.—It is rumored that the Czar is considering terms of peace.

GRAVE SITUATION IN CAUCASUS.

It is reported that racial disorders have developed in the Caucasus.. The Armenians have revolted in one district and have imprisoned the officials.

RAILWAY STRIKES SPREADING.

WARSAW, Feb. 23 .- The railway to Vienna is tied up by the strikes. It is probable that the other lines to the Austrian and German frontiers will be involved.

CZAR YIELDING TO STRIKERS.

BERLIN, Feb. 22.—The Russian Emperor has ordered that the demands of the striking railroad employees be granted. AFTERNOON REPORT.

BERLIN, Germany, Feb. 23.—The Emperor of Russia has decided to continue the war with Japan with the utmost energy.

The domestic situation is reported to be within the control of the authorities,

JAPAN STILL PREPARING.

TOKIO, Feb. 23.-A fourth domestic loan of one hundred millions has been decided upon by the government. The new fleet of destroyers will be completed in a year.

AT THE SEAT OF WAR.

TIENTSIN, Feb. 22.—Russian cavalry raiders have damaged the railroad in Manchuria, by which Oyama receives supplies for his

TOKIO, Feb. 22.-The Russian forces are continuing the bombardment of Oyama's position. MORE JAP TORPEDO BOATS.

TOKIO, Feb. 22.—The Government has ordered 25 torpedo boats.

RUMORS OF PEACE BERLIN, Feb. 22.-Much credence is given in official circles here

the peace reports from Russia. ST. PETERSBURG, Feb. 22.—It is declared that there has been no move made looking to the termination of the war with Japan.

LONDON, Feb. 22.—It is understood that Russia is willing to make peace on the conditions that Korea shall pass under Japanese suzerainty, Port Arthur be ceded to Japan, Vladivostok be made a neutral port, the Eastern Chinese railway be made neutral under international administration and Manchuria as far north as Harbin be restored to China. The question of indemnity is as yet undeter-

BERLIN, Feb. 22.—The Armenians and Circassians of the Caucasus have revolted and seized the arms of the Russians.

VIOLENCE AT BAKU BAKU, Feb. 22.—The strikers have pillaged shops and burned

WASHINGTON, Feb. 23 .- A battalion of infantry from the Porto Rican provisional force will participate in the inaugural cere-

BIRMINGHAM, Ala., Feb. 24.-Ninety-two bodies have been re-

covered from the exploded mine. CHICAGO, Feb. 24.-Hoch, the modern Bluebeard, has been

held without bail.

WASHINGTON, Feb. 54.—The House has passed the River and

Harbor bill. It carries \$17,000.000. COPENHAGEN, Feb. 24.-A whipping post bill has been in

troduced in the Rigsdag.

WINE AND BEER FOR KALAUPAPA ARE DISAPPROVED

Holiday and all, the Board of Health was in session for two hours yesterday afternoon. Settlement matters, presented in a report of a visit to Kalaupapa by the president, formed the main part of the business, although a neighborly dispute about water at Waiahole took up half an hour or so of the time. The question of a license for the sale of beer and wine at the Settlement had been the subject of a conference held there by the president, the discussion of which he fully reported in his statement of business to the Board. After some consideration the Board now tabled the proposition, the sentiment being against any such innovation,

President L. E. Pinkham, Dr. C. B. Cooper, Dr. W. H. Mays, Fred. C. Smith, Mark P. Robinson and Attorney General L. Andrews constituted the meeting. C. Charlock, secretary; J. D. McVeigh, superintendent of settlement, and Miss Mae Weir, stenographer.

THE KALAUPAPA MEETING.

President Pinkham stated that on the 15th inst. a delegation of the residents of Kalaupapa, headed by the local band, called upon him at the residence of the superintendent and presented their arguments for and against the introduction of wine and beer into the Settlement. D. H. Pierce acted as interpreter and the president of the Board took notes with great care. The speakers were very considerate and polite, making their remarks in the order here given:

J. D. Kahale requested equal privileges as to wine and beer as belong to people not under immediate restraint. He claimed these people were segregated to prevent the spread of the disease, but not for the purpose of depriving them of their natural rights. He stated that, deprived of what they desire at times as a beverage, the people have been compelled to drink "swipes," which are manufactured contrary to law, and in a most insanitary manner. He asserted that the people prefer good beer to bad "swipes," and that "swipes" should be thrown away the same as bad paini is. He stated the people have no remedies for their malady, and thought they might be allowed to have beer. He thought beer or wine could not interfere with their physical condition, as they had no medicines these beverages could affect.

D. H. Pierce stated that he believed in beer. He would oppose its being brought into the Settlement and sold under a license, or in any manner that would make the distribution of it a means of money making. The sale of wine and beer should be under control of the superintendent, so that it could be furnished at cost or near cost, as the means of the people were small and as otherwise most of the people would from poverty be forced to drink "swipes." People the world over use certain beverages in a social manner, and the people there, isolated by law, should be allowed the same privileges, that his heart might be a little lighter at times. He did not think the privilege would be abused. He referred, as to the effect of liquor on the inmates, to the case of Eli Gordon who drank heavily at the Settlement for twenty years, and showed no effects from the habit. He believed the introduction of beer at low cost would drive out "swipes."

J. K. Kainuwai stated he had come and heard the delegation request the introduction of beer and wine into the Settlement and he as one would ask that beer and wine be not allowed in the Settlement. He stated only a certain number desired beer and wine. "We were sent here on account of the laws. Since we have been sent here we should not ask beer and wine. We do not wish to increase the burdens and I do not think the Board of Health wish the burdens increased. If the people do, that is their fault. When the Governor, the Superintendent and our other friends are trying to get doctors and cures for us we should not throw ourselves into the fire. If a remedy is to be sought how can beer and wine, which make drunks do anything but aggravate the disease? Personally I have not used any liquor during my stay of sixteen years in the Settlement and my physical condition has changed very little during that time. I urge you, Mr. President, not to allow the use of beer and wine, and prevent rioting and fighting. If liquor comes there will be no more order or peace. You want to remember we did not come here to make swipes, or be arrested or put in jail. With beer and wine will it not be the same, and the use will be abused, and such persons will go to jail. Beer and swipes, I believe, kill off the people. I therefore leave it, Mr. President, for your consideration and that of the Board of

Peter Richards stated that he believed J. K. Kainuwai was the only person in the Settlement opposed to beer and wine.

James Harvest remarked: "I favor beer and wine. Alcohol helps when one is sick. In 1873 I was sick and under the care of Dr. Trousseau and was given medicine and liquor and I recovered. In the year 1900 I was taken sick at the Settlement and was treated by Dr. French. The only medicine used was stimulants. In 1904 was again sick and received the same treatment and recovered. I therefore ask you to consider my claims. I have been in the Settlement for thirteen years. I am accustomed to drink in moderation. have never been in jail. We have many troubles and I think are entitled to some happy days. I therefore leave it for you to consider. This is all I have to say."

Joseph Keawe said: "I ask you to grant our request that wine and beer be sold in the Settlement. I have been here twelve years Liquor is not aggravating the disease. I drink and take whatever I can get. I can obtain nothing now but swipes, which I drink. I have been brought up for manufacturing swipes. I prefer beer, and must have something. I can only get 'swipes.'

Rev. E. M. Hanuna spoke as follows: "I am not a beer or wine drinker. I have been in the Settlement about seven months. I have carefully observed how the people are living. According to my observation the people desire beer and wine above everything else Section 32 prohibits the manufacture, possession or sale of swipes Section 30 absolutely prohibits the use of spirituous liquors by the inmates here. The laws are far more stringent in the Settlement than other parts of the Territory. The laws can not stop either the manufacture of or consumption of swipes. Nearly all the cases before the courts originate in swipes. The great majority of the people have carefully considered the matter and believe and desire beer and wine under proper restrictions be introduced to take the place of swipes.

"Why have these severe rules been established, simply as prohibition or for fear of aggravating the disease? That is the great question. If you think the people wish beer to have a pleasant time, after the croupy cough appears, will it lies with you to consider that. If you think beer will disturb order

you will consider that. (Continued from Page 2)

SACRIFICIAL STONE IDOLS AND SKELETON

Interesting Find by Ex-Gov. Cleghorn on Waikiki Beach Lots---Relics of a Barbarian Past Uncovered.

Sacrificial stones, the history of which is too remote even for the oldest Hawaiian inhabitant here to determine, have been unearthed by Hon. A. S. Cleghorn, at his beach place on the Diamond Head side of the Hustace residence and close to the Moana Hotel. The discovery is an all-important one in the antiquarian history of the islands and their people, for it was probably on this spot generations ago when the Oahuans were supreme in their own sovereignty, that the high priests made public demonstrations of their power, not only over the people but over the king as well.

In the front yard of the Cleghorn beach premises and in plain view of the road, is a huge mound of stones, or, to be more explicit, a group of huge stones with some smaller ones grotesquely elevated on top. To the casual passer-by the big stones have no meaning, but many persons have been curious to know why the misshapen rocks should be raised in so conspicuous a place.

These rocks, however, are among the most valuable that have been brought to light in recent years.

For the past two decades, or since the time when the Princess Likelike used the same premises for a bathing place, Mr. Cleghorn has taken note of some peculiar outcroppings of stones a foot or two above the sand. He saw that one was hollowed with some at tempt at design to a depth of several inches. He became convinced that the stone had, in ancient times, been used in the performance of religious rites. There were deep stains about the rim which no washing would remove, and the stains are there to this day, but whether caused by the blood of sacrificed victims or from draughts of awa poured into the hollow by the priests is not yet determined.

While erecting his new beach cottage recently Mr. Cleghorn made a closer investigation of the stone. With the assistance of Mr. Traphagen, Mr. Cleghorn had his men dig carefully about the mass They dug to a depth of five feet before they came to the base. The stone was found to be a huge one, weighing about eight tons. It is not of the class found on or near the beach, but undoubtedly came from the range of hills back of Kapiolani Park. Jack-serews were used and the stone was brought to the surface and the excavation tilled in.

Investigation showed that in the lot on the Diamond Head side there was another large stone. The property, now owned by Mr. Lutted, was formerly in the possession of Charles W. Booth, and permission was granted to Mr. Cleghorn to raise the prize. The second stone was found to be much heavier, in fact, it weighs, according to Mr. Traphagen's estimates, about ten tons. It was found in a straight line with the first stone and still a third and a fourth were excavated, all in a straight line.

When the ten-ton stone was raised Mr. Clegborn made his most important discovery. The remains of a skeleton were found buried beneath the great rock. But few bones had been left by Time There was a jaw-bone with all the teeth intact and perfect. Dr. Mays, the physician, to whom it was shown, and Dr. Whitney, the dentist, pronounce the teeth those of a young woman perhaps 17 years of age. The teeth are now in the temporary possession of Dr Whitn y for treatment and will be returned to Mr. Clegborn.

It is the opinion of Mr. Cleghorn that the young woman was the victim of a sacrificial rite. The sacrifice must have been a very important function to have had the people go to the great trouble of burying the remains beneath so huge a stone.

But the skeleton was not the only feature to call to mind the idea that there had been human sacrifice. Close to the bones Mr. Cleghorn discovered four or five very crude idols, two of which are now cemented to the top of the ten-ton rock, giving the latter a very grotesque appearance. The workmen broke the head off of one, and this was cemented on again. Only those who are acquainted with Hawaiians idols would have recognized the almost shapeless stones as figures before which the ancient Hawaiians made their devotions and offerings. The broken one had been rudely shaped. The head was but a ball and the body merely shaped to give the appearance of a neck and a large-sized trunk.

In the other there is a notch to indicate that there is a chin, and there are a few markings beneath. Another was a slab-side piece of stone, which is believed to be a fish-god.

A curious stone is one which was found at the end of the line of rocks. This has curious hollowed indentations on the surface, one much like the seat of a sulky-plow. Mr. Cleghorn believes that this was the seat of a high chief or a priest. Another imperfect hollowing occurs a foot away but this may have been merely a receptacle for awa or other kahunaed liquid, or it may have been a seat for another person.

How the Hawaiians ever brought these huge stones down to the beach from the mountain is a mystery. It is not known whether they were versed in methods of earrying huge objects to great distances. There were no horses or mules here, and all transportation must have been by hand and possibly on rude sledges.

The site of these curious stones recalls the fact that the beach there was the favorite bathing place of Kamehameha the Great and his chiefs. It is also believed that the King of Oahu before the advent of the conqueror used the same place.

The beach is now considered dangerous for people who are not good swimmers. The water is very deep just off the shore and the under-tow at times is extremely strong. Mr. Cleghorn states that it is a curious thing that the bottom along that section is almost free from coral. There appears to be a half moon section there which has no coral stones to amount to anything. Mr. Cleghorn is of the opinion that Kamehameha put a great many of his people to work there removing the coral so that he might have a clean, sandy ocean bed beneath the surface of the water where he had chosen to enjoy his baths and watch the aquatic sports of his subjects.

BE QUICK,

Not a minute should be lost when child shows symptoms of croup. Chamberlain's Cough Remedy given as soot as the child becomes hoarse, or ever prevent the attack. It never falls, and is pleasant and safe to take. For by all dealers. Benson, Smith & Co Ltd., Agents for Hawaii.



HUI OF LIQUOR MEN TO FIGHT **CARTER'S POLICY**

The liquor dealers of Honolulu have formed a kind of hui to fight the Governor's policy of refusal to grant licenses, are said to be meeting every day in a certain liquor house in town, and of a surety offered their aid and all the backing that might be needed to keep the place open when it was reported yesterday that Treasurer Campbell had refused to renew the dealer's license of S. I. Shaw & Co.

"But it was all a mistake," said Mr. Shaw himself last night. "I did not apply for renewal of license. I do not want a renewal of the wholesale license. I would not take it if it were given to me."

"And I do not know that there was a refusal to renew the license of S. I. Shaw & Co.," said Governor Carter. "I told Trasurer Campbell, when the receiver pendente lite for the firm of S. I. Shaw & Co. applied for a renewal of the wholesale license, to grant it to him, as I had understood that he was an arm of the court. Now, as a matter of fact, Shaw himself testified in court that the law was violated, in that liquor was peddled about by the wagons of the firm at retail, and we were determined to put a stop to that kind of thing. But as to the license to the receiver, that is another matter, and as I said I told Mr. Campbell that under the law I supposed it. must issue. We have no desire to block the business of the courts."

And, as a matter of fact, Mr. Campbell did offer to issue the license to the receiver pendente lite of the firm of S. I. Shaw & Co., Attorney Frank Thompson. Mr. Thompson said so himself, yesterday. "The license ran out on the 10th of February," said Mr. Thompson. "I applied for a renewal several days before that, and today Mr. Campbell informed me that he would only issue the license to me as receiver. As that would mean that the license could run only during my receivership, necessitating another payment by the firm of \$500 at the end of a month or six weeks, the license not being transferable, I did not feel at liberty to draw that amount of the assets of the firm, and so have applied to the court as one of its officers to see what I shall do. If the court tells me to close the business, of course I must obey. If it tells me to take out the license, I am equally bound. I can only do as the court tells me."

"It works a peculiar hardship upon the firm of S. I. Shaw & Co., which has been in business in Honolulu for a great many years, and which has never broken any law," said Mr. Davis, head bookkeeper for the firm, yesterday. "It is taking snap judgment upon us. Wehave a stock here valued at about \$13,000, and goods now on the way worth \$5,000 for which the credit of the firm stands pledged. Besides. that, we are doing a business of approximately \$6,000 a month, and our book accounts foot up \$3,000 more.

"This is the wholesale department, which it will be a misfortune to the business community of Honolulu to close, and I am in chargeof this department. There has never been a violation of the law in all the time I have been here. If any customer of ours wanted to buy goods at retail, I myself have sent or gone into the retail department to get the goods, selling nothing in this department save at wholesale.

'The closing of the wholesale department, if it must be closed, will have nothing to do with the saloon at King and Nuuanu streets, also run by S. I. Shaw. That is run under a separate license."

The firm of S. I. Shaw & Co., which also conducts the Hilo Wine and Liquor Company at Hilo, Hawaii, is composed of Seeley I. Shaw. in charge of the Honolulu business, and J. S. Canario, in charge of the Hilo branch. The partners have not got on very amicably during the last few years, and to the end that the partnership might be wound up and the Honolulu and Hilo branches separated, Mr. Shaw brought suit. It was in the progress of this suit that Mr. Thompson was appointed receiver pendente lite of the firm, and the wholesale business in Honolulu has since been conducted under the receivership. As the say as to whether the business shall be closed upor be continued by the issuance of a license to the receiver is up to the ecurt, it will not be determined until a court order is made next Thursday just what course is to be followed.

JAP COMPANY TOOK HAWAII'S RAW SUGAR.

The Japan Gazette says: A remarkable example of evasion of the sugar-tax has come ti light in Tokyo, says the Kobe Chronicle. According to the Yomimuri, the offenders are the Nippon Seiseito Kaisha, or Japan Sugar Refining Comany of Tokyo, who have been evading the sugar-tax by fraudulent means for months past. The managing director of the company and the man in charge of the rum manufacture department are now being prosecuted at the Tokyo-Chiho Saibansho by a certain Mr. Kin on a charge of evading the tax. It is stated that since October, 1901, when the sugar consumption-tax was put into force, the company has been in a difficult position, and unable to declare any dividend. .The position of the company, however, suddenly improved in the second half of last year, when a good dividend was declared, and especially during the preseut half-year the company has seemed to be most prosperous. Thisis now alleged to be due to profits made by evading the sugar-tax. It seems that the company has been importing the raw material from Hawaii. First of all, it is alleged, bith the Customs and Consumption-tax were artfully evaded in passing the raw sugar through the Yokchama Customs House. In the lighters transporting the sugar from the steamer to the hatoba, employes of the company would extract 76 to 80 kin from certain bags and conceal the amount at the botter, of the lighter, and later this would be forwarded to Tokyo without undergoing the examination of the customs authorities. Two other employes of the company were stationed at Yokohama, where they passed 500 kin bags for 400 kin at the customs by fraudulent means, and the sugar so smuggled was concealed in tanks. Employes kept watch around the premises of the company against the advent of the tax officers, and gave notice of their approach. Two sets of books were kept, one for the inspection of the authorities and the other for private use. It is also alleged that the scales used by the company for the examination of sugar by the authorities were fraudulent. The raw material refined daily being about 400 bags, the tax evaded would total Y.344 per day, or about Y.123,000 a year. Some time ago the metropolitan police had reason to suspect the company, but failed to obtain evidence. Now, it is alleged a chain of evidence-

OUIET BUSINESS DAY IN BOTH HOUSES

Matters in both legislative houses moved along yesterday with most remarkable smoothness. There was some work done in both. That is coming to be the regular order. And there was a little ripple in the Senate when the resolution appointing three conferees on county government came up to the Senate from the House without anything very clear to indicate what a conference was desired upon.

The matter was cleared at the afternoon session by Senator Wilcox's discovery that the House wanted to reach an agreement in a conference on the Achi concurrent resolution, providing for a special committee of both houses to take up the whole matter of county government. After that was made clear, the Senate appointed conferees, and the regular business went on.

THE LEGISLATURE --- SIXTH DAY.

THE SENATE.

All bills introduced in the

Senate or that reach the Sen-

ate from the House of Rep-

each day report to what com-

been referred, so that business

men or others who are inter-

ested in any particular meas-

ure may know at once to what

particular committee they should

apply for information. The same

the door of the Senate Cham-

00000000000000000

By request of President Isenberg of

the Senate, the notice above is given prominence for the benefit of business

special committee appointed to consider the McCandless bill for a rail-

waiting for a few minutes before the opening yesterday morning, and at

that did not report progress after the Senate was called to order.

"We did not do a thing," said Sen-

ator McCandless, when asked about the work of the committee. "Honest, we

that was all, before we were told that

The House returned the Senate ap-

for signature. The Senate had been

in session but a few minutes, when a

message was received from Governor

Carter stating that it had given him

"I call that prompt," said Dickey,

RESOLUTION APPROVED.

The resolutions sent back to the

House yesterday were returned to the

Senate properly certified. The Harris

leprosy resolution of instruction to the

delegate in Congress was taken up

first, and the Senate concurred in the

The Coelho joint resolution asking

Congress to amend the Organic Act so

as to permit the changing of the land laws so that settlers could get on the

A communication from the House in-

formed the Senate of the appointment

a like committee from the Senate on

resolution read, and it was read by the

clerk. This resolution calls for a com-

rhittee of five from each House. The

House appointed six and the Senate

Achi insisted that the House request-

ed a conference and Dickey settled the

point by a motion, which carried, to

refer the House communication to the Mi*cellaneous Committee to find out

ACHI IS BEATEN.

Means Committee on the mortgage re-

demption bill was tabled to be taken

up with the bill despite the opposition

of Achi, who made the point of order

that the committee report was not

sufficiently specific to meet the require-

ments of the rules, and who appealed

from the decision of the Chair when

President Isenberg ruled his point not

well taken. The report went on the

table, therefore, but was to be heard

favorably on the bill to provide for the

ceased out of the estates, and the re-

port was tabled to be taken up with

item in the appropriation bill be re-

ferred to the Committee on Education.

This was to correct an oversight and

Achi introduced the following bills,

which passed first reading by title:

Providing for indexing records in the

ffice of the registrar of conveyances.

office of the registrar of conveyances.

rar of conveyances.

tion of public records.

Amending the duties of the regis-

Legalizing the use of typewriters in

Providing penalties for the mutila-

Amending section 1473 of the Civil

Laws of 1897 relative to the sale of

land under foreclosure. All the Achi

the writing of public records.

Providing for filing of plans in the

It passed first reading by title.

The adverse report of the Ways and

was referred to the Judiciary

great pleasure to sign the bill.

sotto voice.

resolution.

Committee.

with him.

disagreed.

reading.

what was meant,

the County bill.

didn't. We just read the bill,

the Senate was waiting."

interested in legislation. The

around Oahu kept the Senate

information will be posted at @

various newspapers will

THE HOUSE.

Yesterday was a sort of an off day . In the House proper, for while a good deal of business was done there was nothing of a nature even remotely ex-

Not a ripple stirred the calm of the legislative mill-pond except for a few minutes when the report of the Judiciary Committee was submitted for @ and "of's" in the newly Revised Laws of Hawaii and recommended the passing of the laws as amended,

Rep. Holstein drew the attention of the House to the fact that the letter of Geo. A. Davis had been referred to the Judiciary Committee but that no mention had been made of it in the report. Upon his motion the committee's report was referred back.
REFERENCE COMMITTEE RE-

PORTS. House bills 1 to 13 were sent back marked by the Reference Committee's approval and were passed on to be printed Rep. Andrade's bill to enact the Revised Code and Rep. Mahikoa's bill to enable married persons to obtain divorce if either is afflicted with leprosy, were both slaughtered as be-

ing comprised in other measures. Chairman Fernandez of the Health committee reported that March 18 had been set for the date of the official visit of the committee to the leper settlement at Molokai.

On the motion of Rep. Holstein it was decided that members should retain their copies of the Revised Laws as personal property.

GOVERNMENT EMPLOYES.

Reports of the number of employes and of the salaries paid in different offices were submitted by Attorney General Andrews, Superintendent of Public Works Holloway and Auditor Fisher, and were filed for reference.

STILL MORE BILLS.

Rep. Kaniho gave notice of the following bills:

An act to regulate the erection, alteration and repair of buildings in the District of Honolulu, and defining said

An act to regulate the fees of wit-An act to exempt all citizens having

five or more children from personal

An act providing qualifications of persons elected or appointed to public office or position,

An act to prohibit the cremating of any deceased person without the consent of the family of the deceased, Rep. Mahikon introduced a resolu-tion for the appropriation of \$1200 for

a new court house at Hanalel. Representative Cox introduced a resolution for the appropriation of \$1000 for a school house at Wainlua,

Rep. Pulas presented a resolution for the following appropriations:

Repair to road from Kawaihae to Puake, South Kohala, \$7000; to road from Puko to Kiholo, \$800; to road from Kiholo to Huehue, \$10,000, Rep. Kalawaia submitted a resolu-

tion for the appropriation of \$60,125 for road repairs, grading, bridging and macadamizing at Ewa, Walanae, Wahiawa, Waipio and neighboring dis-Rep. Greenwell had a resolution for

road appropriations as follows: Kalahiki to Hoopulos, \$23,000: Hookens to Kealia, \$1,000; Holualoa road, \$9,000; and Waimea road \$6,000.

Rep. Mahelona asked \$35,000 for a new school house at Kalihiwaena. The resolutions were referred to the different committees concerned.

ON TO WASHINGTON.

The joint resolution regarding the appropriation of \$150,000 by the United States Congress for scientific research and study of leprosy was returned by the Senate and was ordered to be engrossed for transmission to Washing-The House adjourned at 2:20 to meet

again on Thursday at 10 a. m. Today Washington's Birthday will of course be no session.

(Continued on Page 5.)



terause It Is the Experience of a Honolulu Citizen and Can Readily be luvestigated.

A stranger lost in a large city would place far more dependence on the directions given him by a local resident than the guidance of another stranger like himself. This is a natural consequence of experience; it's like a ship in a strange port-a trusty pilot familiar with the harbor is always called Q upon to bring her safely to her moorings. So it is with endorsement; we doubt the sayings of people living at a distant point because we can't investigate, but public expression of local citizens can be depended upon, for 'tis an easy matter to prove it. Evidence like the following is beyond dispute:-Mr. W. F. Williams of this city, is a light-house keeper, and he has held this position for the last 30 years. He says: "I was for a number of years, one of that numerous army of people who suffer with their backs. Mine ached and pained me to no small extent, so I was glad when I heard of a rem edy for it, Doan's Backache Kidney Pills. I obained some of these at the Hollister Drug Co.'s store, and took them. They gave me great relief, and I make this short narration of my experiences for the benefit of others who resentatives, are referred to 6 Committees. Representatives of 6 perhaps do not know that nearly all backache arises from the kidneys, the best medicine for it is Doan's Backache Kidney Pills." mittees the different bills have @

Doan's Backache Kidney Pills are 50 cents per box, for sale by all druggists; sent by mail on receipt of price by the Hollister Drug Co., Honolulu wholesale ager's for the Hawaiian

COLGROVE FOUND BY THE ROADSIDE

The Manila Times refers to the death of Russell Colegrove, well-known in Honolulu, as follows:

The remains of Mr. Russell Colegrove, who was well-known in this city through his former connection with the Philippine transportation and construction company and mention of whose death in Peking appeared a few days ago, were taken after his death to the American barracks in Peking. Later they were conveyed to the cemepropriation bill as passed the first tery outside the He thing, and it went to the Governor they were interred. tery outside the Hsi Pien gate, where

The burial service was read by the Rev. Dr. Lowry and the services were attended by Mr. Conger, United States Minister, Mr. Coolidge, secretary of legation, Mr. William, Chinese secretary, students, and officers of the guard. Mr. Colegrove had been viceconsul-general at Canton.

He had conferences with prominent gentlemen in the service of the Chinese government recently with regard to the several undertakings which he was financing. He disappeared from the hotel there one day and was later found by two Chinese by the roadside outside the Water Gate in an exhausted condition. He was taken to the American Legation, where he was kindly cared for but did not survive of a committee of three to confer with the night.

Achi claimed that this was a request bills went to the Printing Committee. for a conference on his joint resolution The regular order then recurred on but President Isenberg did not agree Bishop wanted the Achi concurrent tion bill, and it went to the Judiciary Committee with instructions to report this afternoon.

Then there was a long fight on the mortgage redemption bill, coming up for second reading as the regular order, which ended in the reference of the measure to the Judiciary Committee after it had been passed.

AFTERNOON SESSION.

From the Miscellaneous Committee, Wilcox reported that the county bill communication from the House received at the morning session was really a request for a conference on the Achi concurrent resolution to appoint a joint Committee, and Wilcox, Wood and Hayselden were appointed as Senate conferees.

Dowsett introduced a resolution providing \$25,000 for grading Waialae road and another appropriating \$10,000 for a new road to connect the Walalae road with the Diamond Head road The resolutions went to the Public Lands Committee.

The Judiciary Committee reported Hewitt introduced a bill to protect the owners of bottles used to contain support of the families of persons debeverages and medicines. Passed first reading and referred to Printing Committee. the bill. Later the bill passed second

Paris introduced a bill relating to the onds of public officers. Passed first Dickey introduced a bill "to regulate reading and referred to the Printing the investment of funds by trustees." Committee. The House appropriation bill passed Dickey moved that the educational

second reading and was made a special order for Thursday. The bill providing punishment for persons impersonating officers of the Board of Health was laid on the table for the present, on a report from the

Judiciary Committee. Senate Bill No. 30, which is the garbage bill, went to the Health Committee on second reading.

The Achi bill providing for substitute for the county act, coming up on sec-ond reading, was referred to the Judi dary Committee on motion of Paris. There being no further business be fore the Senate an adjournment wa taken until Thursday morning at o'clock.

(Continued on Page 5.)

To Be Depended On GENERAL MACARTHUR ON WAY TO THE FIELD BY GOVER



MAJOR GENERAL MACARTHUR.

Major-General Arthur MacArthur, U. S. A., accompanied by Mrs. MacArthur and his aide, Col. Parker West, U. S. A., is a through passenger on the Korea en route to Japan, whence he will leave for the seat of war in Manchuria, as the representative of the American army attached to the Japanese troops.

General MacArthur will be attached to Marshal Oyama's headquarters. Mrs. MacArthur will probably make her home in Korea while the general is at the front.

Upon arrival yesterday General MacArthur was met by Lieut. Col. John McClellan, U. S. A., commandant of the Artillery District of the Hawaiian Islands, and driven about the city in an army wagon.

The general looked up some old acquaintances on landing. Speaking of newspapers and newspaper correspondents attached to armies, General MacArthur said he believed Japan had lost a valuable asset when she gave the war correspondents so little attention. He said that the newspapers wielded a great influence, and if handled right they would aid a commanding general rether than in jure him.

"A general, you know," said the general smiling "can aid himself by making the newspaper correspondent look at things his own way. Now General Grant caught a newspaper man spying around his 329.5; J. Craig. 327.14; Barnes, 325.1. tent one day. Most generals would have sent him at once to the guardhouse, but Grant took the man into his tent and filled him up with all sorts of things he wanted the enemy to know. Grant used him-the newspaper man did not make use of Grant."

General and Mrs. MacArthur and Col. West are domiciled at the Alexander Young Hotel.

KOREA RUNS INTO A HARBOR MUDBANK

A striking lilustration of the need of the Federal Government appropriating money for dredging out the harbor came to light yesterday when the heavily laden Korea went stranded on a mud-bank a little Walkiki of the mid-channel, just off the light house. The vessel was then steaming in to dock at Navai Dock No. 3. The Korea came to an easy stop. There was nothing sudden, but she wouldn't go ahead any more and the propellers in reversing tore up mud by ship loads. The harbor became dense with murky water. The passengers did not realize the position, but the Korea was there on a mud-bank all right. The big liner was finally backed off and after considerable maneuvering came alongside dock No. 3.

Ventura Hit Storm.

Two days before making port, the steamer Ventura ran into the path of a southeast gale, which raged with such violence that for twelve hours she was hove to. An attempt was made to keep her going during the storm, but she pounded so in the trough of the seas that it was necessary to slow down until the weather moderated. Efforts were made to reach this port before sunset last night, despite the handlcap, but it was some hours later when she steamed into the harber. She remained at anchor all night, and this morning after quarantine inspection proceeded to her berth .- Examiner.

K, Imamoto, the well known Japangaged in montile business for the ant twelva . in Honolulu, has acnd business of KoTRAVELERS FIND CHAMBER LAIN'S COUGH REMEDY EVERYWHERE.

Mr. C. W. Eckerman, manager of the Smith-Premier Typewriter Co. at Omaha, Nebraska, U. S. A., who is a staunch friend of Chamberlain's Cough Remedy, says: "I have taken particular notice that this remedy seems to be carried by drug stores in all parts of the country, which is quite an item when one is traveling. It gives me pleasu a to say that I have used it for years and have always found it highly satisfactory, effecting a cure in a shorter time than any other medi-For sale by all dealers, Benson Smith & Co., Ltd., Agents for Haway

Young Bros, customs launch Waterese merchant who has been actively witch went into commission again yesterday resplendent with new coats of paint. On the funnel sides are two handsome shields of the customs service.

A system has been adopted by Gov ernor Carter in sending bills in for introduction in either House of the legislature that is likely to result in important changes in such matters that will reach farther than Hawaii before the effect is lost. This consists in accompanying each bill with a type written statement of the necessity it is intended to meet, and the precedents for the legislation asked for in the statutes of mainland communities.

For instance, a bill was introduced in the Senate yesterday at the request of the Governor legalizing the use of the type writer in making legal documents for record. In the law as it stands there is no such provision, which fact is set out in the statement accompanying the bill, and yet the type writer has come to be so much a recognized necessity in legal matters that it seems wonderful, now, how courts and lawyers ever got on without it.

The Governor's bill reads:

Section L All public officers in the Territory, or of any political subdivision therein, who have charge of the making of any public record, or of the recording of any paper, document or matter now required by law to be recorded are hereby authorized and empowered to use typewriting machines in the making of such records or in the recording of any such paper, document or matter.

A second measure, also prepared at the request of Governor Carter and introduced by Senator Achi, covers in the following language a condition which there is need should be remedied, in the public interest:

Section 1. Any person who takes and carries away any book, paper, or document of any kind belonging the records or files of any public office in the Territory, or who defaces, alters or mutilates by mark, erasure, cutting or otherwise any such book, paper or document, and any person who after demand made by the officer entitled by law to have possession of such book, paper or document shall wrongfully detain the same, shall on conviction thereof be fined not more than \$1,000, or be imprisoned not more than six months, or both,

The Governor has also adopted a system of indexing in his office whereby a record of the progress of every bill before either house of the legislature will be kept, the indexing being changed daily to show just how muca progress has been made with any given measure. This index will be at the service of any citizen who may wish to consult it at any time.

Pat Cavanaugh Wins.

PITTSBURG, Pa., Feb. 12.-Pat Cavanaugh finished in the lead in the seventy-two-hour race that ended at midnight tonight at old City Hall, his final score being 345 miles. A large crowd was in attendance when the grind closed and the runners were cheered in "Old Soldier" Barnes, who had to finish 325 miles to get one per cent of the gate money. He completright, they would aid a commanding general rather than injure him. final scores were as follows: Cavanaugh, 365.1; Metkus, 352.0;

neen, 345.3; Hegelman, 341.1; Cartwright, 340.0; Klubertanz, 337.9; Davis,

Pale, Thin, Poor Blood, No Energy

These are the symptoms of impure blood, starved blood. Take out the impurities, feed the blood, and health quickly returns.



Mrs. George Mitchell, of Yuille St., Buninyong, Victoria, sends us her photograph
with the following story:

"I swiftered terribly from debility. I had
no energy. I was tired in the morning as at
night. It did not seem possible for me to
keep up. I was thin and pale, and my blood
was very poor. I had no appetite. I gradually grew weaker and weaker. When almost
completely exhausted I read about

AYER'S Sarsapari

I immediately tried it, and began to improve at once. A few bottles completely restored me to health."

There are many imitation Sarsaparillas. He sure you get "Ayer's." Ayer's I'ills will greatly aid the action of the Sarsaparilla. They are all vegetable, mild, sugar-coated, and easy to take. Prepared by Dr. J. C. Ayer Co., Lowell, Mass., U. S. A.

HOLLISTER DRUG CO., Agenta.

Mawaiian Cazette

H T., Becomf-class Matter, SEMI-WEEKLY WANTED TUESDAYS AND PRIDAYS.

WALTER G. SMITH, Editor.

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A. W. PEARSON.

Manager FEBRUAY 24. FRIDAY

THE KONA ORPHANAGE.

Reasonable public aid for the Kona Orphanage would be money wellplaced. Young children left without father or mother, or relatives who care for them are very likely to drift into the street life that leads to crime, Somebody ought to look after such waifs and the Kona Orphanage is doing it at the expense of the manager, Miss Beard, who gives her whole income to the Orphanage and of such charitable people as are of a mind to have? help her. There is also a considerable item of self-support in the returns from diversified farming.

But the support of 59 children, who must be sheltered, fed, clothed and taught is no small item and owing to circumstances which Miss Beard ex- ritory. Think of the roads it would plains in her report for the current year, legislative aid is very desirable. There may be some question, under the organic act, whether it can be lawfully extended, but there are good attorneys who hold that, as Miss Beard's institution is not a school but an orphanage, with teaching as a side issue, like small farming, and not the chief aim, the inhibitions of the organic act do not apply to it. If this is true, the Attorney General would doubtless reassure any doubting legislators upon the legal propriety of an appropria-What Miss Beard has herself done

for the orphanage appears in this extract from her report:

From the opening of the Orphanage to December, 1901, all expenses were met by Miss Beard.

When Miss Beard opened the work at Kona Orphanage, it was not her in-tention to ever call upon the public to assist in providing for the children, but the loss of twenty-one thousand dollars in the Kona Sugar Co. and deterioration in the price of coffee made it necessary to ask for help-About this time Hon. E. B. Beard of Modesto, California, died. He had always generously supplied his daughter with money. His death ma lessened the Orphanage income. His death materially

Many good people in the Islands and on the mainland have responded to ap-

With her own private income and contributions from people charitably inclined, the manager has thus far been able to keep all Orphanage bills paid.

During Miss Beard's visit to mainland in the Spring of 1903, friends of the Orphanage attempted through Legislature, to secure government aid for the Orphanage, but they were unable to do so. It is to be hoped that second attempt will not prove fruit-

industry. Aside from money for run- actively in the policy of that part of industry. Aside from honey for industry. Aside from honey for new panet, improvements such:

By this and other late official ut-\$5000 for permanent improvements such as more dormitory space, more school room, a cow-stable and a laundry

The Forester and Agriculturist for February is a very useful number The Vegetable Garden for February' is one of a series of practical articles by F. G. Krauss, which every man with a truck patch ought to read and keep. Other features are: A Partial the hands of Latin-American repub-Account of Insects Affecting Tobacco. In Hawaii by D. L. Van Dine; Needed Homestead from Forced Sale, by Judge Weaver; Monthly Garden Calendar; Sub-Tropical Fruits Suited for Cultivation in Hawaii, The Cultivation of Sponges and The Danger of Introducing Insect Pests.

If the Russians have won a verdict in the North Sea inquiry, as reported it simply means that merchant vessels, approaching a war fleet at night during hostilities, do so at their own risk. Considering what destructive ruses are employed by a naval enemy, a belligerent fleet cannot be too cautious about its nocturnal visitors. A fishing boat crossing too near such ships risks the same fate that a farmer or merchant would take in approaching night the lines of an army in the field.

The House, after a careful examination, has found nothing illegal in the manner of Kuhio's election, so it is hardly likely that the Iaukea contest will go much further. One inquiry into the electoral facts about an obscure delegateship is all the House, with its multifarious duties, can afford. Efforts are being made, though hardly in influential quarters, to convince laukea that there is life in the dead horse; but it is doubtful that even he will be de-

The confirmation of J. G. Pratt, which occurred yesterday, ends an episode in local politics which has had too many discreditable features. There is nothing and there has been nothing against Pratt's fitness for postmaster, and his public services should have been enough to spare him the mortification of such charges as were made. But all's well that ends well and Mr. Pratt can now afford to smile at his enemies,

PUBLIC ECONOMY

The Governor gives sound advice when he urges the Legislature not to be too free with the loan fund. That there is a temptation to draw upor this fund, like that of a young person to get rid of his surplus pocket money, admits of no manner of doubt; but if Hawaii is going to enjoy sound finances if will have to husband its money and try to live within its means. Because we have discovered that we have a credit is no reason why we should go shead and exhaust it. Money borrowed must be repaid some day and should only be spent for

things of the most public utility,

In this connection there are a num of questionable projects broached which would deplete the loan fund without making adequate returns to We do not, for one the taxpayers. thing, need a new public building, especially at a time when the Territorial departments are likely to be shorn of some of their personnel and much of their power by the institutions formed by the County Act. For all practical purposes the judiciary building is good enough. The structure is a well-put-up one, only needing such alterations as will make the floors stronger. So instead of expending a large sum for a new structure why not expend a small one in making suitable the public building we already

Another wasteful project is the building of a \$50,000 armory for the Honolulu companies of the National Guard, to say nothing of the armories called for elsewhere. Fifty thousand dollars are a goodly sum of money. That amount could be made extremely useful in the building up of the Terconstruct or the streets it would repair. That money would survey and open up public land upon which hun-dreds of thrifty people could be homesteaded, thus adding to the taxable values needed to pay interest on the Territorial debt and form a sinking fund. Fifty thousand dollars would build a lot of schoolhouses, increase the supply of impounded water so as to protect the community from drouths or keep the Promotion committee in literature for years. Half of it, carefully used, would expel Honolulu's mosquitoes and one-fifth of it would materially aid the sanitation of the

Yet in place of using the money for some such purposes it is seriously proposed to invest it in a militia clubhouse or "armory," as such clubhouses are called. The idea is made the more obnoxious by the fact that the drillshed, which answers all militia purposes and serves them now, will probably be deeded back to the Territory in two or three years. Considering all this and the uselessness of the militia except as a political machine, the armory proposal becomes a signal example of what the Governor is warning the Legislature against,

THE ROOSEVELT DOCTRINE.

President Roosevelt, in explanation of what he has added to the Monroe Doctrine, made these sensible remarks not long ago to a Chilean editor:

"It is regrettable that all the South American republics do not have, like Chile, a suitable form of government, which might give guarantees and be able to inspire the respect of the whole world. Chile is a country which has known how to defend itself when attacked, and has never failed to meet its obligations. This we know, and we are, in consequence, drawn toward her. If all the South American countries would follow in the footsteps of response, especially as Miss Beard is caring for many homeless Hawaiian to regret the events which on several caring for many homeless Hawaiian to regret the events which on several children and teaching them habits of occasions have forced us to intervene

terances it appears that the Latin-American States, to be sure of safety from "Yankee imperialism," must conduct themselves in such a way as not to arouse the just resentment of European powers. The United States cannot go to war in the name of the Monroe Doctrine, to keep European States from protecting their subjects from political or financial injustice at lies or from collecting indemnity for injuries already done. In the past the Legislation to Exempt the Family tacit obligation to protect an irresponsible American debtor or mischief maker from the usual disciplinary course by the injured power, involving land indemnity in extreme cases, was the weak point of the Monroe Doctrine. But now all this has been done away with by the terms of the supplementary Roosevelt doctrine, so tries to repudiate its debts or that, when a Latin-American republic aside any of its treaty obligations, the President of the United States may step in, as the continental policeman, to compel order, and, in his other capacity as continental receiver, to manage the property pending a final set-

tlement with all concerned. The new doctrine is designed to prevent armed tests of the Monroe doctrine and to inculcate higher standards of government in Central and South America. It seems to be necessary and comprehensive statesmanship.

If the Russian conditions of peace are correctly reported, things begin to look like a complete Muscovite back-Japan could hardly ask much down. more than Russia seems willing to

Gen. MacArthur is a welcome visitor to Honolulu. His stay is short but on his return, which is to be by this route, he will probably make a tour of inspection.

EVERY BOTTLE GUARANTEED. This is done with Chamberlain's Cough Remedy, and if you are not satisfied after using two-thirds of the bottle according to directions, return what is left and your money will b refunded. For sale by all dealers, Benson, Smith & Co., Ltd., Agents for Hawaii.

"SONG OF FATE" AT OPERA HOUSE

The "Song of Fate" to be given a the Opera House on Feb. 28, in aid of the organ fund of St. Andrew's Cathedral, will have the following program

'Song of Fate".....Johannes Brahme The Chorus,

"Ye dwell on pathways of light. through fields eternal, spirits beyond the skies. Tenderly balmy breezes fan your calm brows, as the player's deft fingers sween over the harp-strings.

"Free from grief, as the slumbering infant, heavenly spirits live. Chaste enshrined as a bud that is opening. purely blooms their soul alway. And their vision celestial gazes serene on light everlasting.

"To us 'tis not given to find repose here on earth; they vanish, they falter, like spray of the cataract, recklessly plunging down to doubt and darkne's below."-Translated from the German of Friederich Holderlein.

SYNOPSIS.

In this composition the storm, the stress, the bitter anguish of earthly mortals is thrown into snarp and vivid contrast with the Nirvana-the perfect peace of the gods. Brahms has chosen E flat as his key. After a beautiful instrumental prelude of 28 bars in slow 4-4 time, the alto voices enter, planissimo, singing "Ye dwell on pathways of light, through fields eternal, Spirits beyond the skies." The full chorus takes up the same phrase, still planissimo. Passages of surpassing-almost unearthly-beauty succeed one another; while, throughout, an impersonality, a sense of aloofness pervades. The first part of the work ends in noble monies with the words, "And their vision celestial gazes serene on light everlasting."

Suddenly and absolutely the music changes its mood. In an instant it becomes warm, palpitating, human. Plunging into a rapid -4 rhythm, the voices enter in an ugly, crooked, yet oddly fascinating phrase, singing "To us 'tis not given to find repose here on earth." A sense of bitter hopelessness prevails. An immensely striking syncope is introduced on the words, "Like spray of the cataract recklessly plung-ing." Again the crooked theme is heard, wrought into a short fugate passage; again it recurs in its original form. Gradually the cry of anguish diminishes, and on the words, "to doubt and darkness below," with supreme pathos, it subsides utterly. A few more bars of fluttering agitation-gradually growing fainter and fainter-and the struggle is over. It is death.

All at once, almost imperceptibly, without forewarning, the original phrase of the entire work comes stealing deliciously on the ear; this time in the key of C. The surge of struggling humanity has spent itself-merciful death has intervened. The hu-man has achieved Nirvana. This final instrumentalcoda brings Brahms's very beautiful and interesting work to an exquisite end .- Gerard Barton.

Two English Songs-(a) "A Song of Thanksgiving".

····· Frances Allitsen (b) "Stars"Franco Leoni The Hon, Paul R. Isenberg. 'Aria" (From Samson and Dellia)

"Mon louer Souvre a ta Voix".Saint Saens Mrs. Bruce McV. Mackall. Violin and Piano-

Sonata in F (op. 8) ... Edvard Greig Allegro con brio. Allegretto quasi Andantino,

Allegro Molto Vivace. Mrs. A. B. Ingalis and Mrs. Gerard Barton,

Three English Songs-(a) "The Danza"....G. W. Chadwick (b) "Songs That My Mother

Mrs. Bruce McV. Mackall. Two German Songs-

(a) "Vergeben" Frank Reis (b) "Sehnsucht" .. Anton Rubenstein The Hon. Paul Isenberg.

Three-Part Songs-a capella-(a) "My True Love Hath My Heart"..... Heary Smart (b) "Alan-a-Dale," R. Le de Pearsal

(c) "Pastorelle"......C. Reinecks Soloists-Mrs. A. B. Ingalls, violinist; Mrs. Bruce McV. Mackall, soprano Hon. Paul R. Isenberg, tenor.

The Chorus-Sopranos-Mrs. C. B.

Cooper, Miss H. Louise Day, Miss Leontine Hartnagle, Mrs. A. P. Niblack Mrs. L. Tenney Peck, Mrs. Ranney C Scott, Mrs. E. D. Tenney, Mrs. R. D. Walbridge, Contraltos - Mrs. C Damon, Mrs. L. C. Folsom, Miss Florence Hall, Miss Margaret Lishman Miss Potwine, Miss Werthmueller Tenors-Mr. J. L. Cockburn, Mr. J. H. D'Alemida, Mr. George F. Davies, Mr. Clifford Kimball, Mr. A. F. Wall, Mr. C. F. Waterman, Bases-Mr. D. W Anderson, Mr. Walter Beakbane, Mr. I W. Dillingham, Mr. F. Melchers, Mr. L. Tenney Peck, Judge W. L. Stanley. Accompanists-Piano: Mrs. Gerard Barton; harmonium-tympani, Miss By-

Conductor-Gerard Barton.

SHIPPING NOTES.

A day's mail will arrive on the Nebraskan today,

Sugar is being loaded into the Dirigo at a rapid rate.

The Mauna Los arrives from Kons and Kau ports this morning. The schooner Charles Levi Woodbury

arrived from Hilo last night. The Foohng Suey will load enough sugar to stiffen her and then proceed to Hilo for her cargo.

SMALL FARMING AT KONA ORPHANAGE

The following extract from the current report of the Kona Orphanage is pretty good answer to the people who sneer at the enpacity of Hawaii to support diversified farming:

A dozen good cows (mostly Jerseys), furnish an abradant supply of milk, butter, cream, and cottage cheese.

Twenty-five hives of bees turnish all the honey that is needed.

Eggs for the Orphanage are supplied by about one numbered and tifty good laying hens.

All the year round the Orphanage gardens supply ar abundance of choice vegetables, including sweet potatoes, string beans, carrots, onions, tomatoes, egg plant, cucumbers, lettuce radishes, peas, corn, Irish potatoes and squash

There are forty acres of land belongour suffering, sorrowing brothers; blind. ing to Kona Orphanage. Twenty acres ly from hour to hour they are driven, are in coffee, five acres are planted in fruit and vegetables and fifteen acres are used as pasture land.

The following estimate shows that not less than \$3,095 worth of farm produce is now raised yearly at Kona Orphanage:

| 20400000000000000000000000000000000000 | |
|--|------|
| Coffee | 5 |
| Milk, 1740 quarts a month | 1.6 |
| Butter, 100 pounds a month | 4 |
| Honey, 480 pounds a year | - 13 |
| Eggs, 50 dozen a month | 2 |
| String beans, 960 pounds a year | |
| Carrots, 430 pounds a year | - |
| Onlons, 900 pounds a year | - 1 |
| Tomatoes, 550 pounds a year | - 3 |
| Papalas, 1000 pounds a year | - 3 |
| Sweet potatoes, 120 bags a year | |
| Peas, 320 pounds a year | |
| No account has been kept of bananas, | Ų. |
| | |

Total\$3,095 The cost of farm labor is \$552 a year. The cost of stock and chicken feed is \$750 a year.

The Orphanage farm has been under cultivation for seven years.

A gentleman connected with the government Agricultural Department in Honolulu recently visited the farm and expressed himself as being pleased with the small farming at Kona Orphanage, On the Orphanage grounds there are about three hundred banana plants, one hundred papaia trees, twelve alligator pear trees, six mango trees, and about three hundred pineapple plants.

hlawa, Oahu, are of the choicest variety. No less than fifteen hundred quarts of guava jelly and jam are made and consumed at the Orphanage in a year.

One hundred of these pincapple plants,

donated by Mr. Byron O. Clark, of Wa-

The guavas grow wild. For the past two years, through the kindness of Mrs. E. C. Greenwell, Mr. and Mrs. Tho. C. White, Miss Noenoe Roy, and Hon. J. D. Paris, the children been enabled to pick pohas, which have been converted into about a hundred quarts of jam.

The children have also been permitted to gather great quantities of papalas, bread fruit, mangoes, alligator pears, oranges, lemons, and rore apples, on the Kona Sugar Company's land. Mrs. Alexander Cockburn has also contributed mangoes, and a Japanese neighbor has allowed the children to gather papaias on his place.

INDUSTRIAL BOYS WILL PLANT CANE two children respectively.

Superintendent T. H. Gibson of the Boys' Industrial School, Walalee, was in town yesterday. There are now 107 boys in the institution.

"We keep extending the work," Mr. Gibson said to a reporter "making taro patches and planting vegetablesalso sorghum, alfalfa, etc., for the

"There are five cows, two calves, four mules, two horses-yes, and pigs, 14 or 15. We have eaten our own pork on Thanksgiving and Christmas. There are also chickens and ducks. The Girls' School in town is partly supplied by us with potatoes and vegetables.

"Yes, the boys take to it very wellthey like to work with the animals. We are clearly; up some land which we expect to put into sugar cane which will be sold to Kahuku mill."

THE BILL TO DREDGE HARBOR PASSES HOUSE

The following cablegram was received by Governor Carter yesterday afternoon:

WASHINGTON, February 23 .- Four hundred thousand Honolulu harbor passed the House. (Signed)

This is timely, in view of the fact that the Manchuria on her last trip could not enter the harbor, laden as she was, because there was not a sufficient depth of water, and the more recent case of the Korea, not nearly so deeply laden, which actually ran aground in the fairway. Truly, it is time Congress did something for Ho-

nolulu harbor, "I consider this one of the most important matters before Congress with reference to Hawaii," said Governor Carter yesterday, "And, by the way, the \$40,000 appropriated for lighthous purposes was for a lighthouse in the harbor. This, too, is a much-needed aid to navigation."

LOCAL BREVITIES.

(From Wednesday's Advertiser.) Dr. C. H. High departed yesterday

for Kauni to be absent until Sunday. Wampole's preparations are said at all first-class drug stores to the city. Mr. Putnam C. Hubbel and Miss Ida

Fernandes of Koloa, were married yesterday afternoon at the Catholic Mis-

Sayegusa at 1120 Nuuanu street just mauka of Hotel, has received another invoice of ladies embroidered shirt waists, no two slike.

Mrs. McClelland died at the home of her daughter, Mrs. Hill, matron of the Kamehameha Manual School, Monday afternoon. The funeral services will be held at half past ten o'clock Wednesday morning in Bishop Memorial chapel.

Mr. and Mrs. William G. Irwin made their beautiful home the setting for a dinner of thirty last evening, given in honor of Miss Lily Spreckels and Har-Holbrook. Except for the exquisitely arranged lilles used in decoration in compliment to the given name of the bride-to-be, every suggestion was of St. Valentine. There were present, besides Mr. and Mrs. Irwin, Miss Lify Spreckels, Miss Grace Spreckels Miss Helen Smith, Miss Blair, Mr. and Mrs. Horace Pillsbury, Mr. and Mrs. William H. Taylor Jr., Mr. and Mrs. Silas Palmer, Mr. and Mrs. J. D. Spreckels Jr., Harry Stetson and Dr. Harry Tevis, John Zeile, Harry Holbrook, E M. Greenway and Miss Ives.-Chronicle.

(From Thursday's Advertiser)

The children of the Castle Kinder garten are doing house building and

furnishing on a diminutive scale.

The Merchants' Association will hold meeting this afternoon at 3 o'clock to consider taxation matters.

The extradition papers for Uyeda the alleged Japanese murderer did no arrive so Chester Doyle has postpone his Japanese trip until the Siberia ar rives. The remains of Franz Buchholtz w

A consumptive native named Kape Mu, shot himself in the stomach at h home in Iwilei yesterday morning. H was removed to the Queen's Hospita where he died at 2 p. m. He leave two children, 14 and 11 years of age,

Prof. Geo. Mend of the University Chicago will give a talk on Relation of School and Home" before the Mothers and Teachers' Club at the Y. W. C. A. rooms today at 3 o'clock p, m., to which the public is most cordially invited.

H. Waterhouse Trust Co. received : cablegram from E. Pollitz & Co. yes-terday saying the San Francisco market was strong and advancing, with H. C. & S. Co. \$89, Makawell \$38, Honokaa \$22 and Paauhau \$25.50. "London beets up."

Delegate Kalanianaole has been appointed a member of the reception committee for President Roosevelt's in augural ball. He states this pleasant fact of the distinguished recognition of Hawaii at the great Presidential function in a letter to George E. Smithies, of the Treasurer's office.

At 5:30 o'clock last evening Miss Alvena M. B. Marshall, daughter of Mr. and Mrs. Edwin M. Marshall, of 1625 Alakea street, was united in marriage with William M. Bray. The ceremony was held at the home of the bride only relatives being present, the Rev Father Stephen officiating.

Prof. Geo. H. Mead of the University of Chicago will address the Research Club on the subject, "A Philosopher's Diagnosis of the Times.' at 8 o'clock, at the residence of Mr. P. L. Horne, Kamehameha Schools. This ought to prove a very interesting topic at the present time, taken from events of either at home or abroad.

George Landon has returned from San Francisco where the frog trust tried to hold him up but failed, Starting with 80 certe the to \$2 a dozen offered for his 300 dozen frogs of Divaucaelle's ranch, but he would rot see them and after he had peddled 200 dozen to hotels and res-

HIDES WANTED

The undersigned will pay 8 cents per pound for green salted hides from 40 to 50 pounds weight each.

Correspond with us before selling.

M. W. McCHESNEY & SONS. HONOLULU.

An Ancient Foe

To health and happiness is Scrofula-as ugly as ever since time immemorial

It cares bunches in the neck, disfigures the akin, inflames the mucous membrane, wastes the muscles, weasens the bones, reduces the power of resistance to disease and the capacity for recovery, and develops into consumption.

"A bunch appeared on the left side of my neck. It caused great pain, was lanced, and became a running sore. I went into a general decline. I was persuaded to try Hood's Saresparills, and when I had taken. aix bottles my neck was healed and I have never had any trouble of the kind since." MRS. K. T. SNYDER, Troy. Ohio.

Hood's Sarsaparilla and Pills

Will rid you of Scrofula, radically and permanently, as they have rid thousands.

BUSINESS CARDS. H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Hone-tulu, H. I.

F. A. SCHAEFER & CO.-Importers and Commission Merchants, Honousand Commission Merciu, Hawatian Islands. EWERS & COOKE.—(Robert Lewers, ". J. Lowrey, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 414 Fort 8t.

HONOLULY IRON WORKS CO .- Ma-chinery of every descrition made to

HONOLULU STOCK EXCHANGE.

Honolulu, February 23, 1905.

| The extradition papers for Uyeda, | | | | 221171125 | |
|--|--|---------------------------------|----------------|-----------|-------------------|
| the alleged Japanese murderer did not arrive so Chester Doyle has postponed | NAME OF STOCK. | Capital. | Val. | B15. | Ask, |
| his Japanese trip until the Siberia ar- rives. | MERGANTILE. | | | | |
| The remains of Franz Buchholtz will | C. Brewer & Co | \$1,000,000 | 100 | | 453 |
| arrive on the Mauna Loa on Friday | SUGAR. | CARRESTON | 100 | 100 | -11/2 |
| and the funeral will take place at 3:30 | Haw. Agricultural | 5,000,000 1,200,000 | 100 | 90 | |
| p. m. of that day from the German | Haw. Com. & SugarCo. | 2,312,750 | 100 | 69 | 90 |
| Lutheran Church. | Hawalian Sugar Co | 750,000 | 100 | 34 | 172) |
| S. G. Ayres, librarian of Drew The- | Honokas | 2,060,000 | 30 | 2155 | 2234 |
| ological Seminary, Madison, N. J., has | Kahuku | 500,000 500,000 2,500,000 | 100 | 31 | 84 |
| written to the author of the handbook | Kihei Plan. Co., Ltd Kipahulu | 2,500,000 | 100 | 1334 | 135 |
| "Hawaii" for a copy to be deposited in the fireproof library of that institu- | Koloa | 500,000 | 100 | | 155 |
| tion. | McBryde Sug. Co., Ltd. Oahu Sugar Co | 8,500,000 | 100 | 10 | 155 10% 145 |
| | Onemen | 1,000,000 | 20 | | 87 |
| Honolulu Symphony Club rehearsal | Ookala. Olaa Sugar Co., Ltd | 5,900,600 | 20 20 20 | 77/2 | 854 |
| this evening in the club house, oppo- | Olowalu | 150,000 | 100 | | |
| site Hawaiian Hotel. | Pasukan EugPlanCo | 5,000,000 | 100 | | 265 |
| The rehearsal of the chorus of the | Peria | 750,000 750,000 | 100 | 170 | . 556 |
| "Song of Fate" will take place at 5 | Ploneer | 2,750.000 | 100 | 165 | 175 166 |
| o'clock this afternoon at the Symphony | Waisluku | 4,500,000 | 100 | | 7512 |
| Club rooms. | Wsimanalo | 252,000 | 100 | | 288 |
| The funeral of Franz Buchholtz will | Wilder S. S. Co | | | | 17 |
| take place today at 3:30 p. m. from | Inter-Island P. S. Co. | 500,000 | 100 | THE WAY | 140 |
| the German Lutheran church on Bere- | MISCHLLANGUS. | 800,000 | 100 | 125 | |
| tania avenue, | B. R. T. & L. Co. Pd. | | | | |
| The Territory Stables will give an- | H. R. T. & L. Co., Pd. H. R. T. & L. Co., C. Mutual Tel, Co | 560,000 | 100 | 1.5 | ioi |
| other coaching party for Tantalus to- | O. R. & L. Co | 150,000 | 100 | | G4 |
| day at 9:30 a, m., starting from the Hawaiian and Alexander Young hotels. | Hilo R. R. Co | 4,000,000 | | 75 | 10 78 |
| The funeral of Mr. and Mrs. H. L. | STRANSHIP COS. | 1,000,001 | | 22.60 | |
| Kerr's child will take place on Satur- | BONDY. | | | 00 | |
| day afternoon at 3 o'clock, from the | Haw. Ter., 4 p. c. (Fire Ciaims) | | | CONTRACT. | |
| residence of Mrs. James A. Hopper, | Haw Terri, 64 p. c. | 10000 | | | ***** |
| Keaumoku street, | Hawn, Coml. a Sugar | 1 1000 | ***** | 110 | **** |
| A Japanese laborer on the Wahiawa | Kwa Plani., 6 p. c | Service of | Jan. | 100 | |
| dam was buried under seven feet of | HAIRUSD. C. | ARREST AND AND ADDRESS OF | **** | 10:34 | |
| earth by a cave-in, but was rescued | Hawalian Sugar 5 p. c. | | | 101 | ***** |
| alive after hard digging for twelve | Hilo R. R. Co., 6 p. c Hon. R. T. & L. Co., | ******** | **** | | ***** |
| minutes by his fellow-workmen. | Kahuku S p. c | | | 100 | |
| A consumptive native named Kapca | 6 p. c. Kahuku 6 p. c. O. B. & L. Co., 6 p. c. Oshu Sugar Co., 6 p. c. Olas Sugar Co., 6 p. c. | | | 10:12 | |
| Mu, shot himself in the stomach at his | Olas Sugar Co., 6 p. c. | | 1000 | 100 | **** |
| home in Iwilei yesterday morning. He | Pais 6 p. c. | (Opposed and the | | 10112 | |
| was removed to the Queen's Hospital | Pioneer Mill Co. 6 p.c. Walalus Ag. Co., 8.p.c. | | **** | 1001 | 10216 |
| where he died at 2 p. m. He leaves | | | | | .01/4 |

(Afternoon Session.)

7 Pioneer, 165.

93 McBryde, 10; 40 Ookala, 8; 91 Kihei, 13; 25 Waialua, 75; 500 Honokaa, 21; 20 Kahuku, 32; 75 Ewa, 32.

METEOROLOGICAL RECORD. issued by the U. S. Weather Bureau Office Every Sunday Morning.

| | 11 | | | nn. | 1- 1 | | 1 | WIN | (D |
|-------|----------|----------------|-----|------|------------------------|----------|---------|-----------|----------|
| Day | February | MEAN MAHOM. | Max | ot M | Rainfall to 8 p. m. | Humidity | Average | Direction | Av. Vel. |
| 8 | 12 | 30.02 | 78 | 85 | co | 42 | 1 | NE | 10 |
| SMTKI | 14 | 20.00 | 78 | 10 | 200 | 114 | 0 | NE | 6 7 |
| W | 15 | 24.98 | 78 | BU | 0 | 72 | 2 | NE | 1 |
| F | 16 | BO (01 | 76 | 66 | T | 6. | 8 | VAR | 9 |
| ä | 16 | 20.15 | 74 | 64 | 0.1 | 18 | 0 | NE | 9 |

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

ALEX. McC. ASHLEY, Section Director, in Charge

| Days | February | Bigh Tide Large. | Ht of Tide | High Tide Small. | Low Tide Large. | Low Tide Small. | Sun rises. | Sun sets. | Moon rises |
|--------|----------|---------------------|------------|---------------------|--------------------|-----------------------|------------|-----------|------------|
| M | 20 | 4 1 4 50 | F1 1 8 | | 10.47 | p m 10.26 11 19 | 6.27 | 8.01 | |
| w | 123 | pm. | 1811 | 6 04 a m 6 18 | p.m. | a.m. | | ATT DE | 210 |
| , | 24 | 233 | | 7.04 | 2000 | | HINE: | CONT. | |
| 8 | 25 | 9.26 | 1.4 | 7.59 | 2 (7 | 2.32 | 8.24 | 8.63 | a, m |
| a M | 26 | 10 44 | 15 | 9.10 | 8 FR | 4 RS 6 19 | 6.23 | 6.63 | 0.2 |

United States Coast and Geodetic Surrey tables. The tides at Kahului and Hilo occur about one hour earlier than at Hono-

lulu. Hawaiian standard time is 10 hours time is 10 sources to minutes slower than Greenwich time, being that of the meridian of 157 degrees thirty misutes. The time whistle blows at 1:38 p. m., which is the same as Greenwich, 0 hours 0 minutes. Sun and moon are for local time for the whole rooms

THE SENATE

SEVENTE DAY

(Contined from Page 3) Senator Dickey saved his anti-spitting bill, which had been adversely reported from the Public Health Committee, by a motion to lay it on the table on secend reading, to await the report of the

The Senate took its first definite step toward county legislation yesterday in the appointment by President Isenberg of a committee consisting of Dow-sett, Lane, Hewitt, Woods, Hayselden and Gandall to have charge, in conjunction with a like committee from the House, of all county bill legislation, and to report to the Senate in ten days from the date of its appointment. This committee was appointed in accordance with the terms of a substitute for the Achi concurrent resolution, reported from the conference committee by Sen-Board of Heaten 19 Dan

AN ADVERSE REPORT.

The report of the Health Committee against the Dickey bill was as follows:

Honolulu, Feb. 23, 1905. Honorable D. P. R. Isenberg, President of the Senate.

Sir: Your Health Committee to which was referred Senate Bill No. 4, entitled "An Act to Regulate Splitting," begs to report as follows:

While your committee feels that the object of the bill may be good, we doubt the ability of the authorities to enforce its provisions more particularly those in regard to spitting by persons afflicted with tuberculosis into receptacles which they would virtue of this act be forced to carry about with them on the public streets.

And, furthermore, your committee feels, that the difference between snitting on the sidewalk of any street or road and spitting on the street itself would be so slight that the passage of this bill in its present form would be productive of little or no results, and on the table. Respectfully submitted.

S. E. KALAMA, Chairman,

J. M. DOWSETT,

J. T. BROWN. The Judiciary Committee reported a substitute for Senate Bill 29, which was laid on the table to be considered with

BILLS AND RESOLUTIONS. Senator Paris introduced the follow-

Be it resolved, that the following items be inserted in the Lean Bill:

\$15,000 for a court house with sehviff's office and jury rooms, jail and watertanks in the District of North Kona, Hawaii. \$30,000 for two wharves to that large

vessels can dock, one at Kailus, North Kona, and one at Kealakelena Bay, South Kona. \$3000 for the Aleka and Papa Home-

stead Road, South Kona, Hawaii. \$1500 to build a road from the Halua-

laa road leading to Kailua to the Kona Orphanage. \$400 for four teachers' cottages, one

at Kalaoa, North Kona; one at Alae, South Kona; one at Papa, South Kona, and one at Milolli, South Kona The resolution went to the Public

Lands Committee. Rishon introduced a resolution appropriating \$20,000 for widening a part

Public Lands Committee. Lane introduced a concurrent re-olution providing that the Code Commissioners and the County Act Commis-

sioners be presented with copies of the Revised Statutes. Referred to Judiciary Committee.

Dowsett introduced a bill to facilitate the collection of dabis due the Territory. Passed first reading by title. Hayselden introduced a prison parcle bill. Passed first reading. Lane introduced a bill providing for

the treatment of lepers. Passed Arst reading.

FIRST BILL BEATEN.

Under the regular order, the House appropriation bill passed without dis-The bill for the registration of land

titles by executors under will was lost by the following vote: Ayes-Achi, Bishop, Dickey, Gandall, Kalama, McCandless-6.

Noes-Brown, Dowsett, Hayselden, Hewitt, Isenberg, Lane, Paris, Wilcox,

The bill to provide for the support of the families of deceased persons out the estates of such persons passed third reading, the vote being as follows: Ayes-Achi, Bishop, Brown, Dickey, Hayselden, Hewitt, Kalema, Lane,

Gandall, Parls, Wilcox-11. Noes-Dowsett, Isenberg, McCandless, Wood-4. The bill to register land titles, and

the Dickey juvenile court bill went to the Judiciary Committee on second reading. The act to amend section 1481 of the civil laws took the same course on second reading.

The bill to prohibit the sprinkling of clothes from the mouth, with an adverse report on this particular measure and favoring a substitute measure came up on second reading. The substitute was read and the report was adopted. The bill went to the Judiciary Committee, after first reading.

BILLS ON SECOND READING. The act to regulate the examination

of jurors passed second reading and went to the Judiciary Committee. The county act passed second reading and went to the special committee, to-

gether with all acts relating to county government in all its phases The act to repeal certain laws relat-

ing to the sale of liquor passed second reading and went to the Ways and

The act amending certain sections of the civil code relating to the duties of the Waimea-Kohala road. (Rep. Hol- in bonds in judicial proceedings. (Rep. the Registrar of Conveyances passed stein).

second reading and went to the Ways

The act making special appropriations for the use of the government went to a special committee consisting of highcox and Haywelden.

The act providing for the filing of plats of surveys of lands in the registrar's office went to the Public Lands Committee.

Senator Dickey introduced a resolution a king that the Superintendent of Public Works be requested to furnish detailed information with the report of the collection and disposition of gar-

And there being no further business on hand, the Senate adjourned until Friday at 10 a. m.

THE HOUSE

The greater part of the time of the House of Representatives yesterday morning was spent in threshing over well-threshed straw. It was a recru-descence of the Davis case which occupled the members.

Rep. Andrade, chairman of the Judiciary Committee, reported for his committee that no action was advised along the line asked by George A. Davis in his recent letter to the House. committee found that the Code Commission had only done its duty and the appeal to strike from the Revised Laws the reference to the disbarment proceedings was not therefore countenanced.

A debate ensued on a motion by Ren. Coelho to refer the report back to the committee with instructions to hear what Davis had to say.

The motion failed by a vote of 14 to 13, and the committee's report was adopted on a similar division.

The report of the Judiciary Committee recommending the passage of the Revised Laws was adopted. APPROPRIATIONS RECOMMENDED

The Committee on Public Lands and Internal Improvements recommended reference of the \$15,000 appropriawe therefore recommend the bill be laid | tion for school buildings at Waialua to the Education Committee. The \$26,000 for repairs to the Kalihi-

wai-Kealakalole road was recommend-For embankment of the Walmea riv-

er \$11,000 was recommended instead o. the \$20,000 asked. The relocating the Kaawalii road to

Kaula gulch \$20,000 was recommended. For opening a new roat from Mahukona to Kawaihae-kai \$25,000 was asked, but the committee considered the expense unnecessary and recommended the resolution tabled.

For roads and bridges in Hamakus \$20,000 was recommended, but a second item of \$20,000 was struck out as un-

A letter from Secretary Cahalan of the Trades and Labor Council asking for copies of all bills introduced was filed, the secretary being instructed to comply with the request.

LIST OF EMPLOYES.

During the sittle, of the House reorts giving full particulars of employes and salaries were received from the following off ters: Secretary Atkinson, Land Cama-istoner Pratt, Superintendent of Public Instruction Atkinson. Treasucer Campbeil, Chief. Thurston of the Fire Department, O. L. (Rep. Fernandez). Sorenson of the Survey Department. propriating \$20,000 for widening a part President Pinkman of the Board of rected to detain thereat all persons of Nuuanu avenue. Referred to the Health, Chief Justice Frenc, Capt. Mer. now at the receiving station for lepers ger and the Department of Agriculture All were sent to the and Forestry. Printing Committee

THE SUNDAY BILLS.

There was a heated debath at the opening of the afternoon session over the Reference Committee's standing. McCandless introduced a bill to Rep. Aylett wented to know what had amend the sessions laws of 1903 so as become of his bunday Observance will, to encourage agriculture, horticulture and was fold by Chaleman Carl Stalish and forestry. Rend first time by title, that it was oeing nell per ling the sub-At the request of the administration, mission of other Sunday bills, Exicit moved that his bill should be reported back to the House forthwith, but he relented when Rep. Quinn said that he had a Sunday bill to introduce, and withdrew his motion.

Rep. Long reported that the Senate's conference committee had agreed with that of the House to appoint a joint committee of six from each chamber to examine the county bill and submit a report thereupon.

Speaker Knudsen appointed the following as the House's representatives: Rice (chairman), Smith, Long, Holstein, Haia, and Kaleiopu.

CABLED TO KUHIO, A communication from the Governor

informed the House that he had signed the joint request of both House and Senate to Congress to appropriate \$150,000 for scientific research into leprosy, its causes and cure, as recom-mended by Surgeon-General Wyman.

Upon the receipt of Governor Carter's message it was moved by Rep. Harris that the clerk be instructed to cable the whole message to Delegate Kalanianaole at Washington. motion carried upanimously.

A message from the Senate announced that the House bill to appropriate \$30 .-000 for sessional expenses had passed its third reading.

NEW ROYAL SCHOOL.

An invitation from Superintendent Atkinson on behalf of the Commissioners for the members of the house to attend the opening ceremonies of the new Royal School on March 3, was received and accepted.

The Senate bill to set aside property to provide for the sustenance of the families of deceased persons was passed a first reading by title.

MORE RESOLUTIONS.

The following resolutions were introduced:

To appropriate \$6600 for macadamizing one mile of road in Honokaa and \$6600 for macadamizing one mile in Panullo, (Rep. Fernandez).

That Land Commissioner Pratt be asked to furnish a list, of all public lands under his control with full particulars. (Rep. Kaleiopu).

To appropriate \$10,000 for repairing

Dr. J. S. B. Pratt, chief sanitary officer and inspector of cemeteries, reported as follows on the work of his division for the month of January to the president of the Board of Health:

they existed, were abated. "Two 48-hour notices were served and had the desired effect.

"Fifty-eight recommendations for hocenses were issued and 4259 persons can be lawfully lodged in the buildings.

"There were 44 inspections of graves made, one being a disinterment. Four graves were not inspected on account "In the King street Catholic ceme-

tery, the edges of three boxes were exposed and the bones of two adults. "In Puea cemetery, the edge of one box was exposed, also the same in Kalaepohaku and Pauoa Church teries.

"In Kawalahao, one body and the edge of three boxes were exposed. "Eighteen permits to keep pigs were

issued. "There were 12 deaths investigated and, where found necessary, post mortems ordered. "One arrest was made for violation

of Section 929 P. L. The party pleaded guilty and, as it was a second offense, he was fined \$95 and costs. With the assistance of the police

department, an arrest was made for violation of Section 827 P. L. The party pleaded guilty and was fined \$250 and costs.

"The usual special work has been done during the month with verbal reports made to yourself. A trip was made to Walalua on special work.' Dr. Pratt reports, on the rat cru

sade for January, that 241 rats were caught in traps and 2540 pieces of poi-WORK OF INSPECTORS.

President Pinkham, in his statement of business to the Board of Health, gives the following additional details: Honolulu sanitary in pectors ordered 1301 items of work and had 1251 items finished. They made 7861 inspections and performed 20 1-2 days of special duty.

There were 217 inspections of pig and duck ranches, with 65 items of work ordered and 62 finished. Swine permits issued were 20, with 619 swine allowed. The Hilo sanitary inspector ordered 139 items of work, the same number being finished, and made 816 inspec Rats caught in traps at Hilo tions. were 135 and pieces of poison eaten

To appropriate \$3000 for survey of a road from Kohala to North Kona.

(Rep. Holstein). That Treasurer A. J. Campbell be requested to furnish a return of the surplus cash now in the treasury.

That the Board of Health be diuntil the legislature adjourns. Rep. Kaleiopu).

TEACHER'S AGES.

A resolution introduced by Rep. Lewis may cause heart-burnings. It requests that the Superintendent of Public requested to furnish the Instruction be following details:

The nationality of all teachers. Their respective ages, Of males, whether citizens or voters. The names of widows if any. The names of husband and wife

teaching jointly, if any, The total amount as per monthly pay roll expended in each election dis-

SOME NEW BILLS.

The following bills were introduced, read a first time by title and referred to the Reference Committee: To repeal Section 806 Chapter 59

the Civil Laws. (Rep. Pulaa), To prohibit the cremating of de ceased persons without the consent of the family of the deceased. (Rep. Pu-

To provide for the issuance of licenses and for collecting fees for the same. (Rep. Aylett). To protect the owners of bottles.

siphons, ting and kegs and in the sale of mineral waters, beer, ale, medicines, perfumery, etc. (Rep. Waterhouse). To provide for the return of sum-

mons to and the trial of causes at terms of court pending immediately after 20 days after service. Smith). To provide for making writs of execution and other writs of Circuit Courts

and Circuit Judges at Chambers available in all of the circuits of Hawaii. (Rep. Smith). provide for filing of bonds by appealing parties against whom there has

been a money judgment in the cause appealed. (Rep. Smith).

An act to establish a law uniform with those of other states and territories relating to negotiable instru-

(Rep. Smith). ments. To levy a wharfage toll on all freight landed in Hawaii and provide for collection thereof. (Rep. Broad). 5 To amend Section 512 of the Civil

laws of 1897 relating to payment of water rates. (Rep. Broad).

An act to regulate the corduct civil and criminal causes. (Rep. Long). An act to promote the display of the United States flag. (Rep. Long),

To punish the description of the United States first. (Rep. Long). To limit the time within which certain criminal actions may be prosecuted. (Rep. Long).

To amend Section 2 of Act 25 of the laws of 1895, relating to amendments Andrade).

LAST MONTH IS RECEIVED

Official Honofulu was present last night at the reception given by Governor and Mrs. George R. Carter to the members of the legislature of the Territory of Hawaii. From eight until "During the month five complaints eleven, the beautiful Carter home on of nuisance were reported and, where Judd street was filled with a brilliant throng. The bright gowns of the ladies, the glittering uniforms of the army and navy officers, the gold lace tel, restaurant and lodging-house ii- of the consular corps with the more sombre background of conventional evening dress made a striking scene Hundreds of glittering electric lights sparkled like huge jewels among the trees in the spacious grounds. Long strings of incandescents ran from the gate along the borders of the driveway to the corners of the house. Other strings ran around the circular lawn and were festooned over the porte co

Under a giant hau tree the Hawaiian Government band, led by Captain Berger, was stationed and discoursed pleasing music throughout the even-The Ellis Quintet Club was on ferns and played many beautiful selections, alternating with the band. The decorations were simple but most of palms spanned the front doorway. Within the house ferns, palms and

made at elaborate decorations but the again. That is my view of this case; his late firm had been counsel of record flags of nation and territory were also used about the staircase. Guests were met at the steps by members of the Governor's staff in full as well as to the bench to sanction any

uniform and escorted into the house. Gov. and Mrs. Carter received in the parlor, Secretary Atkinson presenting the guests Mrs. Carter wore a pearl gray panne velvet gown with real lace Mr. Justice Hartwell I think suffibertha. After being greeted by the ciently cover the ground. It does, Governor and his wife the guests passed on to the dining room where refreshments were served.

Those present included the members of the senate and house, all territorial the argument and record in the case officials, officers of the National Guard it devolves upon the court a duty of Hawaii, Federal officials, the army and navy officers in Honolulu and the consular corps. Most of the officials were accompanied by their wives, Much credit is due to the police department the excellent way the hacks and carriages were handled. A detail of men were on duty in the grounds and carriages were received and despatched without a hitch.

EWA AND WAIALUA

At the annual meeting of Ewa Plantation Co, yesterday, a net gain of encourage it by passing it over un-\$872,910.38 on the year's operations was noticed. surplus of \$402,910.38. Net assets are put down as \$6,324,802,48. Manager Renton's report shows the

1904 crop to have been 31,185 tons from 3724 acres. About the same size of crop-is expected this year. Cold weather has retarded the ripening of this year's crop. Damage by the leaf-hopyear's crop. Damage by the learning whatever in a court of equity, per to the 1906 crop is no more, if not that is the strongest point and that less, than the cane showed this time alone is sufficient. last year. Various parasites are being alone is sufficient.

used to fight the pest. The manager It did seem to me at the beginning of says there is every reason to expect a very prosperous year.
Officers were re-elected for the year

as follows: E. D. Tenney, president; M. Cooke, vice president; C. H. Atherton, secretary; W. A. Bowen, treasurer; W. R. Castle, director; T. R. Robinson, auditor,

Waialua Agricultural Co. held its annual meeting yesterday. Manager W. W. Goodale, in his report, tells of serious damage to the 1905 crop by rust or top-rot. The cane was also affected by the leaf-hopper. They are clearing 600 acres of land for 1907, the crop of which will be from about 4000 acres. The crop of 1904 was 18,882 tons, and that of 1905 is estimated at 19,000 tons. with mountain water. Permanent im- case was under appeal to the Supreme

Officers were re-elected, viz.: G. P. Castle, president; C. M. Cooke, vice and endeavor to have "Hell-roaring" president; C. H. Atherton, secretary; Bill returned to these islands. W. A. Bown, treasurer; F. J. Lowdirector; T. Richard Robinson,

To amend Section 74 of Chapter 74 relating to bills of exceptions. (Rep. Andrade).

To amend Sections 1155 and 1156 of the Civil Code relating to judgments, executions and new trials. (Rep. An-

To regulate the sale of goods, wares

and merchandise in the Territory of Hawati, (Rep. Kanibo), To prohibit the employment of any person not a duly qualified voter as a laborer upon public work of any

kind. (Rep. Kaniho). To amond the Penal Laws relating to the illegal manufacture for sale of spiritueus Houers and substances (Rep. Kaniho).

To amend the title of the Penal Laws

respecting the spread of leprosy. (Rep. Kaniho). In relation to the authorization of persons to practice law. (Rep. KaniSELF CURE NO FICTION!

MARVEL UPON MARVEL! NO SUPPERER NEED NEED NOW HISDARK, but outlined remains a dester's bill or failing late the deep ditch of quarkers, may serier, speculity, and communically size a transiff without the knowledge of a second party. By the introduction of the New French Beimedy. THURAPHON, a complete revolution has been wrought in this department of medical science, whilst thousands have been restored to health and happiness who for years previously had been merely dragging out a minerally existence.

years previously had been merely dragging out a minerable existence.

THERAPION No. 1 in a remarkably short time, often a few days only, effects a cure, superseding injections, the nee of which does irreparable harm by laying the fundation of stricture and other serious diseases.

THERAPION No. 2, for impurity of the blood, scurey, pimples, spots, blotches, pains and swellings of the John's, good, rheemistism, secondary symptoms, etc. This preparation purifies the whole system through the blood, and thoroughly eliminates all poiseoness matter from the body.

THERAPION No. 2, for nervous exhaustion, manired vitality, sheeplessness, and all the distressing consequences of disappation, werry, averwork, etc. It possesses surprising power in restoring strength and vigour to the debiliated.

THERAPION

THERAPION

ts sold by principal Chemists throughout the world. Price in England 2/0 and 4/0. In ordering, state which of the three numbers required, and observe that the word "Therapsion" appears on British government Stamp (in white letters on a red ground) affixed to svery package by order of Ilis Majesty's Hou. Commissioners, and without which it is a former.

INEQUITABLE CAUSE

(Continued from page 1.)

be in a sorry way. It is against our the Supreme Court yesterday the front lanal hidden by a screen of experience that those things are badges afternoon, Chief Justice Frear stated of fraud. They are not, and it would that he was disqualified. Both sides shock my sense of equity and right to offered to waive his disqualification, effective. Above the entrance to the think for five seconds of the right of a but the Chief Justice said he would lanal were draped the American and plaintiff to have a transaction set aside not waive it. Judge De Bolt, sitting Hawalian flags, while a beautiful arch as dishonorable which he had advised. In the preceding case, stayed in and I hope I shall never have occasion to Justice Wilder was sent for. He flowers were used. No attempt was hear such argument presented to me tasteful effect was most pleasing. The I state it bluntly and plainly, because I for one of the parties. As Justice feel very strongly about it. I think it Wilder had not personally had anywould be a reproach to the profession such proceeding.

> Mr Justice De Bolt. The reasons already stated by the Chief Justice and however, present itself to my mind for the term. that this is an extraordinary case, and as presented by the facts disclosed by it devolves upon the court a duty which it owes to the community, a duty which the court owes to itself, to discountenance such proceedings and arrangements as it appears the parties entered into bere. It seems that not only attorneys and counsellors at law but the citizens and people of the community should be given to understand that the practice of law is not a mere business for money, but that it is an honorable profession and that all those who are connected with that profession in any way, directly or indirectly,-and when I say indirectly I mean those who are acting in a business capacity such as the plaintiff in this case,—should be given clearly and thoroughly to understand that it is not countenanced, that the cannot recognize it, cannot in any way

\$872,910.38 on the year's open paid in shown. There was \$400,000 paid in dividends and \$70,000 went to reduction the argument of counsel upon that point is sound and clear. It certainly point is sound and clear. tends to the establishment and main tenance of justice and equity. I think

It the better rule to adept. The question of estoppel I think, however, is the conclusive one. I do not see how a plaintiff coming into court as the plaintiff in this case, could be recognized or have any standing

the facts of the case was sufficient to bring the court to a logical and just conclusion without any argument. believe that is all that I care to say

BONDSMEN WANT VOLCANO MARSHALL

George Sellner and Fred L. Dorr, the bondsmen of "Hellroaring" Bill Marshall, formerly editor of the Manila The dam being built at Wahiawa will Volcano, were called on by the sheriff have a capacity of two and a half bil- yesterday in regard to their liability to lion gallons. The Wahiawa ditch is to the government, the case of libel be 20,749 feet long and capable of car-rying 50,000,000 gallons of water each settled and the bondsmen released. 24 hours, delivering water from the There is still a fine of 100 pesos hang-Wahlawa reservoir at the 740-foot level, ing over Marshall. He left the islands Waniawa reservoir at the these works with the consent (the good will rather)
With the completion of these works with the consent (the good will rather)
11,000 acres of land can be irrigated of the prosecuting attorney while his provements of the past year cost \$95,- Court. Unless an agreement is reached between the government and the bondsmen, the latter will get out a warrant thought that the government will settle the matter rather than face the onsequences of such an act.-Manila Bulletin.

CHAMBERLAIN'S COUGH REMEDY

ABSOLUTELY HARMLESS The fault of giving children medicine containing injurious substances, sometimes more disastrous than the Gisease from which they may be suf-Every mother should know that Chamberlain's Cough Remedy perfectly safe for children to take, as it contains nothing harmful. For sale, by all dealers. Benson, Smith & Co., Ltd., Agents for Hawaii.

Judge Dole continued to take evidence in C. P. Loker's content of the C. Birbe was another and testified he are to be taken on the other islands. awarded.

In ora, opinions by each of the juntices, the Supreme Court yesterday sustained an appeal from Judge Robinson in the case of Frank E. Thompson vs. Whitney & Marsh. It was a suit on two notes for \$500 and \$1000 respectively, given by Honolulu & Hawaiian Paper Co. to Fitzgerald Trunk Co. of Chicago. Judge Robinson sustained a demurrer, holding that commercial paper could not be endorsed over to a third party. The Supreme Court holds that it depends on circumstances-there may be right and wrong endorsements-and the court below should have tried out the question. C. F. Clemons appeared for plaintiff, and Thayer & Hemenway for defendant.

NO COURT OBTAINABLE.

When the suit of Oahu Railway & Land Company versus Waialua Agritransactions in this community would cultural Company was called in thought himself disqualified also, as thing to do with the case the attorneys wished him to sit, but after some discussion he declined. Judge Robinson could not be called in, as he had heard the case. Nobody could say when one of the country judges might be in town, and so the case went over

DAMAGE SUIT APPEAL

The Rapid Transit Co.'s appeal from verdict of \$3000 damages to M. P. Ferreira for the loss of a son killed on the defendant's street rallway track was argued and submitted. Stanley and Watson appeared for the plaintiff, and Withington for the defendant. THE MURDER TRIAL.

the Jones murder trial yesterday were Rudolph M. Duncan, C. E. Pixley, Anthony Gillman, W. F. O'Hallaron, Chas. B. Wilson, Fred. E. Harvey and

J. Kani Kahoiwai,

Witnesses called by the defense in

SHAW VS. CANARIO. Frank E. Thompson, receiver in the partnership dissolution suit of Shaw vs. Canario, asks the court for instructions. Stating the refusal of Treasurer Campbell to renew the firm's Stating the refusal of wholesale license, he wants to know if the court will order the issuance of a receivership license. He seeks the court's approval of his discharge of other employes and retention of Henry Davis the bookkeeper's services and inquires whether he may sell a horse

at public auction or private sale, THE CARTER MINORS. M. T. Simonton, master, has reported as correct the accounts of George R. Carter, guardian of Henry A. P. and Grace Carter, minors. The accounts for the year ending Dec. 31, 1904, and show receipts of \$98,973.55 on account of principal and \$9485.50 income.

Disbursements were \$4484.34, BAREFOOTED BILL.

The defense of William Hoopii, alias 'Barefooted Bill," charged with burglary, was in progress yesterday forebefore Judge De Bolt, who had to continue the trial at recess owing to his being called as a substitute on the Supreme Court bench.

lohana Art League in the Young Hotel pavilion tomorrow (Saturday) evening at 8 o'clock p. m.: Piano solo-(a) "Abend-andacht" T. H. Verheij (b) Prelude in C sharp mi (by

The following is the program of the

entertainment to be given by the Ki-

request) Rachmaninoff Miss Elsie Werthmueller. Songs-(a) "Alpen-rose" .. T. H. Verheij (b) "Autumn Song".E. A. P. Newcomb

Mr. L S. Dillingham. Song-(a) "Sadness," E. A. P. Newcomb (b) "Visions" Guy d'Hardelot Mrs. L. Tenney Peck. Violin obligato, Miss Ramus,

Violin solo-"Reverie" Vieux Temps Miss Ramus. -(a) "Sunrise (b) "If I But Knew." Mr. I. S. Dillingham. -"Hats and Houses."

Mr. E. A. P. Newcomb, Claudine Contract.

It is reported that the Union Iron Works of San Francisco put in the lowest bid for overhauling the Claudine. Other bidders were the Honolulu Iron Works, Risdon Iron Works and the American Engineering company of Deligate's and yesterday. John Ef- San Francisco. Street reports say that finger, of the Democratic central committee, was one of the witnesses. H. highest and lowest bids of \$60,000. The Wilder company would not talk about left the Republican party when it had the matter yesterday except to say got into "certain hands." Depositions that the contract had not been

THE ATTACK ON PRATT BELIEVED TO BE A WHACK AT GOV. CARTER

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Feb. 9.—The nomination of Mr. Joseph 6. Pratt to be postmaster at Honolulu, was announced this morning. after Assistant Secretary Barnes had driven up to the Capitol with a big envelope from the President. Mr. Pratt had filed his statement enly two or three days ago, having been given an opportunity to say what he cared to say in reply to the statements of the inspectors. 'As soon as the President became aware of the contents of Mr. Pratt's answer, he acted forthwith.

"I guess it was a fight on Gov. Carter as much as anything else,"

observed Secretary Loeb yesterday.

The charges, however, had no material effect beyond delaying the nomination, except to strengthen Mr. Pratt. His friends here bottle. rallied warmly to his support and all officials who had any thing to do with the nomination had nothing but a good word for him.

"Pratt is a very excellent man," said Postmaster General Wynne. "The inspectors reported honestly on the case as it appeared from the witnesses they examined. But when there was a chance for the other side to be heard, it looked differently. Mr. Pratt showed that he was acting solely as an attorney and that he had protested, in his role as attorney, against the issuance of the deeds that made the trouble. I did not hesitate to recommend his appointment to the President, who acted promptly.'

In fact the nomination reached the Senate twenty-four hours in advance of the time when Mr. Wynne expected it, which demonstrated the earnestness of the President's conviction. A short time previous to that a letter from Secretary Atkinson was taken to the White House, expressing his sentiments with reference to the charges. Senator Warren of Wyoming, also caused it to be known to the President that he stood squarely behind Mr. Pratt and was ready to vouch

for his capacity in every particular.

Mr. Pratt was at his hotel, the Richmond, during the afternoon and was informed there by telephone that the appointment had been made. "I can not express my feeling of gratification at this," he said. "Of course I would not be understood as saying that I do not eare for the office and the salary that goes with it, but I will say that I care a great deal more about having my good name vindicated. Since these charges were preferred against me, I have felt like one under stating that the Athletic Association trial. I feel exceedingly glad to have those charges refuted."

It is not believed that there will be any opposition to the confirmation of Mr. Pratt. The nomination has gone to the Senate Committee on Postoffices, of which Senator Penrose is chairman. Both Senator Warren and Senator Foraker can be counted on to see that

the nomination is promptly disposed of.

Mr. Pratt did not, of course, indicate when he will return to Horolulu to assume his new duties. It can be taken for granted, however, that it will be in the course of a very few weeks. His presence in Washington will give him a splendid opportunity to get in touch with the officials of the Postoffice Department and get information able and desirous of employment. "The as to numerous administrative details. There is an earnest desire on employments we can offer are but the part of the Department for some changes in the postal methods at Honolulu.

Delegate Kalanianaole called at the Postoffice Department a few days ago to inquire about the prospects of the Honolulu postmastership. If Mr. Pratt was not to have the nomination the delegate indicated his wish to renew the endorsement of Postmaster Oat. He was not encouraged to renew that endorsement and departed after a few moments' conversation.

OTHER HAWAIIAN MATTERS.

Nothing has yet been heard of Judge Gear, whose arrival in

Washington was expected before this.

Apart from the Honolulu postmastership there has been a lull in Hawaiian activity here, since the last mail three days ago. The testimony given before the Elections Committee No. 2, on the protest of the Hawaiian Home Rule party, has been printed and nu-laupapa, seemed to meet with decided merous copies are lying on the long committee table. But Chairman Olmsted is absent, owing to the severe illness of his little daughter. For that reason the committee has held no meeting to decide what that the proposal to have \$15,000 apaction, if any, shall be taken. There has been nothing to change the opinion, expressed in my last letter, that nothing will be done towards granting the request of the Home Rulers.

The River and Harbor appropriation bill, made public since the last mail, contains the provisions for the improvement of Honolulu Harbor, heretofore indicated. The language of the Honolulu par-

agraph is as follows:

Improving harbor at Honolulu, Hawaii: In accordance with the report and surveys made by the land department of the government of the Sandwich Islands prior to annexation and the further report | Honolulu at 5 p. m. Monday, he reachof Lieutenant Slattery, two hundred thousand dollars: Provided, ed Kalaupapa at 7 a. m. Tuesday. That a contract or contracts may be entered into for such materials and work as may be necessary to prosecute said work, to be paid and the return trip of 52 miles takes for as appropriations may from time to time be made by law, not to exceed in the aggregate two hundred thousand dollars in excess of the amount herein appropriated. The amounts herein appropriated and authorized may be expended upon sections one, two, and three, it being the intention to provide first for the completion of section ene, and the Secretary of War is authorized and directed to cause a resurvey of said harbor to be made.

Under the paragraphs authorizing surveys occurs the follow-

ing, which is the last paragraph in the bill:

Harbor at Hilo, Island of Hawaii, with a view to the construction of a breakwater along Blonde Reef to Cocoanut Island.

To date it is uncertain when the bill will be taken up. Rumors have been revived to the effect that the River and Harbor Bill would be killed. Senator Perkins has been an authority for the statement, saying that it would be done in the Senate, because of the demand for economy to prevent a government deficit of large proportions. But by the time this letter reaches Honolulu the bill will probably have passed the House if at all, and then something of a definite character about the prospects of the measure will have developed.

ERNEST G. WALKER.

Every room in the Young Hotel was | ANOTHER CASE OF RHEUMATISM filled Tuesday night and the other hotels were also full. The tourist traffic seems to have struck Honolulu. Many of the Korea's passengers will remain here several weeks,

The Empire Diamond Company has been enjoined in San Francisco and will have to quit business there. The CURED BY CHAMBERLAIN'S PAIN BALM.

The efficacy of Chamberlain's Pain Balm in the relief of rheumatism is being demonstrated daily. Parker Triplett of Grigsby, Virginia, U. S. A., says that Chamberlain's Pain Balm gave him permanent relief from rheucompany has a local office. The San matism in the back when everything Francisco courts accuse the concern else falled, and he would not be with- separately voted that the president see of being a "frenzied finance" corpora- out it. For sale by all dealers. Benson, the Wilder's people about the guaran-

WINE AND BEER FOR KALAUPAPA

(Contined on page 6.

"I know swipes are awful, but very many of the people will drink it. It is the truth, all the rules or laws that have been or may be enacted can not stop swipes. Hanging only will stop swipes. Therefore, Mr. President, the people wish good beer and wine the same as people can get in Honolulu. I have come before you only to show that our people wish good drink instead of bad. I try and get all that is best. I have no further remarks to make."

THE BOARD'S DISCUSSION

Mr. McVeigh, being asked for his opinion, said he would be in favor of admitting beer if practicable, but not wine. There should

Mr. Smith asked if it could be sold out of the store by the

"We ought to go very slowly," Dr. Mays interjected.

"We would get into a lot of hot water for a while, no doubt," Mr. Smith rejoined.

Dr. Cooper said this matter had been before the Board for years. There was no knowing where it would stop if once started.

Dr. Mays asked if there was no way of stopping swipes, and Mr. McVeigh said they were at it all the time. Now the swipes makers were getting away back into the lantana. Dr. Mays thought, as to the sale of beer and wine stopping swipes, it was all nonsense. They would drink swipes.

'If they haven't money to buy beer," Mr. Smith added.

Mr. Andrews asked if beer could not be put on the rations for those wanting it.

"Then they wouldn't take any rations-they would take all beer," Mr. McVeigh answered.

Dr. Cooper proposed to refer the matter to Dr. Mays, the president and the Attorney General, but a motion by the Attorney General, seconded by Dr. Mays, to lay the matter on the table, carried.

The subject is thus relegated, with considerable fresh light upon it, to the Legislature.

TO ENCOURAGE INDUSTRY,

President Pinkham referred to the fact that some of the people at the Settlement retain their normal capacity for physical effort, in illustration of Kalaupapa has broadened its objects from sports to remunerative pursuits, such as fishing, carpentering and other work. It engages in fishing and by agreement delivers one-fourth of the catch free of charge to the Settlement and receives payment for the remaining three-fourths. Lately the Association has ordered two first-class fishing boats at a cost of several hundred dollars.

The president endorses the belief of Mr. McVeigh that the Board should enlarge the opportunities for those the statement reads, is proper and wise to utilize those we have. It is necessary to increase the water supply if we are to enlarge agricultural operations. There is practically an unlimited supply of water in the Waikolu Valley. sufficient water will cost approximately \$15,000."

Mr. Pinkham then states that with this water supply one-half the taro consumed in the Settlement could be grown there, which he gives figures to show would save approximately \$2001 .-92 on freight and \$4198.37 on palai each year. An estimate of the cost of the works is given at \$12,320. president said a suggestion of Representative Nakuina, that the latest polmaking machine be introduced at Ka-

approval where it had been discussed. Dr. Cooper, when the matter came up for action, moved and it carried propriated from the loan fund for the purpose of carrying water upon the land in question be submitted, through the proper committee, to the Legisla-

TRANSPORTATION.

President Pinkham registered at ome length a complaint about the schedule of Wilder's steamer Likelike, from his own late experience, saying it "is most inconvenient." There was no way of leaving to re turn by steamer for a whole week, from Tuesday forenoon to Friday night or Saturday morning. Wilder's company offered to call for him Thursday night for \$75 or \$100. As it Involved only about six hours' steaming and \$15 worth of coal he declined, preferring to take the trail on horseback over the nearly perpendicular pali 2300 feet high, for several reasons-1st, to ask no favors in the name of the Board; 2nd, because the Board had no money for such a charge as proposed; that he might know what that pali trail is.

exposed the entire height of the cliff, so any misstep means a fall to the bot-In places the trail is as narrow as 20 inches or less, not averaging 30 inches, and very steep. The president learned that two mail carriers had been killed by falling from that trail. As the superintendent had to use the trail, being unable to spend a whole week getting to Honolulu, the presi-

The trail is wholly unprotected and

dent recommended that \$1000 be appropriated by the Legislature for improving the trail. He also recommended that a rider be put on the appropriation for the common carrie guarantee requiring the steamer to call at Kalaupapa once each month on its return trip to Honolulu, and that not over 24 hours earlier than its time due in Honolulu, and to make these calls upon one week's notification, no extra

charge to be allowed in any form. After considerable discussion by the Board, in which Mr. McVeigh said the trail was sometimes impassable, it was the two years-and see the Superintendent of Public Works about a suit-

able appropriation for improving the trail. GENERAL CONDITIONS

The president had interviewed many of the most intelligent people at the Settlement and attended the midweek distribution of the beef ration.

"Instead of fault finding," he states to the Board, "there were expressions of great satisfaction with the condi-tions now obtaining at the Settlement. So far as the provisions made for their physical comfort are concerned, each one expressing himself, they stated they had nothing to ask for, that their wants were most carefully and considerately looked after,

"The superintendent has introduced every possible variety of food in his Fresh bread and pure milk is furnished, fresh fish is a frequent ration, the beef is of good quality, and occasionally fresh pork is supplied. There has been some trouble with the paial at times from the difficulties of manufacture and transportation, but from the Settlement's own taro patches the Superintendent has been able supply any temporary deficiency."

While the Bay View Home-occupied mostly by the blind or helpless-is in very good condition, the president would be only too glad to see it replaced with a better built and safer He speaks highly of the work of Mrs. Kahuakai among

fellow-sufferers at this home, Hon. H. P. Baldwin has again offer ed to instal a suitable sewer system for the Baldwin Home.

On motion of Dr. Cooper, seconded by Mr. Smith, the Board voted to accept Mr. Baldwin's offer with thanks. Mr. McVeigh suggested the destrability of having a gasoline engine for pumping sea water to flush the sewer. It appeared that the reason a former offer of the same kind by Mr. Baldwin was declined was fear that the sewer would draw too much from water supply.

Under separate heads of his statement. President Pinkham gave high praise to the work Dr. Goodhue is doing. The doctor in his report calls attention to the marked improvement he has secured in many cases. Mr. Pinkham says he needs a medical assistant. Mention is made of Mr. McVeigh's sacrifice of his own money in providing small comforts for the inmates, and the president makes some suggestions in that regard which the legislative committees will consider.

On motion of the Attorney General, committee of the president and the two medical members was appointed to watch all proposed public health

legislation.

DR. RICE'S EXPERIMENTS A report of Dr. Rice on the experi-

ments he has been conducting with four patients at the Hilo hospital was read. It gave the relative percentages of improvement shown as 90, 75, 50 and 25 per cent. Some correspondence with Dr. Rice was also read, in which he is asked for a definite report on his experimentation. Drs. Grace and Hayes as the watching committee were also asked for their report.

On motion of Dr. Mays, seconded by Dr. Cooper, it was voted that the Government bacteriologist be sent to Hilo to examine the four cases and report s soon as possible.

Some applications for kokuas were acted upon in accordance with the advice in each case of Superintendent McVeigh.

There was some discussion on pending legislation, including a measure to meet Federal Judge Dole's recommendations, and all of the legislative bills were referred to the committee on legislation.

THE WAIAHOLE WATER.

The trouble about a stream at Waiabole was introduced by the president with these remarks;

"I submit for your consideration a Smith & Co., Ltd., Agents for Hawaii, tec-the company now getting \$5000 for of Senator L. L. McCandless. As there | ment and fine.

In his report to the legislature, Territorial Treasurer Campbell gives some figures and recommendations that will interest statesmen and the general public. "In the estimates submitted for the coming blennial period," says the Treasurer, "no allowance is made for either additional receipts from any new sources of revenue nor for additional expenditures caused by the adoption of the County form of Govrnment.

"The revenue receipts of the Territory for the year ending June 30, 1904, less the amounts received from road tax and land sales, amounted to \$2,-281,587.91 and the expenses to \$2,777,-536.82, making an excess of expense over the receipts of \$495,948.91.

"While for the year ending June 30 1905, it is estimated that the revenue receipts will exceed the expenditures by \$136.074.20, and that the current debt on June 30, 1905, will be reduced

"The total assessments of Real and Personal Taxes as of January 1, 1904, was \$124,699,541.00, which was a crease from the preceding year of \$5,-113,141.00.

"I would suggest that the tax law be amended and in this connection recommend that taxes be paid in two installments. All specific and one-half of Real, Personal and Income Taxes becoming delinquent in May and the balance delinquent in November. That in addition to the 10 per cent delinquent penalty, interest be charged on all delinquents until the time of payment and that better provision be made for the enforcement of tax liens.

"Also that the time of assessing incomes be changed from July 1st of each year to January 1st of each year "The present Inheritance Tax law applies only to collateral inheritance. Many of the States of the mainland are adopting various forms of indirect taxation. The direct Inheritance Tax seems to be a favorable form of raising revenue, and it could be applied

here advantageously. "I deem it for the best interest of the community that the Territory so regulate its finances that amounts of coin will not either be withdrawn from circulation at any one time, nor locked up in the vaults of the Treasury.

"The present method, of collecting about one-half of our entire revenue in one month, is liable to cause a stringency in the money market, especially when the Treasury is on a cash basis, as then this coin is locked

"When warrants are being registered this is not felt, because the money is not withdrawn from circulation; but by the immediate payment of outstanding Treasury warrants the coin

up to be gradually paid out on war-

is left in circulation. "This condition can be relieved in two ways: One by the collection of taxes in two installments, as already suggested, and the other by author-izing the Treasurer to deposit money in local banks upon the receipt by the Treasurer of U. S. Federal or Hawaiian Territorial Government Bonds as security; such deposits to bear interest at medium rate. The application of both these methods would afford general relief.

"I would also call your attention to the advisability of having the title "Registrar of Public Accounts" changed to "Assistant Treasurer" and provision made authorizing the Assistant Treasurer to act for the Treasurer in case of sickness, or absence from the Territory of the Treasurer.'

****************************** seems to be some personal feeling in very complete."

There were letters from Senator Mc-Candless and H. F. Wichman, against whom the Senator complained, a long report by the president, accompanied with a map, and a report by the public analyst on the water.

It appears Mr. Wichman has at his ountry residence at Walahole, a concrete bathing pool, in dimensions 24x12 x6 feet. This is fed by a 2-inch pipe from a mountain stream and discharges by a 4-inch pipe into the same The schoolhouse gets its stream. water supply from the stream below the tank

Mr. Wichman says the place is only occupied by his family during school vacations, besides which he goes over ccasionally to pass the time between Saturday and Sunday. The pool is filled early in the morning and emptied at night. Mr. Pinkham found it dry and clean. None of the residents other than the

omplaining neighbor, Mr. McCandless, found any fault with the water. Mr. Pinkham found that the cattle of Senator McCandless frequented the stream both above and below the Wichman bath, including a paddock adjacent to the schoolhouse, and seemed to be the principal agents of pollution. However, it is a brawling mountain

torrent, affording ample aeration in its turbulence, and the analyst reported with two analyses that the water at the schoolhouse was pure and might safely be used for domestic purposes. It was suggested by the Attorney General, the Board assenting, that from the evidence there appeared to be no nuisance in Mr. Wichman's bathing pool.

LICENSED PHYSICIANS.

Dr. Cooper submitted a bill, which was referred to the Attorney General, to amend the act relating to the practice of medicine without a license.

provides that anyone practicing medicine without having obtained a license, or having had his license revoked, shall be guilty of a misdemeanreport concerning a certain auwai at or and punishable by imprisonment Waiahole, Koolaupoko, Oahu. The in- not to exceed six months, or by a fine vestigation was made at the request not to exceed \$250, or both imprison-

on Stone and Brick Buildings and in Merchandise stored therein on the cost ravorable terms. For particulars upply at the office of F. A. SCHAEFER & CO., Agts.

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Having established an agency at Ho-nolulu and the Hawaiian Islands, the undersigned general agents are author-ized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms. F. A. SCHAEFER & CC., Agents for the Hawaiian Islands.

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E. G. Keen, inspector of buildings, plumbing and house sewers, gives the following detail of the work of his office for the month of January to the president of the Board of Health:

"Plans of plumbing filed and permits for same, 41; separate pieces of plumbing finished and accepted, 40; number of fixtures placed in above, 139; sewer connections made, 25; building permits received and approved, 14.

"Twenty-two inspections were made of buildings under construction and for interior changes, and twenty-five building sites inspected.

"Seven nuisances were investigated and abated. "A total of 257 inspections were made

of which 178 were of plumbing. "During the month recommendations

were made of such new sewers would be required and submitted through you to the Superintendent of Public Works at his request."

"THE SIEGE" OF THE SALVATIONISTS

Honolulu Salvationists are in for a whirl of meetings. Their leader, Commander Eva Booth, has proclaimed a general advance against the cohorts of evil and a siege long and effective is now in order. Locally the dates are set to last from Sunday Feb. 19th to Sunday March 26th. This period is divided into five weeks each having a special feature, styled in Salvation Army nomenclature in this wise:

Sunday Feb. 19th to Sunday 26th inst inclusive, Sinners and Backsliders' week. Monday Feb. 27th to Sunday March 5th, Juniors' week. Monday 6th to Sunday 12th, Drunkards' week. Monday 13th to Sunday 19th, Hospital and Prison week. Monday 20th to Sunday 26th, Soldiers' week.

A change of speakers and program is outlined for each week. The Salvation Army hall corner of King and Nunanu streets, is the chief scene of hostilities in Honolulu.

The Elks have sold their building to an exclusive Japanese club and plan to erect a more imposing structure.

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REAL ESTATE TRANSACTIONS.

Recorded Feb 7, 1905. Hee Charn by atty to Wong Kwal, Sub P A; general powers. B 265, p

414. Dated Nov 6, 1961. John Pulaa to Hop Sing Yin, Can L; R P 3293 kul 1539 Kalihi, Honolulu, Oahu. \$1. B 218, p 346. Dated Feb 7,

Elmer L Newman to Edward F O' Brien, B S; int in harness, saddlery, etc, of Territory Harness Shop No. 554. S King St, Honolulu, Cahu. \$1. B 274, p 28. Dated Feb 6, 1905. Edward F O'Brien to Derusia E

Newman, B S; int in harness, saddlery, etc, of Territory Harness Shop No. 554, S King St, Honolulu, Oahu. \$1. B 274, p 29. Dated Feb 6, 1905. Peke Stone (widow) to R N Boyd.

Rev P A; powers granted in 11b 162, fol, 348. B 265, p 415. Dated Feb 7.

Hee Charn by atty Walter G Cooper, M; por R P 6 kul 210, bldgs, etc, cor King and Nuuanu Sts. Honolulu, Oa-\$4000. B 262, p 288. Dated Jan

Bishop & Co to G Schuman, Par Rel; lots 6 and 7, blk 41, Kalmuki tract,

G Schuman and wf to Angus P Mc-Donald, D: tots 6 and 7 blk 41, Kalmu ki tract, Honolulu, Oahu. \$660. B 264. p 451. Dated Feb 4, 1905.

Kahanawale and heb to Walalua Agreti Co Lid, M; aps 1 and 2 of gr 564, Paukauila, Walalua, Oahu, \$366. B 262, p 292. Dated Jan 27, 1904.

Cecil Brown Tr to Henry Waterhouse Tr Co Ltd, A L; 5 aer land, Kahului 2, N Kona, Hawaii. \$1. B 263, p 253. Dated Feb 7, 1905. Angus P McDonald and wf to Wil-

liam O Smith, M; lots 6 and 7 blk 41. Kalmuki tract, Honolulu, Oahu, \$660. B 262, p 295. Dated Feb 7, 1905. Isador Levingston to Alexander

Young Bldg Co Ltd, B S; 2 show cases, safe, fixtures, etc, in store No 10, Alex Young Bldg, Honolulu, Onhu. \$909. B 265, p 416. Dated Feb 7, 1905.

Lee Chong Kee et al to Lee Chong. B C; int in leasehold and 1-2 share each in Hop Tuck Wai Co, Koolaupoko, Oahu. \$1150. B 265, p 417. Dated Dec

Recorded Feb 8, 1905 Poepoe (w) to Lau Soy Hoy et al, L; 27 taro patches, water rights and bldg. Kalihi valley. Honolulu, Oahu, 15 yrs at \$200 per yr. B 263, p 253. Dated Jan 31, 1905,

Sanford B Dole and wf to Albert S Wilcox, D: por gr 3219, Diamond Head road, Honolulu, Oahu. \$1. B 264, p 452. Dated Feb 7, 1965. Lai Feart to Tong Hoy, A M; mtg

D Kahanu Jr on ap 1 of R P 7118 and 5541, Anahola, Kawaihau, Kauai; Int in hui land of Allomanu, etc. Kawai-hau, Kauai. \$200. B 251, p 99. Dated

Tong Hoy to Hans M Gittel, A.M; mtg R P 5541. Anahola, Kawaihau, Kauai: int in hui land of Aliomanu, etc, Kawalhau, Kaual. \$200. B 262, p 298. Dated Jan 6, 1905,

Queen's Hospital to David L With ington, D; por of grs 3665 and 3677, Prospect St, Honolulu, Oahu. \$3750. B 264, p 453. Dated Feb 6, 1905.

David L Withington and wf Queen's Hospital, M; por of grs 3665 and 3677, Prospect St. Honolulu, Oahu. \$3250. B 262, p 298. Dated Feb 6, 1905.

Castle & Cooke, MRS. HARBOTTLE DIES AT THE AGE OF EIGHTY

Mrs. Kekuialono Harbottle, widow of the late Isaac Harbottle, died at 6 p. m. yesterday at the home of her grandson, James Hakuole, Kunawai, off Liliha street. She was a native of Maul and about 80 years of age. Mrs. Harbottle leaves a daughter, five grand-children and nine great

grand-children. Besides Mr. Hakuole already named, Isaac Harbottle of the tax office is a grandson of the deceased, The funeral will take place from Mr. Hakuole's house at 3 p. m. today.

Jessie Maclachian Coming.

The subscription list for the Jessie Maclachian Concert Co. was opened a couple of days ago and with such success that Miss Maclachlan's appearance in Honolulu is now guaranteed and the Scottish Prima Donna, with her supporting artists, will be heard

on Saturday, April 1st.

There are already several hundred subscribers. Those who have not yet signed for seats should do so as subscribers will have the advantage of being given the first choice of re served seats, the plan opening for them one day in advance of the regular sale.

WHAT IT WILL DO.

A woman buys a sewing machine for what it will do; not as an article of furniture. A man carries a watch to tell him the time; not as an investment of surplus capital. The same principle when one is ill. We want the medicine or the treatment which will relieve and cure. The friend in need must be a friend indeed, something, or somebody, with a reputation. There should be no guesswork in treating dis-People have the right to know what a medicine is, and what it will do, before they take it. It must have behind it an open record of benefit to others for the same diseases, a series of cures that proves its merit and inspires confidence. It is because it has such a record that WAMPOLE'S PREPARATION is bought and used without hesitation or doubt. Its Good Name is the solid basis for the faith the people have in it; and a good name has to be earned by good deeds. It does what you have a right to expect it to do. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, combined with the Com-pound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In Scrofula, Anemia, Nervous and General Debility, Influenza and Wasting Complaints, it is to be thoroughly relied upon. Doctor J. L. Carrick says: "I have had remarkable success with it in the treatment of Consumption, Chronic Bronchitis, Catarrh and Scrofulous Affections. It is of special value in nervous prostration and depraved nutrition; it stimulates the appetite and the digestion, promotes assimilation, and enters directly into the circulation with the food. I consider it a marvelous success in medicine." Every dose effective. "You cannot be disappointed in it." Sold by themists throughout the world.

PROVIDING FOR ARCHIVES OF HAWAII TERRITORY

Editor Advertiser: At the last session of the Legislature an appropriation of \$75,000 was made for a Hall of Records. In March, 1884, the foundation for a Hall of Records (Kapuiwa Hale) was laid, it being felt at that time that it was essential to have an isolated building for the records. It was afterwards devoted to other purposes. The intention of the Legislature was that it should be an isolated building, the ground floor to be used for the current records and the second floor as a depository for the archives of the old Hawaiian Government. It was a popular measure, as the preservation of those ancient archives appealed to the love the people had for the menarchy.

This sum was put in the Loan Bill and the money was obtained on bonds and lies in the treasury. Apparently nothing was done in the matter, as rumor said that the governor considered the building unnecessary and there was a difficulty in selecting a site. It is seen, however, in his report that the sum of \$2100 of the fund has been paid out for plans and estimates of costs. There was no difficulty in selecting a site, as a very eligible site was to be had which the unsightly and malodorous stables and water carts occupied.

The necessity of earing for the archives is brought home to any one who is familiar with them, their condition, and much scattered places of deposit.

At one time the U. S. Legation presented the Hawaiian Government a set of Congressional Reports reaching back to the year 1843, as well as many other valuable books of reference, giving with them a copious index. With htis as a nucleus it might be that the general government would be willing to supply those reports prior to 1843 as well as any missing numbers to complete the set to date. It might D Kahanu Jr on ap 1 of R P 7118 and be more willing to do so if it was known that what we have are appreciated and cared for. The insects are at work in the old archives and are playing havoe with the books and papers. Those little fellows dislike to be disturbed, but a periodical overhauling of papers is the only antidote against their ravages.

At the time of the revolution in 1893 there was found in the Palace and Judiciary Building an immense number of books of all descriptions. Some of these were given to the Bishop Museum, some to the Public Library, and others were scattered through the various department. The reports pertaining to agriculture were handed over to the Board of Agriculture and Forestry. The Patent Office Reports were carted down to the office of a Mr. Ripley, I never knew why, and there are hundreds of others scattered through the rooms in the basement and tower of the Executive Building.

The correspondence received from all parts of the world was kept in the envelopes in which they arrived and the letters were for convenience stored in well-made chests, each having a label of its contents. During the occupation of the Judiciary building by the volunteers these chests were opened and their contents littered all over the premises, the soldiers robbing the envelopes of the rare stamps found on them.

Now that the government has settled down it is its duty to collect and rearrange all those archives of the beloved government of the Kamehamehas and preserve all for reference. There is nothing which so much appeals to the natives and old kamaainas as a showing of respect for the old flag and the muniments of the old Hawaiian Government, which was represented at the Court of St. James as well as at other foreign capitals for upwards of a century, and which had its consuls in every civilized country.

In reagard to the suggestions by the governor to store those archives in the small rooms in the cellar of the Executive Building, it would be treating them and their lovers with disrespect.

On the contrary, would it not be better to go on with the erection of the isolated, fire-proof building contemplated by the last Legislature, and if \$75,000 is insufficient to complete a requisite building make a further appropriation for the purpose. No money is lost in putting up good structures for use of the government.

He suggests that an appropriation of \$200,000 and another for \$50,000 be made, the first for a government building and the second for a barracks. If we had the use of the building which belongs to us and which we were driven out of by the Federal officials and had this Hall of Records completed there would be ample room for our executive officers and the departments for many years to come. When occasion requires it a barracks suitable in size and structure and in a convenient locality stands ready for the use of the local militia and can be purchased for a small sum. I refer to the building erected for the automobile company and which is in the vicinity of the other government buildings. I would respectfully suggest the purchasing of that building and the acquiring, by exchange, of the balance of Judiciary building square and the removal of the unsightly shacks which occupy the frontage adjacent to Kawaiahao church.

Respectfully,

JAS. W. GIRVIN.

CARTER SIGNS RESOLUTION

Governor Carter yesterday signed and will return to the Legislature today the joint resolution urging Congress to appropriate \$150,000 for a scientific medical commission to study leprosy at the Molokai Settlement.

The resolution provides that the Delegate to Congress be immediately notified by cable of the passage of the resolution, as well as that certified copies thereof be sent to the Delegate and the presiding officers of both houses of Congress.

"It is a very appropriate thing for the Legislature to adopt," Governor Carter said yesterday afternoon. At the same time he considers that the document would more properly have been entitled a concurrent resolution.

"The Organic Act," the Governor said, "provides that a joint resolution shall be signed by the Governor. It is a definite pronouncement of policy and has the force of law. If the Governor refuses to sign it, it may be passed over his veto.

"A concurrent resolution, on the other hand, simply expresses an opinion of the two houses and is binding only as to their relations toward each other. This recommendation to Congress is more properly a concurrent resolution."

It is not a mere academic distinction that is involved in the entitling of the resolution. There is an expense bill attached to its carrying out. The cable toll in properly notifying the Delegate will amount to something. Had it been passed as a concurrent resolution, the Governor would not have been concerned directly with its execution. The Senate and House would have had to divide between them all the expenses it entailed.

Now the Governor's incidentals are exhausted-he has frequently dug into his own pockets for expenses clearly in the public behalf-and he is now drawing on the Secretary's incidentals. Probably the two houses will see to it that the cabling of the requisite notification to the Delegate in this case does not hit the executive

the Skin and Complexion.

To preserve, purify, and beautify the skin, and prevent pimples, blotches, blackheads, reduess, roughness, yellow, oily, mothy skin, chapping, and many other forms of skin blemishes, no other skin or complexion soap is for a moment to be compared with Cuticura Soar, because no other soap reaches the cause, viz., the clogged, irritated, or inflamed condition of the Porks

How to Prevent Falling Hair Scalp Humours and Dandruff.

Cleanse the scalp and hair thoroughly with a warm shampeo of CUTI-CURA SOAP, rinse with warm water, dry carefully, and apply a light dressing of CUTICURA, purest of emollients, gently rubbed into the scalp. This simple, refreshing, and inexpensive treatment will clear the scalp and hair of crusts, scales, and dandruff, soothe irritated, itching surfaces, stimulate the hair follicles, supply the roots with energy and nourishment, and make the hair grow upon a sweet, wholesome, and healthy scalp, when all else fails.

How to Make the Hands Soft and White in a Single Night.

Bathe and soak the hands on retiring in a strong, hot lather of CUTICURA SOAY. Dry thoroughly and anoint freely with CUTICURA Ointment, the great skin cure and purest of emollients. Wear during the night old, loose kid gloves with the finger ends cut off For red, rough, chapped hands, dry, fissured, itching, fever-ish palms, shapeless nails, with painful finger ends, this one night treatment is simply wonderful and a blessing to all afflicted with sore, chapped, rough, or tender hands.

Cuticura Complete External and Internal Treatment for Every Humour, The Set and soften the thickened cuttele. Curretters, Outment, to instantly and curs. Itsolvent, to cool is the indicate the short and soften the thickened cuttele. Curretters, Outment, to instantly and curs. Itsolvent, to cool is the large the blood. A S.Noise Set is often sufficient to care the torturing, disfiguring, and humilisting skin, scalp, and blood bumours, with loss of hair, we also fails. Soid throughout the world. Aust. Depot: R. Towns & Co., Sydney, N. S. W. African Depot: Lennon Lun, Cape Town. All about the Skin, Scalp, and Hair, " post Poters Daug and Curs. Corr., Soic Props., Boston, U. S. A.

EXTRAORDINARY OFFER

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By special arrangement we are enabled to offer the WEEKLY INTER-OCEAN, of Chicago, absolutely free of charge to all new subscribers to the HAWAIIAN GAZETTE (Semi-weekly), who send in their subscriptions between now and January 1st, 1905, such subscriptions to be for one year. This does not apply to renewals.

The WEEKLY INTER-OCEAN is the leading journal of the Middle West and in addition to its perfect news service has many new and valuable features among which are its Farm Department, Forestry and Floriticulture, Care of the Horse, Boys and Girls page, International Sunday School Lesson, Home Health Club, Health and Beauty Hints, New Household Ideas, Practical Cookery, Latest Styles for all Ages, Best Fiction, full Crop and Market reports.

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FUNDAMENTAL LAW HAWAII CONTAINS:

1. The first Constitution of Kame- | of Hawaii, 1894. hameha III, 1840, including the previously issued Bill of Rights.

2. The first laws of Hawaii, enacted under Kamehameha III, (1833-1842), published together in 1842. 3. The law creating and principles

guiding the Land Commission 4. The second Constitution of Kamehameha III, 1852,

6. The Constitution of Kalakaua,

dent to the establishment of the Provi- sage of the Organic Act, 1898-1990 sional Government, 1893,

9. The treaty annexing Hawsii to the United States, 1897. 10. The Resolution of the Hawalian Senate ratifying the annexation treaty, 11. The Joint Resolution of Congress

annexing Hawaii, 1898. 12. The documents and procedure in-

cident to the transfer of the sovereignty and possession of Hawaii to the 5. The Constitution of Kamehameha United States, 1898; and the executive orders of President McKinley, relating to the government of Hawaii, issued 587.

7. The Proclamation and orders incithe date of annexation and the pas-

13. The Act of Congress organizing 8. The Constitution of the Republic Hawaii into a Territory, 1960.

Hawaiian Gazette Company, Honolulu, T. H.

Enclosed herewith find five dollars to pay for one copy of the Fundamental Law of Hawaii, which please send to

Cut this out and mail it to the Hawaiian Gazette Company, Honolulu, T. H. with \$5 and the Fundamental Laws of Hawaii will be immediately mailed to you, postage prepaid.



SOLACE MAKES A BRIEF STOP

The naval transport Solace which announced her proximity to the islands by wireless Monday night arrived in port early yesterday morning. was under rush orders so none of the crew were given shore leave and the ship sailed late last night for San Francisco. The Solace sailed from Cavite February 5th and Guam February 10th. Six days after leaving Guam the Solace sighted the transport Sherman outbound and lowered a boat to get the mails. Coal was being rushed into the vessel all day yesterday. Among the through passengers is Mrs. R. D. White, wife of a lieutenant in the navy. She will take the Mongolia for the rest of the trip to San Francisco. Fred Ganzell and three Japanese returned from the Guam cable station. Yesterday the Solace was flying a homeward bound pennant 214

BIG CROWD SAW KOREA DEPART

A big crowd was on hand at the Naval docks yesterday morning to see the Korea depart for China and Japan, In honor of Washington's birthday the liner was gaily decorated with flags. The Hawaiian band came over after the departure of the Alameda and played a number of selections, among them being "Here Comes the Bride, this for the benefit of Captain and Mrs. Pershing. The unusually large number of distinguished people, including many army and navy officers, on the steamer brought out a larger crowd of local government officials usual. Governor Carter and Secretary Atkinson were among those seen on the dock. The Korea got away promptly at 10 o'clock. She will not visit Manila this trip. The Siberia will take in that port on her next outbound voyage.

The Alameda got away for the coast yesterday morning with a number of passengers and a big mail. Her hold was full of cargo and piles of freight were left on the dock for the Sierra. The band was in attendance and leis in profusion were seen on all sides. The steamer was a few minutes late in leaving her dock but she will probably live up to her reputation and make San Francisco promptly on time. only other vessels moving were the Mikahala which arrived from Kauni ports early in the morning and the which sailed for Hawaii at 5 in the evening.

SHIPPING INTELLIGENCE.

ARRIVED.

Thursday, February 23. Stmr. Nilhau. W. Thompson, from Kauai ports, 2:20 a. m.

Tuesday, February 22. Chilean sp. Othello, Welch, from Iquique, 10:40 a. m. U. S. S. Iroquois, Niblack, from La-

nai ports, 5 a. m. S. S. Rosecrans, Olsen, from Monterey, 9 a. m. P. M. S. S. Korea, Seabury, from San Francisco, 1:30 p. m.

S. S. Solace, Bull, from Manila, via Guam, 7 a. m. Stmr. J. A. Cummins, Searle, from

Waimanalo and Koolau ports, 7 p. m. Wednesday, February 22. Stmr. Mikahala, Gregory, from Kaual ports, 4:05 a. m.

Thursday, February 23. Stmr. Nocau, Pederson, from Kauai ports, 2:20 a. m. DEPARTED.

Schr. Moi Wahine, for Honoipu and

Koholalele, 8:30 a. m. Schr. Kawallani, Ulunahele, for Ko-Stmr. Mikahala, Gregory, for Kaual

ports, 5:25 p. m. S. S. Rosecrans, Olsen, for San Francisco, 5 p. m.

Am. bk. Annie Johnson, Nilson, for San Francisco, 5 p. m., (in tow of Stmr. Niihau, W. Thompson, for Ka-

ual ports, 4 p. m.

DUE AT THIS PORT FROM

SAN FRANCISCO-A.-H. S. S. Nebraskan, Weeden, Thursday, due, O. S. S. Ventura, Hayward, Wednes-

day, a. m. THE COLONIES-O. S. S. Sierra, Houdlette, Tuesday,

ISLAND PORTS-

Stmr. Mikahala, Gregory, from Kauat ports, Wednesday, due. Stmr. Ke Au Hou, Tuliett, from Kauai ports, Friday, due. Stmr. Mauna Loa, Simerson, from

Kona and Kau ports, Friday, a. m. Stmr. Kinau, Freeman, from Hilo and way ports, Saturday, a. m.

Stmr. Likelike, Naopala, from Maul Co Ltd, B S; livestock, dump carts,

and Molokal ports, Saturday, due. Stmr. W. G. Hall, S. Thompson, from Kaual ports, Sunday, a. m. Stmr. Claudine, Parker, from Maui

ports, Sunday, a. m. THE ORIENT-

P. M. S. S. Mongolia, Porter, Sunday, due.



SAIL FROM THIS PORT FOR SAN FRANCISCO-

M. S. S. Mongolia, Porter, Sunday. O. S. S. Sierra, Houdlette, Tuesday, A.-H. S. S. Nebraskan, Weedon, (via

Kahului), Sunday, 5 p. m. THE COLONIES-O. S. S. Ventura, Hayward, Wednes

day, p. m. ISLAND PORTS— Stmr. J. A. Cummins, Searle, for Waimanalo and Koolau ports Friday, 7 a, m,

Stmr. Likelike, for Maui and Molokal ports, Monday, 5 p. m. Stmr. Ke Au Hou, Tullett, for Kaual ports, Monday, 5 p. m.

DIED. BUCHHOLTZ-At Hoopulea, South Kona, on February 16th, 1905, of apoplexy, Franz Buchholtz, a native of Germany, age 51 years.

BARK TOWED BY STEAMER

Only four merchant vessels remain in the harbor and things are rather dull down on the waterfront. Were it not for the whir of the "Waterfront Limited" one would almost think there was nothing doing below Merchan street. "What we want is a good stiff breeze that will bring the fleet off the islands into port," said a prominent shipping man yesterday. There are plenty of vessels that ought to be in but calms and adverse winds around the islands are keeping them off. There are a number of coal vessels from Newcastle that should have reached port a long time ago. On the whole it has been an unsatisfactory winter

from the seaman's standpoint. The bark Annie Johnson loaded 3000 bags of sugar that were left by the Alameda and got away for San Fran cisco at five yesterday afternoon, She was in tow of the steamer Rosecrans. The steamer will take her clear of the islands and out where she will get favorable breezes. This morning the American-Hawaiian liner Nebraskan should arrive from San Francisco, She will probably bring one day's mail.

Entered for Record Feb 23, 1905. Walter Hoffmann et al to Siu Le-

Alfred Willis and wf to Edmund Sauai ports, 2:20 a. m.
Schr. C. L. Woodbury, from Hilo, Trs of Oahu College to F W

Otto Ludloff by Judge...... Bankruptcy judgment Otto Ludloff by Ref in Bk to C R Hemenway TrAppt Tr & appr Bond

Recorded Feb 9, 1905. Aberahama H Barenaba to William Henry, D; R Ps 1025 and 1026, Heeta, Koolaupoko, Oahu. \$250. B 264, p 454. Dated Feb 8, 1905, .

Charles F Peterson and wf to Fred Harrison, D; gr 4863, Diamond Hd Rd, Honolulu, Oahu. \$1. B 264, p 455. Dat-ed Jan 31, 1905.

S W Walono to Yamamoto Putaro, L; 1 acr land, Honomu, Hilo, Hawaii, 15 yrs and 6 mcs at \$22.50 per an. B 263, p 255. Dated Apr 15, 1904.

Yamamote Future to Hirata Tomotaro, A L; 1 acr lard Honomu, Hilo, Hawaii. \$280. B 263, p 256. Dated May 12, 1904.

S W Wajono to Yamamoto Futaro, mu, Hilo, Hawaii. B 263, p 256. Dated May 12, 1904.

Hirato Tomotaro to Morikawa Ka-kuichiro, A L: 1 acr land, Hoccmu, Hilo, Hawaii. \$270. B 263, p 256. Dated Sept 9, 1904, S W Waiono to Hirato Tomotaro

Consent; to A L of 1 acr land, Hono-mu, Hilo, Hawail. \$1. B 263, p 256. Dated Sept 9, 1904. Saida M Whitney and heb (W L) to Mutual Bldg & Loan Socy of Hawaii

Ltd, M; pe land, Bingham St. Hono-lulu, Oahu. \$1000. B 268, p 162, Kauanui Kaaua and bsb (J) to Grace D Merrill (Mrs), M; int in R P 2851 kul 5174, Hana, Maui; leasehold, Ha-na, Maul. \$200. B 268, p 164. Dated

Feb 8, 1905. W O Smith Tr to Edith E Pond and hab, Rel; lot 3 and por lot 4 blk 8, College Hills, Honolul Oahu. \$2500. B 235, p 77. Dated Feb 7, 1905.

Edith E Pond and hab P M to Hawn Evangelical Assn Bd of, M; lot 3 and por lot 4 blk 8, College Hills, Hono-lulu, Oahu. \$2006. B 268, p 166. Dated Feb 7, 1905.

tools, etc, Pahala, etc, Kau, etc, Ha-\$1000. B 274, p 30. Dated Feb 4, 1905. Geo Tourny to William O Smith et

al, P A; special powers. B 274, p 31. Dated Dec 27, 1994. Charles S Desky Tr et al by afft of migee to George Tourny, Fore Affdt;

THE OLD RELIABLE MUCH HARD WORK DONE BY THE ATTORNEY GENERAL

In the annual report of the work of his office for the years 1903 and 1904, Attorney General Lorrin Andrews says:

"During this period the Attorney General's Office has argued forty-seven (47) cases, in the Supreme Court, for the Territory of Hawaii, as against twenty-eight (28) in the two preceding years. Of the forty-seven cases disposed of, thirty-six have been decided in favor of the Territory.

'One hundred and forty-three (143) civil suits and special proceedings have been instituted, brought to a conclusion, or otherwise handled during the present biennial period, by this office, as against one hundred and twenty suits and proceedings brought and tried within the last biennial period. Both estimates include seventyeight (78) fishery right cases, of which further mention will be made later.

"There have been held twenty-eight (28) criminal terms, at which five hundred and nine (509) criminal cases have been disposed of, resulting in three hundred and eighty six (386) convictions, and one hundred and twenty-three (123) acquittals. No record was kept previously, in this office, as to the criminal work, and we therefore have no means of estimating whether it has grown since the last biennial report, but from the size of the calendars, the greatly increased number of terms, and the amount of work involved, it can confidently be stated that the work has almost doubled. This, of course, does not include the additional work of continuous attendance before the Grand Jury, the presentation of evidence, and the consequent necessity of preparing indictments, together with disposal of the various motions concerning the legality of such indictments all of which has taken considerable time and attention on the part of the various members of the office."

The Attorney General says, in his recommendations for the ensuing year:

"It is physically impossible for the work of the Attorney General's office to be kept to the present standard without addition to the working force.

"Another source of constant difficulty, representing an anomaly found nowhere but in this Territory, is the law under which the High Sheriff and his Deputy prosecute cases in the District Courts. While on the other islands, in country districts, this is undoubtedly necessary, there is no necessity, in Honolulu, for adding to the burdens of the Police Department that of prosecuting in the Police Court. The system has grown to be a cumbersome one, unsatisfactory alike to the Attorney General's and the Police Department. There should be a Police Court prosecutor in Honolulu, appointed by the Attorney General, whose duty it shall be to appear in the District Courts of Honolulu, and, if necessary, in the country districts on the Island of Oahu, and handle criminal matters for the Attorney General's Office. This would insure a careful preparation of the evidence, and give the Attorney General the needed control over police prosecutions, while it would relieve the High Sheriff and his Deputy from the necessity of postponing police work while they prepare cases for trial at the Circuit Court, or attend to criminal prosecutions, to the neglect of the duties of their office."



THE REPORTED PROCLAMATION OF THE SULTAN OF MO-ROCCO'S BROTHER: MULAI EL HAFID, THE PRINCE WHO MAY BE EMPEROR.

The Prince has his hards folded, but etiquette demands that his attendants shall keep theirs humbly on their knees.

gr 147 and bldg, cor Fort and Bereta- | Fort and Beretania Sts, Honolulu, Oanla St. Honolulu, Oahu. B 262, p 301, hu. \$1. B 264, p 459. Dated Feb 9, Dated Feb 9, 1905.

Charles S Desky Tr et al by atty of mtgee to W W Chamberlain, D; gr 147 and bldg, cor Fort and Beretania Sts, Honolulu, Oahu. \$40,000. B 264, p 456. Dated Feb 9, 1965. Chas S Desky and as Tr to W W

Chamberlain, D; gr 147 and bldg, cor

NURSING MOTHERS

" A richer milk than milk " 's good food for nursing mothers. Scott's Emulsion is the rich cream of cod liver oil, and contains ten times as much cream as milk does.

The nursing mother must eat with the purpose of producing good, nourishing milk for her baby. A little Scott's Emulsion is often a very wise addition to her daily diet. If through nervousness or weakness her milk is a failure, Scott's Emulsion will help make it a success.

The baby gets the benefit, too, when the mother takes Scott's Emulsion. The same remedy brings new strength and nourishment to both.

We'll send you a sample free upon request. SCOTT & BOWNE, 409 Pearl Street. New York.

W W Chamberlain to George Tourny. D; gr 147 and bldg, cor Fort and Beretania Sts, Honolulu, Cahu. \$1, 264, p 460. Dated Feb 9, 1905.

Board of Hawn Evangelical Assn to Edwin Benner, Rel; lot 55 and bldgs, Anapuni St, Honolulu, Oahu. \$2500. B 171, p 407. Dated Feb 9, 1905.

Mrs Makanoanoa Piikuahiwi to Mrs E Kapeka Cummins, D; int in R P 951 kul 284, Waimanalo, Koolaupoko, Oahu; int in pc land, Liliha St, Honolulu, Oahu: int in R P 3769 kul 16955, Mahana, Hanalei, Kauai; int in Tr D in lib 100 fol 84. \$1. B 264, p 461, Dated May 6, 1904.

FORECLOSURES

MARY PORTER MACPHERSON AND HUSBAND.

Under and by virtue of the power of sale contained in that certain mortgage dated December 31, 1901, made by and between Mary Porter Macpherson and J. H. Macpherson, her husband, both of the City of Oakland, State of California, as mortgagors, to S. S. Paschal of Honoluiu, as mortgagee, and of record in the Hawalian Registry of Conveyances in Book 230, on pages 162-164, and pursuant to Chapter XXXIII of the Session Laws of 1874, entitled "An act to provide for the sale of mortgaged property without suit and decree of sale," and the act (Chapter IX o the Session Laws of 1890) amending same, said S. S. Paschal, as mortgagee hereby gives notice that he intend to foreclose the said mortgage for con ditions broken, to wit, the non-payment of the principal and interest of a joint and several promis ory note of mortgagors referred to in and secured by said mortgage, when due.

Notice is hereby likewise given that all and singular the lands and premises conveyed by and described in said mortgage, and the improvements there on, hereinafter described, will be sold of America, Greeting:

at public auction at the auction rooms of James F. Morgan on Kashumanu street, in Honolulu, on Saturday, the RICH SCHAEFER, husband of said twenty-fifth day of February, 1995, at ELIZABETH SCHAEFER: FRANCIS

aforesaid, consists of

and bounded and particularly described ACE BLACK and GEORGE WHITE, as follows, to wit:

runs by true bearings:

A. 56 to E. Grieves; S. 36° 50' E., 97 6-10 feet along L. C.

A. 34 to Neddles; N. 49° 17' E., 56 2-10 feet along new

feet and being a portion of Royal Pa-tent No. 1769, L. C. A. 620, and the copy of the plaintiff's petition herein same premises that were conveyed to together with a certified copy of this said Mary Porter Macpherson under the name of Mary Porter by deed of W And you A. Kinney, dated May 23, 1893, and re

chaser.

For further particulars inquire Ballou & Marx, Stangenwald Building, Honolulu, attorneys for mortgagee. Dated Honclulu, January 27, 1905. S. S. PASCHAL,

PUUNUI TRACT. MORTGAGEE'S NOTICE OF INTEN-TION TO FORECLOSE AND OF

FORECLOSURE SALE. In accordance with the provisions of a certain mortgage made by William 2671 C. Achi to Wong Wa Foy, dated October 4, 1898, recorded Liber 187, page 46 and 47, now held by the Western and Hawaiian Investment Company, Ltd., as assignee, notice is hereby given that the mortgagee intends to foreclose the same for conditions broken, to wit: Non-payment of interest and principal

when due. Notice is likewise given that after the expiration of three weeks from the date of this notice the property covered by said mortgage will be advertised for sale at public auction, at the auction rooms of James F. Morgan, in Honolulu, on Saturday, March the 4th, 1905, at 12 noon of said day,

Further particulars can be had of Castle & Withington, attorneys for mortgagee. Dated Honolulu, February 10, 1905.

THE WESTERN AND HAWAHAN INVESTMENT COMPANY, LTD.,

The premises covered by said mortgage consists of: All those certain premises, pieces, parcels or strips, roads, tracts or strips of land situated on the Ewa side of Nuuanu valley, commonly known as

the Puunui tract, being the premises conveyed to the mortgagor by deed of Wong Wa Foy, trustee, dated October 4, 1898, recorded in Liber 183, pages 479 and 480, and Being the premises conveyed to Wong

Foy trustee by deed of E. B. Waterhouse and others, dated July 11, 1896, and recorded in Liber 159, page 497, and more particularly described as Lots 2, 3 and 10, block A.

Lots 3, 10, 13, 15, 23 to 27 inclusive; 29 to 32 inclusive and 34 to 36 inclusive, block 2

Lots 15 to 26 inclusive, block 3, Lots 28 and 30, block 3. Lots 31 to 38 inclusive, block 3.

Lots 43 to 52 inclusive, block 3. Lots 14 to 24 inclusive, block 4. Lots 20 to 25 inclusive, block 5. The mauka part of block 6, contain-

ng an area of about 18 acres. Also all unsold portions, strips, roads, lots and parts of all those premises conveyed by said above mentioned deed of E. B. Waterhouse and others to Wong Wa Foy, trustee.

Save and excepting those premises lots, pieces and parcels of land duly eleased by the above named assignee of mortgage, as follows, to wit: Release dated March 3, 1900, recorded

L. 204, p. 203, lot 20 and part of pali. block 5. Release dated March 30, 1900, recorded

L. 204, p. 281, lot 21 and part of pall, Release dated June 6, 1900, recorded L. 207, p. 256, lot 25, block 2,

Release dated November 19, 1900, reorded L. 214, p. 330, lots 15, 16, 17, 18, 5, 36, 37 and 38, block 3, Release dated December 10, 1900, recorded L. 215 p. 345, lots 17, 21, 22 and

3, block 4. Release dated December 12, 1900, reorded L. 215, p. 349, lots 47, 48, 49, 50, lock 3, and lot 16, Block 4. Release dated June 22, 1901, recorded

. 226. p 114, lot 18, block 4. Release dated September 10, 1901, reorded Vol. 226, p. 371, lots 31 and 33, block 3.

Release dated March 6, 1902, recorded L. 232, p. 472, lots 26, block 2, and lots 43 and 45, block 3; lot 25, block 5, and part of pali.

Release dated February 12, 1903, reorded Vol. 243, p. 257, lot 32, block 2. Release dated August 7, 1903, recorded , 251, p 49, lots 30 and 31, block 2, Release dated December 7, 1899, reorded L. 204, p. 45, lot 3, block A. Release dated December 21, 1900, re-

rded L. 213, p. 435, lots 13 and 15, block ; lot 15, block 4. Reference may be had to the above entioned instruments for further particulars.

THE DISTRICT COURT OF THE UNITED STATES FOR THE TERRITORY OF HAWAII.

2667-Feb. 10, 17, 24, Mar. 3.

The United States of America, Plaintiff and Petitioner, vs. Elizabeth Schaefer, et als. Defendants and Respondents. Action brought in said District Court, and the Petition filed in the office of the Clerk of said District Court, in Honolulu. The President of the United States

To ELIZABETH SCHAEFER, wife of FREDRICH SCHAEFER: FRED The property conveyed by the said MG PH (sometimes called JAMES mortgage and intended to be sold as PH); KAMALJE; HAIHEHENA; ME-All that certain lot or parcel of land ILAMA and sometimes called HILAsituate, lying and being in Honolulu, MA): ALAPAA: MIRIAM PURPLE,
Island of Oahu, Territory of Hawaii,
HENRY RED, JANE GREEN, HOR-LE: HAIYAMA (sometimes called HAas follows, to wit:

Lot B-Beginning at a point on new LE, Deceased: PETER BLUE, KATHline of Alakea street, north side. 86 ERINE YELLOW, HENRY BROWN, feet makai of British (now Pacific) LYDIA SCARLET and JOHN VIO-Club premises, thence the boundary LIE, Deceased; and JAMES NIIHAU, THOMAS KAUAI, WILLIAM OAHU, N. 26" 50' W., 94 feet along lot A of JOHN LAHAINA, and HORACE HA-Wood estate; . WAII. unknown beirs at law of KA S. 53° 40′ W., 55 2-10 feet along L. C. EINA, Deceased, Defendants and Re-WAII, unknown beirs at law of KAspondents.

You are hereby directed to appear, and answer the petition in an action entitled as above, brought line of Alakea street to the initial you in the District Court of the United point. Containing an area of 5373 square Hawaii, within twenty days from

And you are hereby notified that unless you appear and answer as above required, the said plaintiff will apply corded in Liber 141, page 254.

Terms cash in United States gold to the court for the relief demanded coin. Deeds at the expense of the purious forms of the petition herein.

WITNESS the Honorable Sanford B. Dole, Judge of said District Court this 16th day of February in the year of our Lord one thousand nine hundred and five, and of the independence of the United States the one hundred and twenty-ninth.

WALTER B. MALING.

A true copy, attest: W. B. MALING. (Seal)

MORTGAGE MADE BY MARY F. KROUSE.

MORTGAGEE'S NOTICE OF INTEN-TION OF FORECLOSURE AND OF SALE. Notice is hereby given that pursu-

ant to the power of sale contained in that certain mortgage dated April 30, 1903, made by Mary F. Krouse of Honolulu, Island of Oahu, Territory of Hawaii, mortgagor, to William C. Smith, Mary S. Parker and Henry Waterhouse, Trustees under the will of W. C. Lunallio, deceased, mortgagees, and recorded in the Register Office, Oahu, in Liber 244, pages 311-313, the mortgagees intend to foreclose said mortgage for condition broken, to-wit, the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, on Saturday, the 11th day of March, 1905, at 12 o'clock noon.

The property covered by this mortgage consists of: all that piece of land situate at south slope of Punchbowl Hill. Honolulu, Oahu, and described as follows:

LOT NO. 600.

Beginning at the north corner of Spencer Avenue and Government

Reservation for street along the west side of Makiki Cemetery as shown on Government Survey Reg. Map 1749 and running:

S. 76° 15' W. true 121.4 feet along Spencer Avenue. N. 13° 45' W. true 283.0 feet along

Lot No. 601. N. 70" 40' E. true 121.5 feet along Government Land.

S, 13° 45' E. true 294.0 feet along Government Reservation for street along the west side of Makiki Cemetery to the initial point. Area, 35,024 square feet. And being the same premises conveyed to said mortgagor by Grant 3815. Terms:—Cash United States Gold

Coin, deeds at the expense of the purchaser. For further particulars apply of William O. Smith, Judd Building, Ho-

nolulu. Dated Honolulu, February 16, 1905. WILLIAM O. SMITH, MARY S PARKER and

E. A. MOTT-SMITH, Trustees under the Will of W. C. Lunalilo, Deceased. 2669-Feb. 17, 24, March 3, 10.

****************** ATTENTION

Chic Chinese Incense Eutaska Panama Violet Panama Rose Ben Hur Japan Rose Rose of Killarney Crushed Roses Crushed Carnation Violette de Lorme Jasmin de Siam Ambre Vere Novo Verveine Nile Carnation

These are a few of the latest in the Perfumery line; in the neatest of packages. We claim these goods the most exquisite ever shown in this city, and most appropriate holiday gifts.

Ask to be shown these and

convince yourself. Hollister Drug