

THE INDEPENDENT.

Vol. VII.

HONOLULU, H. I., TUESDAY, DECEMBER 13, 1898.

No. 1071.

Oceanic Steamship Company.

TIME TABLE:

The Fine Passenger Steamers of This Line Will Arrive and Leave This Port as Hereunder.

FROM SAN FRANCISCO: FOR SAN FRANCISCO:

AUSTRALIA.....DEC. 21	AUSTRALIA.....DEC. 27
ALAMEDA.....JAN. 4	MARIPOSA.....JAN. 4
AUSTRALIA.....JAN. 18	AUSTRALIA.....JAN. 24
MARIPOSA.....FEB. 18	MOANA.....FEB. 1

In connection with the sailing of the above steamers, the Agents are prepared to issue, to intending passengers, coupon through tickets by any railroad from San Francisco, to all points in the United States, and from New York by any steamship line to all European ports.

For further particulars apply to

Wm. G. Irwin & Co.

LIMITED.

General Agents Oceanic S. S. Company.

The Latest in Lamps

Direct from the Factory

Bourdoir, Piano, Table, Banquet, Student, Hall Lamps and Veranda Lanterns.

New and Artistic Designs in Shades and Globes.

A CHOICE SELECTION OF

Copley -:- Prints,

Vickery's Specialties, the Latest Novelties to Arrive.

Table Knives, Hunting Knives, Butcher Knives.

POCKET CUTLERY

Just Received.

Picture Frames, Mouldings and Cornice Novelties

Call and Examine New Goods Being opened for the

HOLIDAYS.

THE PACIFIC HARDWARE CO., LTD.

FORT AND MERCHANT STREETS.

Theo. H. Davies & Co., L'd

SUGAR FACTORS,

— IMPORTERS OF —

General Merchandise

— AND —

COMMISSION MERCHANTS

Agents for Lloyds,

Canadian-Australian Steamship Line,

British & Foreign Marine Insurance Co.,

Northern Assurance Co. (Fire and Life),

Canadian Pacific Railway Co.,

Pioneer Line of Packets from Liverpool.

TELEPHONE 92.

P. O. Box 145.

H. E. McINTYRE & BRO.,

EAST CORNER FORT & KING STS.

IMPORTERS AND DEALERS IN

Groceries, Provisions and Feed

New and Fresh Goods received by every packet from California, Eastern States and European Markets.

Standard Grade of Canned Vegetables, Fruits and Fish.

Goods delivered to any part of the City
ISLAND TRADE BOTTLERS SATISFACTION GUARANTEED

THE CHINESE CASES

Cold-blooded Law of Annexation Must Disenfranchise Justice.

The Attorney-General's Views of the Efficacy of the Newland's Resolution—There is Now But One National Government—Arguments Closed and Decision Reserved.

In the Chinese Habeas Corpus cases yesterday Mr. Silliman concluded his forcible and capable argument at noon when the Court took a recess.

On reassembling at 1:30 p. m. Hon. A. G. M. Robertson followed, for the petitioners, with a very able and powerful argument of about an hour and a half. He strengthened the argument of the previous counsel on the point that Collector-General McStocker had not been invested with the necessary authority to enforce the operations of the Exclusion Acts, even if Congress had intended that the Newland's Resolution should apply to Hawaii immediately on its passage as regarded Chinese Immigration. There had been nothing produced to show that it was President McKinley's intention that the law should be enforced by McStocker. McStocker's powers and authorities to act were conferred upon him by the laws of the Republic of Hawaii, and not by the Newland's Resolution nor by the President's wish. His powers were to carry out the will of the Republic of Hawaii. The special instructions to Special Agent Brown could not be considered as an authority for McStocker to act under a law which Congress has not yet made operative. There must first be a definite commission issued to McStocker. No mere letter of instructions to a Special Treasury Agent sent in a merely advisory manner to aid and suggest to Hawaiian officials would be sufficient. His very lack of authority in the eyes of the Hawaiian Government officials was shown by the Government linking Brown with him in these proceedings. But Brown was only sent here to cooperate with the Custom's officials in an advisory capacity and to instruct them in the workings of the Chinese restriction Acts of Congress as carried on in the United States, but until further and mandatory instructions had been received neither McStocker nor Brown could carry these provisions into effect in Hawaii in view of the constitutional provisions in relation to retrospective legislation.

He then proceeded to review at length the laws and cases in regard to the construction of laws. It was a well recognized rule that no retrospective construction will be given to any statute unless the legislature has expressly signified its intention that such a provision shall apply. The Constitution and Congress of the United States were both opposed to the passage of *ex post facto* laws impairing the obligation of contracts and the prejudicing of the rights of individuals. The language of the Newland's Resolution was very broad in regard to Chinese immigration. As a determination and outline for the future policy of the Government it was broad enough to be unmistakable, but in its construction this country is again running up against a snag with the anti-Chinese platform of it, as it has against several other of its features which have had the atten-

tion of the Courts. The Courts must construe the Resolution in a broad and liberal manner. Here these men have returned to the country under a permit issued by the Hawaiian Government which was valid under our laws at the date of its issue and of their departure from this country, and here on their return they are met with the statement, "Oh! you can't come in now; those permits of ours are no good; the laws have been changed."

Mr. Robertson then analyzed the two classes of petitioners, the return permit men, and the six-months merchants and travelers' bonds residence men. Morally speaking, perhaps, the latter had not as strong rights as the former. To prohibit the return of old residents with, perhaps, families, was an outrage not intended to be consummated by the Newland's Resolution, while it might not be so hard upon merely temporary residents; and yet their legal rights might be stronger for under the treaties between the United States and China and the Acts of Congress they were entitled to enter under special certificates, but which Mr. Brown says are not in the correct form, and that the men coming home on our valid permits are rejected, because they are laborers and not exempted by the U. S. laws. He showed that there was no indication to make it appear that that the Resolution was to have a retrospective effect, and there was no intention shown to repudiate any action of the Hawaiian Government done prior to annexation or to affect any of the rights accrued before that date. The whole proposition indicates an absence of intended repudiation. He illustrated the compulsory payment of the Japanese indemnity at the instance of the United States prior to annexation, as an indication that the United States did not desire the Hawaiian Government to repudiate its obligations or to make void any act done by this country.

To have had the views of the Hawaiian Government carried into effect, it would have been necessary to insert in the Newland's Resolution another paragraph providing for the annulling and making void of all permits previously granted by the Hawaiian Government. But this had not been done, and intentionally so in order to avoid the abrogating and annulling of obligations. There was no implied conception that Congress ever intended to permit injustice or oppression or contemplated permitting the letter of the law to prevail over the common sense and reason of it. There was nothing to show that the entrance of Chinese was to be totally prohibited, but on the contrary, the law made express provisions for the entrance of certain classes of them, and there was no violence done to the anti-Chinese by admitting them. It was impossible for these men to have complied with the provisions of the Newland's Resolution, for not only had they left the country before it was adopted, but there was no one in this country who could have given them the necessary certificates, for no one knew anything about its provisions. He closed his argument with citing a celebrated case in which the United States Supreme Court had ruled against retrospective legislation in an almost identical case.

The Attorney-General's argument might be summed up to the effect that there was but one Government now, the National one at Washington, and that could do as it pleased and we must obey it. It was too late to talk of hardship, injustice and oppression. There was the law and we had to strictly adhere to it whether we liked it or not. He, himself, was a Hawaiian-born citizen.

(Continued to 4th page.)

Wilder's Steamship Co.



TIME TABLE.

C. L. WIGHT, Pres. S. B. ROSE, Sec
Capt. J. A. KING, Port Supt.

Stmr. KINAU,

CLARKE, Commander.

Will leave Honolulu every Tuesday at 10 o'clock a. m., touching at Lahaina, Maunaloa Bay and Makona the same day; Makona, Kawaihae and Laurohohoe the following day, arriving at Hilo Wednesday.

Returning will sail from Hilo every Friday at 8 o'clock p. m., touching at Laurohohoe, Makona and Kawaihae; Makona, Maunaloa Bay and Lahaina the following day, arriving at Honolulu Sunday a. m.

Will call at Pohoiki, Puna, on the second trip of each month, arriving there on the morning of the day of sailing from Hilo to Honolulu.

The popular route to the Volcano is via Hilo. A good carriage road the entire distance.

Stmr. CLAUDINE

CAMERON, Commander]

Will leave Honolulu Tuesdays at 5 p. m., touching at Kahului, Hana, Hamoa and Kipahulu, Maui. Returning arrives at Honolulu Sunday mornings.

Will call at Nuu, Kaupo, once each month.

No Freight will be received after 4 p. m. on day of sailing.

This Company will reserve the right of make changes in the time of departure and arrival of its Steamers without notice and it will not be responsible for any consequences arising therefrom.

Consignees must be at the Landings to receive their freight; this Company will not hold itself responsible for freight after it has been landed.

Live Stock received only at owner's risk. This Company will not be responsible for Money or Valuables of passengers unless placed in the care of Purser.

Passengers are requested to purchase Tickets before embarking. Those failing to do so will be subject to an additional charge of twenty-five per cent.

Packages containing personal effects, whether shipped as baggage or freight, if the contents thereof exceed \$100 in value must have the value thereof plainly stated and marked, and the Company will not hold itself liable for any loss or damage in excess of this sum except the goods be shipped under a special contract.

All employees of the Company are forbidden to receive freight without delivering a shipping receipt therefor in the form prescribed by the Company and which may be seen by shippers upon application to the Purser of the Company's Steamers. Shippers are notified that if freight is shipped without such receipt, it will be solely at the risk of the shipper.

CLAUS SPRECKELS. * WM. G. IRWIN.

Claus Spreckels & Co.,

BANKERS.

HONOLULU

San Francisco Agents.—THE NEVADA BANK OF SAN FRANCISCO.

DRAW EXCHANGE ON

SAN FRANCISCO—The Nevada Bank of San Francisco.

LONDON—The Union Bank of London Ltd.

NEW YORK—American Exchange National Bank.

CHICAGO—Merchants National Bank.

PARIS—Comptoir National d'Escompte de Paris

BERLIN—Dresdner Bank.

HONG KONG AND YOKOHAMA—Hong Kong & Shanghai Banking Corporation.

NEW ZEALAND AND AUSTRALIA—Bank of New Zealand.

VICTORIA AND VANCOUVER—Bank of British North America.

Transact a General Banking and Exchange Business.

Deposits Received. Loans made on Approved Security. Commercial and Travelers' Credit Issued. Bills of Exchange bought and sold.

Collections Promptly Accounted For

NOTICE

I HEREBY GIVEN THAT FROM AND after this date Mr. O. Silliman has no further authority to collect for and on behalf of THE INDEPENDENT.

F. J. TESTA,
Honolulu, Aug. 1, 1898. Proprietor.

THE INDEPENDENT

ISSUED

EVERY AFTERNOON.

TELEPHONE 841

(Except Sunday)

"Briso Hall," Kouka Street.

SUBSCRIPTION RATES:

Per Month, anywhere in the Hawaiian Islands.....\$ 50
Per Year.....6 00
Per Year, postpaid to Foreign Countries.....8 00

Payable Invariably in Advance.

F. J. TESTA, Proprietor and Publisher.

EDMUND NORRIE, Editor.

W. HORACE WRIGHT, Assistant Editor.

Residing in Honolulu.

TUESDAY, DEC. 13, 1898.

It surely cannot be contempt of Court to congratulate the attorneys taking part in the debate before the Supreme Court in the Chinese Habeas Corpus cases upon the talent and erudition displayed by them. They proved their title to rank high in their profession and to be ornaments to this Bar and a credit to this "district of California." Sympathy is expressed for the Attorney-General who had a most difficult and delicate duty to discharge in sinking the honorable man in the advocate and in being compelled to attempt to legally invalidate the acts of a government of which he has formed so important a part. It was a trying position ably occupied.

A NIGHT SESSION.

Certain lawyers can always command the services of our immaculate judges. Last night, the firm of Kinney & Co. decided to attack the steamer City of Columbia on behalf of the crew, that has secured the services of the Kinney combination.

The men assembled during the evening at Kinney's office. He knew before the steamer returned to Honolulu that he would be engaged in the case, and others were aware of the fact. Yesterday things must have appeared satisfactory to the Utah lawyer, who now is to add to his other merits that of a lobbyist in Washington, and he went to work with a vengeance.

The celebrated lawyer had an appointment at Kaneohe this morning, where he is engaged by a Chinaman to prosecute a kanaka, who, it is alleged, has stolen four pigs. This case must have been very important to the envoy of the planters, or he would hardly have put himself, the judge, and the acting marshal to the trouble he did last night.

How many of our great law firms would dare to ask a Circuit Judge to get out of bed and go to town to sign a document in a civil suit? Who is the lawyer, who would dare ring up the acting-marshal at his home at mid-night, and ask him to sign and serve a legal paper at that hour?

Kinney is the man who can do the trick, and the "papers" in his suit were probably signed "by telephone," instead of by the hand of the proper officials.

The City of Columbia is seized by a writ of the Court and we hope that the crew will receive every dollar due them. At the same time we cannot approve of the autocratic action of Mr. Kinney & Co.

Enterprise.

The men from the camps who know good beer when they taste it, claim that the Enterprise Beer served at the Merchant's Exchange, corner of King and Nuuanu streets, is the best brew to be found in Honolulu. It is pure, clear, and very refreshing, and can safely be taken with or without "screens."

Messenger Service

Honolulu Messenger Service delivers messages and packages. Telephone, 378.

CORRESPONDENCE.

Crew and Captain.

ED. THE INDEPENDENT:—

As a member of the crew of the S. S. City of Columbia, I ask you to correct certain statements regarding the conduct of these men, which appeared in the Star of Dec. 2, under the heading of "Perilous Time in Hilo."

The article states that 50 or 60 of them surrounded Capt. Milnor and Mr. Jacobsen on the street, threatening personal violence because the Hilo supplies were cut off. I want to flatly deny this; and I've no doubt Mr. Jacobsen will back such denial. The Hilo people have been most generous and kind throughout, even to extending invitation to call on them, and the Columbia's men have shown their appreciation of such kindness by their orderly walk and conversation.

In the issue of the Star of the date above mentioned, it is said that "the police were unable to cope with them." Of course, reference can be made to that body; but, let me frankly assure you, the police have not yet been called upon to cope with them. I'm not prepared to say what would have happened if they had, but am inclined to think there would have been "a hot time in the old town that night," for the most of this crowd are good specimens. It was also set forth in the Star of Dec. 2, that "these men have broken over all discipline," that "Capt. Milnor can do nothing with them" that "the sailors take the ship's boats whenever they want to," and that "he (the captain) seldom goes aboard."

I cannot doubt the second clause in the statement just quoted; perhaps it was always so; but I affirm that the sailors, firemen and men of all departments, never leave the ship without permission from their respective heads. One boat with crew is always at the disposal of the captain, and he makes from two to four round trips to shore every day. Another is controlled by the chief officer, who grants shore leave to some of the men of his department only when proper to do so. A third boat is in like manner under the charge of the chief engineer, while a fourth is dedicated to the service of the chief steward for transportation of stores, etc. Strict discipline is maintained throughout; and a more orderly lot of men would be hard to find, especially considering the dark outlook regarding the payment of wages. Many of these men have wives and little ones depending on them for support, and yet, they believe it their duty to stand by their ship to the last.

Surely those in authority will see that these gallant fellows are paid every cent of their unusually hard earned wages, without any unnecessary delay. I have been 28 years on deck myself, and I honestly say that I never in all that time, met such a body of men, who displayed such patience and obedience under such trying circumstances.

The nearest approach to "perilous times in Hilo" that I have seen, happened on the night of 5th inst., when, it is said that the captain, that great maritime hero, while resting on his lounge after a heavy dinner, took nightmare. As soon as the old mare let him go, he sprang out on deck, exhibited a blue light from the end of the bridge, manned a boat and pulled for the shore. Nobody seemed to know what it all meant; but the supposition is that he imagined the ship was sinking, and that the crew had refused to stand by her; for some hours later, he returned with several boats loaded with natives in policemen's clothes, armed to the teeth with pistols, clubs, etc., under a captain of the force; to find, however, that the only noises which could be heard were caused by the steady thumping of the donkey pumps below, and the regular steps of the deck officer and his men, holding her down till duly relieved at eight-bells.

The captain of police saw the mistake, and sent his men back, retaining only four or five for the sake

of carrying out his instructions till morning. At daybreak, a signal was made to the shore, that all was well on the Columbia. The people of Hilo and the Department of Police can bear out these statements regarding the City of Columbia's crew.

The people on the S. S. Garonne, while in this port, were so struck with the quietness and patience of these persecuted men, that a purse of \$314 was made up in a few minutes, to give them for pocket money, under the kind and timely direction of Mr. Waterhouse and Colonel White, the manager and the agent of the line. This has been sent ashore for augmentation by the good people of Hilo; and a hearty response will be the result. Words cannot express how much the Columbia's crew appreciate such kindness and good will.

MARINERS.

Persons requiring tombstones should apply to Fred. Harrison who has a choice lot of new designs on view.

WHO KNOWS

a better place to deal than here?

Who knows better brands of food than you buy here?

Who knows where better service is given?

Then why not trade with

LEWIS & CO

GROCERS, FORT STREET.
TELEPHONE 240.

THE GREAT CLEARANCE SALE!

STILL GOES ON.

The Balance of the Stock having arrived, we are now prepared to sell at the following prices:

Fine White Dress Goods, 5 cents a yard
Fine Printed Nainsooks, 5 " "
French Printed Organdies, 10 cents a yard
Heavy Flannelettes, new patterns, 10c a yard
Fine French Organdies, 15 yards, \$1.00
Victoria Lawns, 32in. wide 10 yards, 75c
All other Goods at Proportionate Prices.

DOLLS AND TOYS

At your own price, the whole Stock must be cleared.

RUGS AND CARPETS AT HALF PRICE.

TREMENDOUS BARGAINS IN

MILLINERY

All being the very Latest Styles, selected from a fashionable Regent Street, London, Stock

Sailor Hats, the Latest Style, \$1.25 each,
Table Linen and Napkins at Bargain Prices,
Towels, Bed-spreads and Blankets, must be sold at any price,
Sheetings and Pillow Cases will be sold at a sacrifice.

This is the Opportunity of a Lifetime. Embrace It.

Ready Made CLOTHING, COLLARS and CUFFS, NECKTIES and a Complete Stock of UNDERWEAR will be cleared at any price as we are going out of the business.

L. B. KERR, Importer, Queen St.

Timely Topics.

Honolulu, Dec. 5, 1898.

WITH RADIANCE CROWNED

should be your lamps at Christmas tide. If you see the B & H.

Radiant Burner

in operation you will think that the spirit of light herself is present in that brilliant electric-like white light. It is perfect.

Lamps, Lamps, Lamps,

of the loveliest designs in almost every description, personally selected in New York by our Mr. Vettesen, from the leading establishment and from the newest styles of the season of 1898 and '99. Here is the finest exhibit in the city gathered by personal experience of our needs, and at all prices for the laborer's cottage or the millionaire's mansion.

Can't be Blown Out.

For years we have been looking for a Verandah lamp impervious to storms of wind or rain.

We have it, a handsome affair in ornamental black iron. There are others for the lanai useful and beautiful. Piano, Boudoir and Study lamps we have in the most exquisite of designs and so varied that all can select a pleasing choice. Call and prove our assertions

The Hawaiian Hardware Co., Ltd.
268 FORT STREET.

LOCAL AND GENERAL NEWS

Kaumakapili has a church fair on Saturday next.

American Messenger Service, Masonic Temple, Telephone 44.

President Walter C. Weedon is rapidly convalescing.

For desirable goods at desirable prices you must go to Sachs.

Central Union Church choir will rehearse Christmas music this evening.

The City of Columbia has been libelled for wages over due to her crew.

Waimea rhubarb, celery, cabbage, and potatoes, Edgar Henriques, Masonic Temple

The Amateur Orchestra will rehearse at the Y. M. C. A. Hall on Thursday evening.

The Orpheum variety theater had another very large attendance last evening.

A complete stock of Lace Curtains will be open for inspection at Sachs & Co. Bargain prices.

The funeral of Private Clyde Minnis was held at St. Andrew's Cathedral this morning.

The whole of our stock of Taffeta Silks will be cleared out at 75 cents per yard. Sachs & Co.

Rev. Wm. Kincaid was last evening formally installed as Pastor of Central Union Church.

For Limes, Lemons and Alligator Pears, etc., go to Masonic Temple Fruit Store. Edgar Henriques.

A. P. Taylor, a protegee of Thurston, Kinney and Ballou, has been appointed Fourth Deputy Clerk of the First Circuit Court.

The ladies of the second congregation of St. Andrew's Cathedral have decided to have their Christmas tree on the 29th inst.

Ring up Telephone 113 if any one, desires a good rubber tired hack with careful drivers. J. S. Andrade Manager City Carriage Co.

The Board of Directors of the Y. M. C. A. will keep open house on New Year's Day. In the evening there will be a musical entertainment.

Capt. Philip M. Lydig left for Hawaii to-day to commence an investigation into the food supply of the islands, and incidentally to ascertain the best locations for camps and garrisons.

F. A. Schaefer has received a letter from Father Wendelin, of the Molokai Settlement, asking for men's second hand clothing. Those so disposed may leave such at the store of F. A. Schaefer & Co. this week.

H. E. Waity, P. C., has received his commission as Deputy Supreme Chancellor of the Knights of Pythias for the Hawaiian Islands. Mr. Waity is a member of Mystic Lodge No. 2, of this city, though his rank of P. C. was gained in the States.

A grand clearance sale of Christmas goods, including dolls and toys, was commenced Monday at L. B. Kerr's store, Queen street, and so great are the bargains that the store has been crowded all day notwithstanding the holiday. Kerr is selling these goods at half price, they being part of a bankrupt stock bought in London. All those in search of Christmas goods would do well to call and examine his stock.

Burning Coal.

The fire in the U. S. coal pile assumed such dimensions yesterday, that it was necessary to call upon the Fire Department for help. This morning the engines from Cos. 1 and 2 were stationed near the coal pile, pouring water into the burning mass of coal. If the U. S. authorities desire to save some of the coal piled against all rules and regulations, they should engage the services of every dray in town and remove the coal. The use of half a dozen wheelbarrows does not fill the billet in this instance.

A Kamaaina.

Thomas Silva, whose death was announced yesterday, had resided in Hawaii during the past 40 years, and plied here his trade as a cooper. He was born at Froguezia de Nosa Senhora da Piedade, Island of Pico, Azores.

A sister and two sons, Patrice and Thomas survive him. The deceased was one of the claimants in the celebrated Alabama Case.

The remains have been embalmed and the funeral will take place with great ceremony on Sunday next.

Retrospective Enactments.

The necessary use of the words "retrospective" and "retroactive" by counsel in the arguments of the Chinese *habeas corpus* cases yesterday appears to have worried a few minds. In the "Passing Hour" (long may it wave o'er the coolie slave) of the Matrimonial Alliance organ it is said:

"In argument on the Chinese *habeas corpus* matter the attorneys were reckless in defiance of distinction on the words retrospective and retroactive."

A correspondent, who, we believe, is a member of the American Bar, sends to us this morning the following squib for Mr. Silliman's benefit:

To one of the uninitiated the flow of English, intermingled with Latin, during the arguments in the Chinese cases yesterday, was as clear and pellucid, as a mountain stream. But, oh! how shocking to the ear of the old legal "off-wheeler." Where, Mr. Silliman, do you get your "retrospective" laws, and what was your veiled meaning when you said that the U. S. Constitution expressly forbade the making of any law "ex post facto" in its operation? Still it was charmingly said: "De Nihilō Nihil Fit."

Now, these are the definitions given of these debateable words in Goodrich and Porter's revision edition of Noah Webster's dictionary:

RETROACTIVE.—Fitted or designed to retroact; operating by returned action; affecting what is past; *retrospective*.

Retroactive law or statute, one which operates to make criminal or punishable, or in any way expressly to affect, acts done prior to the passage of the law.

RETROSPECTIVE.—Having reference to what is past; affecting things past. "A scruple about inflicting death by a *retrospective* enactment" as used by Lord Macaulay.

Bouvier's Law Dictionary says, *inter alia*:

"This word is usually applied to those acts of the legislature which are made to operate upon some subject, contract or crime which existed before the passage of the acts; and they are therefore called *retrospective laws*. These laws are generally unjust, and are to a certain extent forbidden by that article in the Constitution of the United States which prohibits the passage of *ex post facto* laws or laws impairing contracts."

(The word retroactive is not given in Bouvier.)

An *ex post facto* law is a statute, says Bouvier, which would render an act punishable when it was committed. By the Constitution of the United States Congress is forbidden to pass *ex post facto* laws. . . . Such law is void as to those cases in which, if given effect, it would be *ex post facto*; but so far only.

In cases arising under it, it may have effect; for as a rule for the future it is not *ex post facto*.

There is a distinction between *ex post facto* and retroactive laws; every *ex post facto* law must necessarily be retroactive, but every retroactive law is not an *ex post facto* law; the former only are prohibited.

A Roof Falls.

The corrugated awning of the building on the corner of King and Konia streets came down with a crash at noon to-day, fortunately doing little damage.

The awning was put in a flimsy style nearly incredible, and the wreck shows that the heavy awning was attached to the main structure only by a few ordinary nails. The side walk, upon which the roof fell is frequented by numerous people, and it is a miracle that no serious disasters are recorded. A Chinaman was slightly cut by the falling roof, but no other accident has been reported. The entrances to the Chinese fruit store and to the office of the Chinese Chronicle, located in the building were blockaded. The whole building should have the immediate attention of the authorities, before another accident occurs.

For That Tired Feeling.

That steals over you as the days work is over, there's nothing else so good as a refreshing glass of RAINIER BEER. It is the tonic you need, beats all the medicine you can take, brings on a sound refreshing and healthy sleep and makes one feel like a new person. On tap or in bottles at the Criterion Saloon. Phone 783.

NOTHING MORE SUITABLE THAN A BLACK SILK

If you are in doubt what to give your wife for a

CHRISTMAS PRESENT

Just let us show you a few of our SILK BARGAINS.

We have some of the

CHOICEST DESIGNS IN BLACK BROCADES EVER OFFERED.

We have reduced the price of all PLAIN SILKS also you will find our Qualities and Prices DEAD RIGHT.

N. S. SACHS DRY GOODS COMPANY, LTD.

THE PEOPLE'S PROVIDERS.

KOEBELE'S AIDS.

The Mynahs and Sparrows are Doing Yeoman's Service.

A very pleasant five minutes was passed with Professor Koebele this morning in conversing about insect pests and their enemies. It was rather interesting to learn that the despised Mynahs and Sparrows are more valuable than merely to be made into a fragrant and tempting Greek Olla Podrida. They destroy an immense number of insects, and the Professor speaks with pride as to the rapidity with which they cleaned out an invading army of worms in a country district to which they flocked by the hundreds when they scented their prey. Mr. Koebele does not think it advisable to import either Laysan Islands fitches or swallows as which they would destroy the deleterious insects they would also annihilate the beneficial ones such as the lady birds and their larvae. The safest course to adopt is to import and cultivate the pests and fungus inimical to insect life and let the little cannibals do the destructive work. The toads are regarded as being the most valuable allies of Hawaii, especially in getting rid of the terrorizing Japanese rose beetle, as they consume them by the thousands. The white cabbage butterfly that has been introduced this season from California will do immense damage to the vegetable gardens and such flowers as the Marigold, unless they, their eggs, caterpillars and chrysalides are promptly exterminated. If every individual would simply take the trouble to kill every caterpillar he met with, he would be doing as much service to an extent as the man who plants a valuable seed. With time and patience Hawaii will be as free from blights and pests as the most favored nation.

THOS. LINDSAY, Manufacturing Jeweler.

Has on hand for sale a large lot of new Jewellery to pick from. Now is the time to call and make your choice for the Holidays. Love Building, Fort Street.

NOW IS THE TIME To Have Your Upholstering Done

We have just received a large supply of UPHOLSTERING GOODS of the LATEST DESIGNS. A large variety to pick from—the best that was ever imported here. If you want a BOX COUCH for Ladies' Dresses, covered in any style, we can do it. Parlor Sets or Odd Pieces re-upholstered. Call and see our COZY CORNER LOUNGES—Something new—You will want one when you see it. Mattresses made to order and renovated. Silk Floss for Cushions and pillows.

COYNE & MEHRTEN,

The Upholsterers

Telephone 928 MASONIC TEMPLE. Alakea Street.

BY AUTHORITY.

IRRIGATION NOTICE.

Holders of water privileges, or those paying water rates, are hereby notified that the hours for irrigation purposes are from 6 to 8 o'clock a. m. and from 4 to 6 o'clock p. m.

II. Holders of water privileges on the slopes of Punchbowl above Green street, and in Nuuanu Valley above School street are hereby notified that they will not be restricted to the irrigation hours of 6 to 8 a. m. and 4 to 6 p. m., but will be allowed to irrigate whenever sufficient water is available, provided that they do not use the water for irrigation purposes for more than four hours in every twenty-four.

ANDREW BROWN, Supt. Honolulu Water Works. Approved: J. A. KING, Minister of Interior. Honolulu, H. I., Sept. 7, 1898. 990-11

NOTICE.

I BEG TO NOTIFY MY CUSTOMERS and the public generally, that I have transferred my business to the Metropolitan Meat Company, owing to ill health, and that all bills owing by me will be paid by the said Metropolitan Meat Company, and all bills due me will be collected by said Company. Thanking the public for past favor. JOSEPH TINKER, City Meat Market. 1098-1w

TO LET.

A 3 ROOM COTTAGE AT WAIKIKI in rear of Mrs. J. Lemon. Inquire of M. K. KEOHOKALOLE or L. K. MCGREW. 1019-11

NOTICE.

DURING MY ABSENCE FROM THE Islands, Dr. C. L. Garvin will have charge of my practice and act in all business matters. F. R. DAY, M. D. 1064-1w

W-W-W-W-W-W-W-W
GET IT AT WATERHOUSE'S.
A SPASM OF JOY
Is seen in the faces of the patrons of this store when they see the handsome line of
Crockery and Glassware.
THERE'S ALWAYS
New fresh Groceries of the "PURE FOOD" grade in our Grocery Department. We are always on the alert to serve you with the best of everything that the American and European Markets can produce.
J. T. Waterhouse
Waverley Block, Bethel St.
Groceries, Hardware
Crockery
Established in 1851. Leaders in 1898
M-M-M-M-M-M-M-M

MORRIS K. KEOHOKALOLE, LOUIS K. MCGREW

OFFICE, NO. 15 KAAHUMANU Street, Honolulu, formerly A. Rosa's Office. United States Custom House Brokers, Accountants, Searchers of Titles and General Business Agents.

ARE YOU GOING TO BUY A CARRIAGE?

If so, do not fail to call and see our large variety. We have been in the Carriage business many years, and you can profit by our experience.

Prices Quoted Upon a Call at Our Factory.

RUBBER TIRES A SPECIALTY.
PAINTING, REPAIRING AND TRIMMING AT SHORT NOTICE.
Honolulu Carriage Manufactory,
East Street.



BISHOP & CO.

Savings Bank

On October 1st, 1898, and continuing until further notice, Savings deposits will be received, and interest allowed by this Bank, at four and one-half per cent. per annum.

The terms, rules and regulations of the Hawaiian Postal Savings Bank will be adopted as far as it is practicable to apply them, and the CASH RESERVE of \$50,000 required under the Postal Act will be maintained.

Printed copies of the Rules and Regulations may be obtained on the first of October on application.

BISHOP & CO.
Honolulu, Sept. 7, 1898.
990-1f

JUST ARRIVED

A new lot of the Finest

Musical Instruments.

Autoharps, Guitars, Violins, Etc.

Also a new invoice of the Celebrated

Westermeyer Pianos.

Specially manufactured for the tropical climate, second to none.

MORE THAN 100 OF THEM SOLD
On the Hawaiian Islands during the last years.

ALWAYS ON HAND A COMPLETE ASSORTMENT OF

DRY GOODS

— AND —

General Merchandise.

Also the choicest European and American

Beers, Ale, Wines & Liquors

AT MOST REASONABLE PRICES.
Ed HOFFSCHLAGER & CO.,
Corner King & Bethel Streets.

Bruce Waring & Co.,

Real Estate Dealers.

503 Fort St., near King.

BUILDING LOTS,

HOUSES AND LOTS, AND

LANDS FOR SALE

Parties wishing to dispose of their properties, are invited to call on us.

Metropolitan Meat Co.

51 KING STREET.

G. J. WALLER, - - - MANAGER.

Wholesale and Retail

BUTCHERS

— AND —

Navy Contractors

THE "ARLINGTON"

A Family Hotel.

T. KROUSE, - - - Prop.

1/2 Day \$ 2.00

SPECIAL MONTHLY RATES.

Best of Attendance, the Best Situation

(Continued from 1st page.)

zen and yet, after annexation, he did not know where he stood. Where was citizenship, where was the right of franchise, or other rights? In all such like changes there were undoubtedly hardships and the Chinese suffered no more than the rest of us. The Newland's Resolution was the present fundamental law, the constitution of this country and we must live up to it. The anti-Chinese plank in it was plain and executory in its provisions. It wanted no further laws except the laws of Congress to which it specifically referred. Every Sovereign Nation had the undisputed right to regulate the admission of aliens into its country and the United States, our Sovereign Nation, had decided to place an embargo on the Chinese. It was not a question of moral right of its violation but of the express law and its strict construction under exceptional circumstances.

There was not much force in the argument that no due notice had been given of the legislation, for the whole matter has been before the world for four or five years, and everyone knew that annexation and the United States laws were coming here.

Mr. Robertson laughing reminded the Attorney-General of the failure to pass the treaty by a two-thirds vote and of the late hour in the day when the Newland's Resolution, supplanting the treaty practically embodied in the Resolution and the legal warrior for the government partially wilted.

Messrs. Silliman and Robertson briefly replied. If the Resolution was our fundamental law, then it required statutory provisions to carry its principles into effect, and while the Resolution might be an unerring guide for the future regulation of Chinese immigration, it could not be made to apply to acts done before its passage.

They also called attention to the fact that there was no possibility of appeal from the decision of the Treasury Agent here to the Courts, as in other parts of the United States, for here we have no Federal Courts at present. There was merely an appeal to the Secretary of the Treasury on the official acts of the Agent, but no appeal on the law and no recourse, and this would be an act of injustice which Congress never contemplated.

At four o'clock the Court adjourned and the petitioners were remanded to whence they came namely the Quarantine Station. The Chief Justice would not intimate to the press when his decision would be ready, but smilingly suggested that he believed he enjoyed the reputation of being "prompt" in such matters. As the other habeas corpus cases have been set for Monday, and may be contested, should the decision be unfavorable to the present petitioners, the decision may probably be looked for to-morrow or Thursday, although it is perhaps one of the most important and interesting cases ever heard in Hawaii and may require longer consideration.

To the Soldiers.

The Boys in Blue complain that they have not been served with the "Eastern" beer which tickles their palates and makes them good-natured.

Pabst Milwaukee Beer on draft, is now served at a proper temperature in the Royal, Pacific and Cosmopolitan saloons, conducted by the elite of the employees of the Peacock Co.

The Milwaukee Beer on draft has proven a tonic which is daily helping the sensible soldiers who are patronizing the three great refreshment places, where the beer is so served that even prohibitionists from Milwaukee recommend it.

Camarinos' Refrigerator.

Per AUSTRALIA—Frozen Eastern and California Oyster, (tin and shell) Game in Season, Fruits and Vegetables, Fine Olive Oil, Dry Fruit, New Crop of Nuts, Raisins, etc, etc. CALIFORNIA FRUIT MARKET. Telephone 378.

Passenger Travel.

ARRIVALS.

From Maui, per stmr Claudine, Dec. 11.—Mrs H Dickenson, Miss A L Gannon, Miss M E Alexander, M T Lyons, A G Correa, J Campbell, A H Landgraf, F A Richards, Mrs H Arpe, A Haneberg, Wong Han and 40 deck.

From Eleele, per stmr Iwalani, Dec. 11.—A Dreier, Dr T Katsumura.

From Nawiliwili, per stmr W G Hall, Dec. 11.—G N Wilcox, Capt Merriweather, S A Col Evans, S A H A Russell, G R Harrison, Judge A Perry, Mrs E Hart, H Blake.

From Maui and Hawaii ports, per stmr Kinan, Dec. 10.—Paul Isenberg, Chas Isenberg, Mrs Chas Isenberg, J S Walker, W P Boyd, Dr D A Carmichael, C B Hall, Dr W L Moore, J V Ray, S Peck, E V G Todd, Chas Hyde, B Conklin, S Messenger, G B Greigg, Walter Gasset, W A Baldwin, J Campbell, Howard Hitchcock and wife, L T Grant, Peter Lee, Mrs G H Ruttman, C Kaiser, G Seeley, W Coopenarl, W Dickson, W Toby, Dr S Karr, J R Renton, C Notley, Joe Parke, W C Punaloa, Miss Keola, H H Smith, Mrs J Smith, J P Jacobsen, T A Simpson, C H Brown, Geo B Lane, A C Zablan, H Jones, Miss J S Parke, E R Hendry, Enos W Beaslee, Robert Hind, Jr, Mrs H Mist, Geo Carter, E Dowsett Judge A W Carter, Hon L A Thurston, Hon Henry Waterhouse, Jas McClellan, J Silva, W W Needham, G P Wilder and 94 deck.

Kentucky's famous Jesse Moore Whiskey, unequalled for its purity and excellence. On sale at any of the saloons and at Lovejoy & Co., distributing agents for the Hawaiian Islands.



Have you seen our New Store?

The Quality and Assortment of New Goods?

Do you like our three Show Windows?

You are looking for Holiday Presents. You will find them in our store.

Articles from 15 CENTS TO \$75.00

We cater to all and our prices are right.

We have en route large shipments of merchandise in our various lines which will enable us to fill the wants of the people to their entire satisfaction.

We invite public inspection and public opinion.

W. W. DIMOND & CO., Ltd.

The People's Store

Von Holt Block, King St.

Should You be Weary and Full of Thirst

CALL AT

N. BREHAM'S

Hop Beer Cottage, No. 11, Konia (formerly Smith) Street.

He makes a specialty of the brewing of HOP BEER, and every bottle passes under his personal supervision and is guaranteed by him. HOP BEER is not an intoxicant, is non-alcoholic and is a cool palatable, home-like beverage. Mr. Breham courts an open inspection of his place and his methods of business.

WM. G. IRWIN & CO.

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AGENTS FOR

WESTERN SUGAR REFINING CO., San Francisco, Cal.

BALDWIN LOCOMOTIVE WORKS, Philadelphia, Penn., U. S. A.

NEWELL UNIVERSAL MILL CO., (Manf. "National Cane Shredder"), New York, U. S. A.

N. OHLANDT & CO., San Francisco, Cal.

RISDON IRON & LOCOMOTIVE WORKS, San Francisco, Cal.

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Wm. G. Irwin, President & Manager
Clas Spreckels, Vice-President
W. M. Giffard, Secretary & Treasurer
M. H. Whitney, Jr., Auditor

SUGAR FACTORS

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— AGENTS OF THE —

Oceanic Steamship Comp'y
Of San Francisco, Cal.

LAUNDRY WORK

The HONOLULU STEAM LAUNDRY CO., LTD. Solicits your patronage and Guarantees the

FINEST CLASS OF WORK

— AT —
Reasonable Prices.

Only White Labor Employed

All FLANNELS and SILKS Washed by Hand Ordinary Mending and Buttons Sewed on.

TELEPHONE, No. 583 and leave your orders. 1039-1f

HIGH PRICES

Will as usual be the result of

This Cruel War

THEREFORE, CO-OPERATE.

Attention is called to the benefits enjoyed by subscribers to the PALAMA CO-OPERATIVE GROCERY CO., LTD. has groceries at a little advance on San Francisco prices, credit to subscribers to the amount of shares held, profit of the business returned to subscribers every 6 months probable increase in value of shares, with a liberal discount off monthly bills. And now what are the risks. We answer none, because subscribers can either sell their shares or take groceries to their amount, if you want to withdraw or go away. Please consider the above and call or address, Palama Co-operative Grocery Co., Ltd, for a share or for further information. Par value of shares \$25, or \$12.50 only being required to become a subscriber. Telephone 755 920 1f

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Plumber and Gas-fitter

Orders promptly attended to and work guaranteed.

HOTEL STREET NEAR FORT
TELEPHONE 302.

BEN. HAAHEO

Plumber - and - Tinsmith

All work done Properly, Promptly and Profitably for Patrons.

SATISFACTION GUARANTEED.
Office, King Street, near Railroad Depot
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HAWAIIAN CARRIAGE MFG. CO., Ltd.

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CARRIAGE AND WAGON BUILDERS

RUBBER TIRES AND ROLLER BEARING AXLES.

WILSON & WHITEHOUSE,

Sole Licensees Hawaiian Islands,
121 Queen Street. 1f

A. R. ROWAT, D. V. S.

[Graduate of McGill University, Montreal]

Has had ten years practical experience in the treatment of Horses, Cattle and Domestic Pets in the Hawaiian Islands.

Orders left at Club or Pantheon Stables will be received and promptly attended to. Office, 510 Fort Street. Telephone, 785 970-1f

THE INDEPENDENT.

VOL. VII.

HONOLULU, H. I., TUESDAY, DECEMBER 13, 1898.

No. 1071.

Oceanic Steamship Company.

TIME TABLE:

The Fine Passenger Steamers of This Line Will Arrive and Leave This Port as Hereunder.

FROM SAN FRANCISCO: FOR SAN FRANCISCO:

AUSTRALIA.....	DEC. 21	AUSTRALIA.....	DEC. 27
ALAMEDA.....	JAN. 4	MARIPOSA.....	JAN. 4
AUSTRALIA.....	JAN. 18	AUSTRALIA.....	JAN. 24
MARIPOSA.....	FEB. 18	MOANA.....	FEB. 21

In connection with the sailing of the above steamers, the Agents are prepared to issue, to intending passengers, coupon through tickets by any railroad from San Francisco, to all points in the United States, and from New York by any steamship line to all European ports.

For further particulars apply to

Wm. G. Irwin & Co.

LIMITED.

General Agents Oceanic S. S. Company.

The Latest in Lamps

Direct from the Factory

Bourdoir, Piano, Table, Banquet, Student, Hall Lamps and Veranda Lanterns.

New and Artistic Designs in Shades and Globes.

A CHOICE SELECTION OF

Copley -- Prints,

Vickery's Specialties, the Latest Novelties to Arrive.

Table Knives, Hunting Knives, Butcher Knives.

POCKET CUTLERY

Just Received.

Picture Frames, Mouldings and Cornice Novelties

Call and Examine New Goods Being opened for the

HOLIDAYS.

THE PACIFIC HARDWARE CO., LTD.

FORT AND MERCHANT STREETS.

Theo. H. Davies & Co., L'd

SUGAR FACTORS,

— IMPORTERS OF —

General Merchandise

— AND —

COMMISSION MERCHANTS

Agents for Lloyds,

Canadian-Australian Steamship Line,

British & Foreign Marine Insurance Co.,

Northern Assurance Co. (Fire and Life),

Canadian Pacific Railway Co.,

Pioneer Line of Packets from Liverpool.

TELEPHONE 92.

P. O. Box 145.

H. E. McINTYRE & BRO.,

EAST CORNER FORT & KING STS.

IMPORTERS AND DEALERS IN

Groceries, Provisions and Feed

Now and Fresh Goods received by every packet from California, Eastern States and European Markets.

Standard Grade of Canned Vegetables, Fruits and Fish.

Goods delivered to any part of the City
ISLAND TRADE SOLICITED SATISFACTION GUARANTEED

THE CHINESE CASES

Cold-blooded Law of Annexation Must Disfranchise Justice.

The Attorney-General's Views of the Efficacy of the Newland's Resolution—There is Now But One National Government—Arguments Closed and Decision Reserved.

In the Chinese Habeas Corpus cases yesterday Mr. Silliman concluded his forcible and capable argument at noon when the Court took a recess.

On reassembling at 1:30 p. m. Hon. A. G. M. Robertson followed, for the petitioners, with a very able and powerful argument of about an hour and a half. He strengthened the argument of the previous counsel on the point that Collector-General McStocker had not been invested with the necessary authority to enforce the operations of the Exclusion Acts, even if Congress had intended that the Newland's Resolution should apply to Hawaii immediately on its passage as regarded Chinese Immigration. There had been nothing produced to show that it was President McKinley's intention that the law should be enforced by McStocker. McStocker's powers and authorities to act were conferred upon by him by the laws of the Republic of Hawaii, and not by the Newland's Resolution nor by the President's wish. His powers were to carry out the will of the Republic of Hawaii. The special instructions to Special Agent Brown could not be considered as an authority for McStocker to act under a law which Congress has not yet made operative. There must first be a definite commission issued to McStocker. No mere letter of instructions to a Special Treasury Agent sent in a merely advisory manner to aid and suggest to Hawaiian officials would be sufficient. His very lack of authority in the eyes of the Hawaiian Government officials was shown by the Government linking Brown with him in these proceedings. But Brown was only sent here to cooperate with the Custom's officials in an advisory capacity and to instruct them in the workings of the Chinese restriction Acts of Congress as carried on in the United States, but until further and mandatory instructions had been received neither McStocker nor Brown could carry these provisions into effect in Hawaii in view of the constitutional provisions in relation to retrospective legislation.

He then proceeded to review at length the laws and cases in regard to the construction of laws. It was a well recognized rule that no retrospective construction will be given to any statute unless the legislature has expressly signified its intention that such a provision shall apply. The Constitution and Congress of the United States were both opposed to the passage of *ex post facto* laws impairing the obligation of contracts and the prejudicing of the rights of individuals. The language of the Newland's Resolution was very broad in regard to Chinese immigration. As a determination and outline for the future policy of the Government it was broad enough to be unmistakable, but in its construction this country is again running up against a snag with the anti-Chinese platform of it, as it has against several other of its features which have had the atten-

tion of the Courts. The Courts must construe the Resolution in a broad and liberal manner. Here these men have returned to the country under a permit issued by the Hawaiian Government which was valid under our laws at the date of its issue and of their departure from this country, and here on their return they are met with the statement, "Oh! you can't come in now; those permits of ours are no good; the laws have been changed."

Mr. Robertson then analyzed the two classes of petitioners, the return permit men, and the six-months merchants and travelers' bonds residence men. Morally speaking, perhaps, the latter had not as strong rights as the former. To prohibit the return of old residents with, perhaps, families, was an outrage not intended to be consummated by the Newland's Resolution, while it might not be so hard upon merely temporary residents; and yet their legal rights might be stronger for under the treaties between the United States and China and the Acts of Congress they were entitled to enter under special certificates, but which Mr. Brown says are not in the correct form, and that the men coming home on our valid permits are rejected, because they are laborers and not exempted by the U. S. laws. He showed that there was no indication to make it appear that that the Resolution was to have a retrospective effect, and there was no intention shown to repudiate any action of the Hawaiian Government done prior to annexation or to affect any of the rights accrued before that date. The whole proposition indicates an absence of intended repudiation. He illustrated the compulsory payment of the Japanese indemnity at the instance of the United States prior to annexation, as an indication that the United States did not desire the Hawaiian Government to repudiate its obligations or to make void any act done by this country.

To have had the views of the Hawaiian Government carried into effect, it would have been necessary to insert in the Newland's Resolution another paragraph providing for the annulling and making void of all permits previously granted by the Hawaiian Government. But this had not been done, and intentionally so in order to avoid the abrogating and annulling of obligations. There was no implied conception that Congress ever intended to permit injustice or oppression or contemplated permitting the letter of the law to prevail over the common sense and reason of it. There was nothing to show that the entrance of Chinese was to be totally prohibited, but on the contrary, the law made express provisions for the entrance of certain classes of them, and there was no violence done to the anti-Chinese by admitting them. It was impossible for these men to have complied with the provisions of the Newland's Resolution, for not only had they left the country before it was adopted, but there was no one in this country who could have given them the necessary certificates, for no one knew anything about its provisions. He closed his argument with citing a celebrated case in which the United States Supreme Court had ruled against retrospective legislation in an almost identical case.

The Attorney-General's argument might be summed up to the effect that there was but one Government now, the National one at Washington, and that could do as it pleased and we must obey it. It was too late to talk of hardship, injustice and oppression. There was the law and we had to strictly adhere to it whether we liked it or not. He, himself, was a Hawaiian-born citizen

(Continued to 4th page.)

Wilder's Steamship Co.

TIME TABLE.

C. L. WIGHT, Pres. S. B. ROSE, Sec
Capt. J. A. KING, Fort Supt.

Stmr. KINAU,

CLARKE, Commander.

Will leave Honolulu every Tuesday at 10 o'clock a. m., touching at Lahaina, Maui, Mokuauia and Kawaihae the following day, arriving at Hilo Wednesday.

Returning will sail from Hilo every Friday at 8 o'clock p. m., touching at Laupahoehoe, Mahukona and Kawaihae; Makena, Maiala Bay and Lahaina the following day, arriving at Honolulu Sunday a. m.

Will call at Pohoiki, Puna, on the second trip of each month, arriving there on the morning of the day of sailing from Hilo to Honolulu.

The popular route to the Volcano is via Hilo. A good carriage road the entire distance.

Stmr. CLAUDINE

CAMERON, Commander]

Will leave Honolulu Tuesdays at 5 p. m., touching at Kahului, Hana, Hamoa and Kipahulu, Maui. Returning arrives a Honolulu Sunday mornings.

Will call at Nuu, Kaupo, once each month.

No Freight will be received after 4 p. m. on day of sailing.

This Company will reserve the right of make changes in the time of departure and arrival of its Steamers without notice and it will not be responsible for any consequences arising therefrom.

Consignees must be at the Landings to receive their freight; this Company will not hold itself responsible for freight after it has been landed.

Live Stock received only at owner's risk. This Company will not be responsible for Money or Valuables of passengers unless placed in the care of Purser.

Passengers are requested to purchase Tickets before embarking. Those failing to do so will be subject to an additional charge of twenty-five per cent.

Packages containing personal effects, whether shipped as baggage of freight, if the contents thereof exceed \$100 in value must have the value thereof plainly stated and marked, and the Company will not hold itself liable for any loss or damage in excess of this sum except the goods be shipped under a special contract.

All employees of the Company are forbidden to receive freight without delivering a shipping receipt therefor in the form prescribed by the Company and which may be seen by shippers upon application to the pursers of the Company's Steamers.

Shippers are notified that if freight is shipped without such receipt, it will be solely at the risk of the shipper.

CLAUS SPRECKELS. * WM. G. IRWIN.

Claus Spreckels & Co.,

BANKERS.

HONOLULU

San Francisco Agents.—THE NEVADA BANK OF SAN FRANCISCO.

DRAW EXCHANGE ON

SAN FRANCISCO—The Nevada Bank of San Francisco.

LONDON—The Union Bank of London Ltd.

NEW YORK—American Exchange National Bank.

CHICAGO—Merchants National Bank.

PARIS—Comptoir National d'Escompte de Paris

BERLIN—Dresdner Bank.

HONG KONG AND YOKOHAMA—Hong Kong & Shanghai Banking Corporation.

NEW ZEALAND AND AUSTRALIA—Bank of New Zealand.

VICTORIA AND VANCOUVER—Bank of British North America.

Transact a General Banking and Exchange Business.

Deposits Received. Loans made on Approved Security. Commercial and Travelers' Credit Issued. Bills of Exchange bought and sold.

Collections Promptly Accounted For

NOTICE

IS HEREBY GIVEN THAT FROM AND after this date Mr. O. Stillman has no further authority to collect for and on behalf of THE INDEPENDENT.

F. J. TESTA, Proprietor, Honolulu, Aug. 1, 1898.

THE INDEPENDENT

ISSUED

EVERY AFTERNOON.

TELEPHONE 841

(Except Sunday)

"Briso Hall," Kouka Street.

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Per Month, anywhere in the Hawaiian Islands.....\$ 50
 Per Year..... 6 00
 Per Year, postpaid to Foreign Countries..... 8 00

Payable Invariably in Advance.

F. J. TESTA, Proprietor and Publisher.

EDMUND NORRIE, Editor.

W. HURACE WRIGHT, Assistant Editor.

Residing in Honolulu.

TUESDAY, DEC. 13, 1898.

It surely cannot be contempt of Court to congratulate the attorneys taking part in the debate before the Supreme Court in the Chinese Habeas Corpus cases upon the talent and erudition displayed by them. They proved their title to rank high in their profession and to be ornaments to this Bar and a credit to this "district of California." Sympathy is expressed for the Attorney-General who had a most difficult and delicate duty to discharge in sinking the honorable man in the advocate and in being compelled to attempt to legally invalidate the acts of a government of which he has formed so important a part. It was a trying position ably occupied.

A NIGHT SESSION.

Certain lawyers can always command the services of our immaculate judges. Last night, the firm of Kinney & Co., decided to attack the steamer City of Columbia on behalf of the crew, that has secured the services of the Kinney combination.

The men assembled during the evening at Kinney's office. He knew before the steamer returned to Honolulu that he would be engaged in the case, and others were aware of the fact. Yesterday things must have appeared satisfactory to the Utah lawyer, who now is to add to his other merits that of a lobbyist in Washington, and he went to work with a vengeance.

The celebrated lawyer had an appointment at Kaneohe this morning, where he is engaged by a Chinaman to prosecute a kauaka, who, it is alleged has stolen four pigs. This case must have been very important to the envoy of the planters, or he would hardly have put himself, the judge, and the acting marshal to the trouble he did last night.

How many of our great law firms would dare to ask a Circuit Judge to get out of bed and go to town to sign a document in a civil suit? Who is the lawyer, who would dare ring up the acting-marshal at his home at mid-night, and ask him to sign and serve a legal paper at that hour?

Kinney is the man who can do the trick, and the "papers" in his suit were probably signed "by telephone," instead of by the hand of the proper officials.

The City of Columbia is seized by a writ of the Court and we hope that the crew will receive every dollar due them. At the same time we cannot approve of the autocratic action of Mr. Kinney & Co.

Enterprise.

The men from the camps who know good beer when they taste it, claim that the Enterprise Beer served at the Merchant's Exchange, corner of King and Nuuanu streets, is the best brew to be found in Honolulu. It is pure, clear, and very refreshing, and can safely be taken with or without "screens."

Messenger Service

Honolulu Messenger Service delivers messages and packages. Telephone, 378.

CORRESPONDENCE.

Crew and Captain.

ED. THE INDEPENDENT:—

As a member of the crew of the S. S. City of Columbia, I ask you to correct certain statements regarding the conduct of these men, which appeared in the Star of Dec. 2, under the heading of "Perilous Time in Hilo."

The article states that 50 or 60 of them surrounded Capt. Milnor and Mr. Jacobsen on the street, threatening personal violence because the Hilo supplies were cut off. I want to flatly deny this; and I've no doubt Mr. Jacobsen will back such denial. The Hilo people have been most generous and kind throughout, even to extending invitation to call on them, and the Columbia's men have shown their appreciation of such kindness by their orderly walk and conversation.

In the issue of the Star of the date above mentioned, it is said that "the police were unable to cope with them." Of course, reference can be made to that body; but, let me frankly assure you, the police have not yet been called upon to cope with them. I'm not prepared to say what would have happened if they had, but am inclined to think there would have been "a hot time in the old town that night," for the most of this crowd are good specimens. It was also set forth in the Star of Dec. 2, that "these men have broken over all discipline," that "Capt. Milnor can do nothing with them" that "the sailors take the ship's boats whenever they want to," and that "he (the captain) seldom goes aboard."

I cannot doubt the second clause in the statement just quoted; perhaps it was always so; but I affirm that the sailors, firemen and men of all departments, never leave the ship without permission from their respective heads. One boat with crew is always at the disposal of the captain, and he makes from two to four round trips to shore every day. Another is controlled by the chief officer, who grants shore leave to some of the men of his department only when proper to do so. A third boat is in like manner under the charge of the chief engineer, while a fourth is dedicated to the service of the chief steward for transportation of stores, etc. Strict discipline is maintained throughout; and a more orderly lot of men would be hard to find, especially considering the dark outlook regarding the payment of wages. Many of these men have wives and little ones depending on them for support, and yet, they believe it their duty to stand by their ship to the last.

Surely those in authority will see that these gallant fellows are paid every cent of their unusually hard earned wages, without any unnecessary delay. I have been 28 years on deck myself, and I honestly say that I never in all that time, met such a body of men, who displayed such patience and obedience under such trying circumstances.

The nearest approach to "perilous times in Hilo" that I have seen, happened on the night of 5th inst., when, it is said that the captain, that great maritime hero, while resting on his lounge after a heavy dinner, took nightmare. As soon as the old mare let him go, he sprung out on deck, exhibited a blue light from the end of the bridge, manned a boat and pulled for the shore. Nobody seemed to know what it all meant; but the supposition is that he imagined the ship was sinking, and that the crew had refused to stand by her; for some hours later, he returned with several boats loaded with natives in policemen's clothes, armed to the teeth with pistols, clubs, etc., under a captain of the force; to find, however, that the only noises which could be heard were caused by the steady thumping of the donkey pumps below, and the regular steps of the deck officer and his men, holding her down till duly relieved at eight-bells.

The captain of police saw the mistake, and sent his men back, retaining only four or five for the sake

of carrying out his instructions till morning. At daybreak, a signal was made to the shore, that all was well on the Columbia. The people of Hilo and the Department of Police can bear out these statements regarding the City of Columbia's crew.

The people on the S. S. Garonne, while in this port, were so struck with the quietness and patience of these persecuted men, that a purse of \$314 was made up in a few minutes, to give them for pocket money, under the kind and timely direction of Mr. Waterhouse and Colonel White, the manager and the agent of the line. This has been sent ashore for augmentation by the good people of Hilo; and a hearty response will be the result. Words cannot express how much the Columbia's crew appreciate such kindness and good will.

MARINERS.

Persons requiring tombstones should apply to Fred. Harrison who has a choice lot of new designs on view.

WHO KNOWS

a better place to deal than here?

Who knows better brands of food than you buy here?

Who knows where better service is given?

Then why not trade with

LEWIS & CO

GROCERS, FORT STREET. TELEPHONE 240.

Pure and Unadulterated.

Nowadays the Anchor Saloon is busy dispensing the famous Jesse Moore brand of whiskey, Kentucky's noted product. With Wm. Carlyle and Chas. Andrews at the helm, all good judges need not fear being well treated. This health renewing beverage can be had pure and unadulterated at the Anchor, south corner of King and Nuuanu streets.

Sachs & Co. are selling Victoria Lawns in 10 yards pieces for 50 cents per piece. Best value ever offered.

TO-NIGHT THE ORPHEUM.

Family Theatre.

Immense Success of the Grand Opening Performance

AN ATTRACTIVE

Vaudeville Entertainment

BY THE

CELEBRATED ARTISTS OF THE DAY.

POPULAR SONGS, NEW DANCES, STAR PERFORMERS

Reserved Seats on Sale at Pacific Cycle & Manufacturing Co.

Doors open at 7:30. Performance at 8. Reserved Chairs, 50c; General Admission, 25c.

T. V. KING, Lessee.

CHURCH FAIR

- AT -

Kaumakapili Church

- ON -

SATURDAY, DECEMBER 17,

From 2 p. m.

The proceeds are for the Benefit of the Church.

ADMISSION - 25 CENTS

Tickets are for sale by the Committee having the matter in hand and at the entrance. 1069-1d

Timely Topics.

Honolulu, Dec. 5, 1898.

WITH RADIANCE CROWNED

should be your lamps at Christmas tide. If you see the B & H.

Radiant Burner

in operation you will think that the spirit of light herself is present in that brilliant electric-like white light. It is perfect.

Lamps, Lamps, Lamps,

of the loveliest designs in almost every description, personally selected in New York by our Mr. Vettlesen, from the leading establishment and from the newest styles of the season of 1898 and '99. Here is the finest exhibit in the city gathered by personal experience of our needs, and at all prices for the laborer's cottage or the millionaire's mansion.

Can't be Blown Out.

For years we have been looking for a Verandah lamp impervious to storms of wind or rain.

We have it, a handsome affair in ornamental black iron. There are others for the lanai useful and beautiful.

Piano, Bodoir and Study

lamps we have in the most exquisite of designs and so varied that all can select a pleasing choice. Call and prove our assertions

The Hawaiian Hardware Co., Ltd. 268 FORT STREET.

THE GREAT CLEARANCE SALE!

STILL GOES ON

The Balance of the Stock having arrived, we are now prepared to sell at the following prices:

Fine White Dress Goods, 5 cents a yard Heavy Flannelettes, new patterns, 10c a yarp
 Fine Printed Nainsooks, 5 " " Fine French Organdies, 15 yards, \$1.00
 French Printed Organdies, 10 cents a yard Victoria Lawns, 32in. wide 10 yards, 75c
 All other Goods at Proportionate Prices.

DOLLS AND TOYS

At your own price, the whole Stock must be cleared.

RUGS AND CARPETS AT HALF PRICE.

TREMENDOUS BARGAINS IN

MILLINERY

All being the very Latest Styles, selected from a fashionable Regent Street. London, Stock

Sailor Hats, the Latest Style, \$1.25 each,

Table Linen and Napkins at Bargain Prices,

Towels, Bed-spreads and Blankets, must be sold at any price, Sheetings and Pillow Cases will be sold at a sacrifice.

This is the Opportunity of a Lifetime. Embrace It.

Ready Made CLOTHING, COLLARS and CUFFS, NECKTIES and a Complete Stock of UNDERWEAR will be cleared at any price as we are going out of the business.

L. B. KERR, Importer, Queen St.

LOCAL AND GENERAL NEWS

Kaunakapili has a church fair on Saturday next.

American Messenger Service, Masonic Temple, Telephone 444.

President Walter C. Weedon is rapidly convalescing.

For desirable goods at desirable prices you must go to Sachs.

Central Union Church choir will rehearse Christmas music this evening.

The City of Columbia has been libelled for wages over due to her crew.

Waimea rhubarb, celery, cabbage, and potatoes, Edgar Henriques, Masonic Temple

The Amateur Orchestra will rehearse at the Y. M. C. A. Hall on Thursday evening.

The Orpheum variety theater had another very large attendance last evening.

A complete stock of Lace Curtains will be open for inspection at Sachs & Co. Bargain prices.

The funeral of Private Clyde Minnis was held at St. Andrew's Cathedral this morning.

The whole of our stock of Taffeta Silks will be cleared out at 75 cents per yard. Sachs & Co.

Rev. Wm. Kincaid was last evening formally installed as Pastor of Central Union Church.

For Limes, Lemons and Alligator Pears, etc., go to Masonic Temple Fruit Store. Edgar Henriques.

A. P. Taylor, a protegee of Thurston, Kinney and Ballou, has been appointed Fourth Deputy Clerk of the First Circuit Court.

The ladies of the second congregation of St. Andrew's Cathedral have decided to have their Christmas tree on the 29th inst.

Ring up Telephone 113 if any one, desires a good rubber tired hack with careful drivers. J. S. Andrade Manager City Carriage Co.

The Board of Directors of the Y. M. C. A. will keep open house on New Year's Day. In the evening there will be a musical entertainment.

Capt. Philip M. Lydig left for Hawaii to-day to commence an investigation into the food supply of the islands, and incidentally to ascertain the best locations for camps and garrisons.

F. A. Schaefer has received a letter from Father Wendelin, of the Molo-kai Settlement, asking for men's second hand clothing. Those so disposed may leave such at the store of F. A. Schaefer & Co. this week.

H. E. Waity, P. C., has received his commission as Deputy Supreme Chancellor of the Knights of Pythias for the Hawaiian Islands. Mr. Waity is a member of Mystic Lodge No. 2, of this city, though his rank of P. C. was gained in the States.

A grand clearance sale of Christmas goods, including dolls and toys, was commenced Monday at L. B. Kerr's store, Queen street, and so great are the bargains that the store has been crowded all day notwithstanding the holiday. Kerr is selling these goods at half price, they being part of a bankrupt stock bought in London. All those in search of Christmas goods would do well to call and examine his stock.

Burning Coal.

The fire in the U. S. coal pile assumed such dimensions yesterday, that it was necessary to call upon the Fire Department for help. This morning the engines from Co.s 1 and 2 were stationed near the coal pile, pouring water into the burning mass of coal. If the U. S. authorities desire to save some of the coal piled against all rules and regulations, they should engage the services of every dray in town and remove the coal. The use of half a dozen wheelbarrows does not fill the billet in this instance.

A Kamsaina.

Thomas Silva, whose death was announced yesterday, had resided in Hawaii during the past 40 years, and plied here his trade as a cooper. He was born at Freguezia de Nosa Senhora da Piedade, Island of Pico, Azores.

A sister and two sons, Patrice and Thomas survive him. The deceased was one of the claimants in the celebrated Alabama Case.

The remains have been embalmed and the funeral will take place with great ceremony on Sunday next.

Retrospective Enactments.

The necessary use of the words "retrospective" and "retroactive" by counsel in the arguments of the Chinese *habeas corpus* cases yesterday appears to have worried a few minds. In the "Passing Hour" (long may it wave o'er the coolie slave) of the Matrimonial Alliance organ it is said:

"In argument on the Chinese *habeas corpus* matter the attorneys were reckless in defiance of distinction on the words retrospective and retroactive."

A correspondent, who, we believe, is a member of the American Bar, sends to us this morning the following squib for Mr. Silliman's benefit:

To one of the uninitiated the flow of English, intermingled with Latin, during the arguments in the Chinese cases yesterday, was as clear and pellucid, as a mountain stream. But, oh! how shocking to the ear of the old legal "off-wheeler." Where, Mr. Silliman, do you get your "retrospective" laws, and what was your veiled meaning when you said that the U. S. Constitution expressly forbade the making of any law "ex post facto" in its operation? Still it was charmingly said: "De Nihilō Nihil Fit."

Now, these are the definitions given of these debateable words in Goodrich and Porter's revision edition of Noah Webster's dictionary:

RETROACTIVE—Fitted or designed to retroact; operating by returned action; affecting what is past; *retrospective*.

Retroactive law or statute, one which operates to make criminal or punishable, or in any way expressly to affect, acts done prior to the passage of the law.

RETROSPECTIVE—Having reference to what is past; affecting things past. "A scruple about inflicting death by a *retrospective* enactment" as used by Lord Macaulay.

Bouvier's Law Dictionary says, *inter alia*:

"This word is usually applied to those acts of the legislature which are made to operate upon some subject, contract or crime which existed before the passage of the acts; and they are therefore called *retrospective laws*. These laws are generally unjust, and are to a certain extent forbidden by that article in the Constitution of the United States which prohibits the passage of *ex post facto* laws or laws impairing contracts."

(The word retroactive is not given in Bouvier.)

An *ex post facto* law is a statute, says Bouvier, which would render an act punishable when it was committed. By the Constitution of the United States Congress is forbidden to pass *ex post facto* laws. . . . Such law is void as to those cases in which, if given effect, it would be *ex post facto*; but so far only.

In cases arising under it, it may have effect; for as a rule for the future it is not *ex post facto*.

There is a distinction between *ex post facto* and retroactive laws; every *ex post facto* law must necessarily be retrospective, but every retrospective law is not an *ex post facto* law; the former only are prohibited.

A Roof Falls.

The corrugated awning of the building on the corner of King and Konia streets came down with a crash at noon to-day, fortunately doing little damage.

The awning was put in a flimsy style nearly incredible, and the wreck shows that the heavy awning was attached to the main structure only by a few ordinary nails. The side walk, upon which the roof fell is frequented by numerous people, and it is a miracle that no serious disasters are recorded. A Chinaman was slightly cut by the falling roof, but no other accident has been reported. The entrances to the Chinese fruit store and to the office of the Chinese Chronicle, located in the building were blockaded. The whole building should have the immediate attention of the authorities, before another accident occurs.

For That Tired Feeling.

That steals over you as the days work is over, there's nothing else so good as a refreshing glass of RAINIER BEER. It is the tonic you need, beats all the medicine you can take, brings on a sound refreshing and healthy sleep and makes one feel like a new person. On tap or in bottles at the Criterion Saloon. Phone 788.

NOTHING MORE SUITABLE THAN A BLACK SILK

If you are in doubt what to give your wife for a

CHRISTMAS PRESENT

Just let us show you a few of our **SILK BARGAINS.**

We have some of the

CHOICEST DESIGNS IN BLACK BROCADES EVER OFFERED.

We have reduced the price of all **PLAIN SILKS** also you will find our **Qualities and Prices DEAD RIGHT.**

N. S. SACHS DRY GOODS COMPANY, LTD.

THE PEOPLE'S PROVIDERS.

KOEBELE'S AIDS.

The Mynahs and Sparrows are Doing Yeoman's Service.

A very pleasant five minutes was passed with Professor Koebele this morning in conversing about insects pests and their enemies. It was rather interesting to learn that the despised Mynahs and Sparrows are more valuable than merely to be made into a fragrant and tempting Greek Olla Podrida. They destroy an immense number of insects, and the Professor speaks with pride as to the rapidity with which they cleaned out an invading army of worms in a country district to which they flocked by the hundreds when they scented their prey. Mr. Koebele does not think it advisable to import either Laysan Islands fitches or swallows as which they would destroy the deleterious insects they would also annihilate the beneficial ones such as the lady birds and their larvæ. The safest course to adopt is to import and cultivate the pests and fungus inimical to insect life and let the little cannibals do the destructive work. The toads are regarded as being the most valuable allies of Hawaii, especially in getting rid of the terrorizing Japanese rose beetle, as they consume them by the thousands. The white cabbage butterfly that has been introduced this season from California will do immense damage to the vegetable gardens and such flowers as the Marigold, unless they, their eggs, caterpillars and chrysalides are promptly exterminated. If every individual would simply take the trouble to kill every caterpillar he met with, he would be doing as much service to an extent as the man who plants a valuable seed. With time and patience Hawaii will be as free from blights and pests as the most favored nation.

THOS. LINDSAY, Manufacturing Jeweler.

Has on hand for sale a large lot of new Jewellery to pick from. Now is the time to call and make your choice for the Holidays. Love Building, Fort Street.

NOW IS THE TIME

To Have Your Upholstering Done

We have just received a large supply of UPHOLSTERING GOODS of the LATEST DESIGNS. A large variety to pick from—the best that was ever imported here. If you want a BOX COUCH for Ladies' Dresses, covered in any style, we can do it. Parlor Sets or Odd Pieces re-upholstered. Call and see our COZY CORNER LOUNGES—Something new—You will want one when you see it. Mattresses made to order and renovated. Silk Floss for Cushions and pillows.

COYNE & MEHRTEN,

The Upholsterers

Telephone 928

MASONIC TEMPLE.

Alakea Street.

BY AUTHORITY.

IRRIGATION NOTICE.

Holders of water privileges, or those paying water rates, are hereby notified that the hours for irrigation purposes are from 6 to 8 o'clock a. m. and from 4 to 6 o'clock p. m.

II. Holders of water privileges on the slopes of Punchbowl above Green street, and in Nuuanu Valley above School street are hereby notified that they will not be restricted to the irrigation hours of 6 to 8 a. m. and 4 to 6 p. m., but will be allowed to irrigate whenever sufficient water is available, provided that they do not use the water for irrigation purposes for more than four hours in every twenty-four.

ANDREW BROWN, Supt. Honolulu Water Works. Approved: J. A. KING, Minister of Interior. Honolulu, H. I., Sept. 7, 1898. 990-1f

NOTICE.

I BEG TO NOTIFY MY CUSTOMERS and the public generally, that I have transferred my business to the Metropolitan Meat Company, owing to ill health, and that all bills owing by me will be paid by the said Metropolitan Meat Company, and all bills due me will be collected by said Company. Thanking the public for past favor. JOSEPH TINKER, 1098-1w City Meat Market.

TO LET.

A 3-ROOM COTTAGE AT WAIKIKI in rear of Mrs. J. Lemon. Inquire of M. K. KEOHOKALOLE or L. K. MCGREW. 1019-1f

NOTICE.

DURING MY ABSENCE FROM THE Islands, Dr. C. L. Garvin will have charge of my practice and act in all business matters. F. R. DAY, M. D. 1064-1w

—W—W—W—W—W—W—W—
 GET IT AT WATERHOUSE'S.
A SPASM OF JOY
 Is seen in the faces of the patrons of this store when they see the handsome line of
Crockery and Glassware.
THERE ARE ALWAYS
 New fresh Groceries of the "PURE FOOD" grade in our Grocery Department. We are always on the alert to serve you with the best of everything that the American and European Markets can produce.
J. T. Waterhouse
 Waverley Block, Bethel St.
Groceries, Hardware Grockery
 Established in 1851. Leaders in 1898
 —M—M—M—M—M—M—M—

MORRIS K. KEOHOKALOLE, LOUIS K. MCGREW

OFFICE, NO. 15 KAAHUMANU Street, Honolulu formerly A. Ross's office. United States Custom House Brokers, Accountants, Searchers of Titles and General Business Agents.

ARE YOU GOING TO BUY A CARRIAGE?

If so, do not fail to call and see our large variety. We have been in the Carriage business many years, and you can profit by our experience.

Prices Quoted Upon a Call at Our Factory.

RUBBER TIRES A SPECIALTY.
PAINTING, REPAIRING AND TRIMMING AT SHORT NOTICE.
Honolulu Carriage Manufactory,
East Street.



BISHOP & CO.

Savings Bank

On October 1st, 1898, and continuing until further notice, Savings deposits will be received, and interest allowed by this Bank, at four and one-half per cent. per annum.

The terms, rules and regulations of the Hawaiian Postal Savings Bank will be adopted as far as it is practicable to apply them, and the CASH RESERVE of \$50,000 required under the Postal Act will be maintained.

Printed copies of the Rules and Regulations may be obtained on the first of October on application.

BISHOP & CO.
Honolulu, Sept. 7, 1898.
990-tf

JUST ARRIVED

A new lot of the Finest

Musical Instruments.

Autoharps, Guitars, Violins, Etc.

Also a new invoice of the Celebrated

Westermeyer Pianos,

Specially manufactured for the tropical climate, second to none,

MORE THAN 100 OF THEM SOLD on the Hawaiian Islands during the last years.

ALWAYS ON HAND A COMPLETE ASSORTMENT OF

DRY GOODS

— AND —

General Merchandise.

Also the choicest European and American

Beers, Ale, Wines & Liquors

AT MOST REASONABLE PRICES.
ED HOFFSCHLAEGER & CO.,
Corner King & Bethel Streets.

Bruce Waring & Co.,

Real Estate Dealers.

503 Fort St., near King.

BUILDING LOTS,
HOUSES AND LOTS, AND
LANDS FOR SALE

Parties wishing to dispose of their property, are invited to call on us.

Metropolitan Meat Co.

51 KING STREET.

G. J. WALLER, - - - MANAGER.

Wholesale and Retail

BUTCHERS

— AND —

Navy Contractors

THE "ARLINGTON"

A Family Hotel.

T. KROUSE, - - - Prop.

7 Day \$ 2.00

SPECIAL MONTHLY RATES.

Best of Attendance, the Best Situation

(Continued from 1st page.)

zen and yet, after annexation, he did not know where he stood. Where was citizenship, where was the right of franchise, or other rights? In all such like changes there were undoubtedly hardships and the Chinese suffered no more than the rest of us. The Newland's Resolution was the present fundamental law, the constitution of this country and we must live up to it. The anti-Chinese plank in it was plain and executory in its provisions. It wanted no further laws except the laws of Congress to which it specifically referred. Every Sovereign Nation had the undisputed right to regulate the admission of aliens into its country and the United States, our Sovereign Nation, had decided to place an embargo on the Chinese. It was not a question of moral right of its violation but of the express law and its strict construction under exceptional circumstances.

There was not much force in the argument that no due notice had been given of the legislation, for the whole matter has been before the world for four or five years, and everyone knew that annexation and the United States laws were coming here.

Mr. Robertson laughing reminded the Attorney-General of the failure to pass the treaty by a two-thirds vote and of the late hour in the day when the Newland's Resolution, supplanted the treaty practically embodied in the Resolution and the legal warrior for the government partially wilted.

Messrs. Silliman and Robertson briefly replied. If the Resolution was our fundamental law, then it required statutory provisions to carry its principles into effect, and while the Resolution might be an unerring guide for the future regulation of Chinese immigration, it could not be made to apply to acts done before its passage.

They also called attention to the fact that there was no possibility of appeal from the decision of the Treasury Agent here to the Courts, as in other parts of the United States, for here we have no Federal Courts at present. There was merely an appeal to the Secretary of the Treasury on the official acts of the Agent, but no appeal on the law and no recourse, and this would be an act of injustice which Congress never contemplated.

At four o'clock the Court adjourned and the petitioners were remanded to whence they came namely the Quarantine Station. The Chief Justice would not intimate to the press when his decision would be ready, but smilingly suggested that he believed he enjoyed the reputation of being "prompt" in such matters. As the other habeas corpus cases have been set for Monday, and may be contested, should the decision be unfavorable to the present petitioners, the decision may probably be looked for to-morrow or Thursday, although it is perhaps one of the most important and interesting cases ever heard in Hawaii and may require longer consideration.

To the Soldiers.

The Boys in Blue complain that they have not been served with the "Eastern" beer which tickles their palates and makes them good-natured.

Pabst Milwaukee Beer on draft, is now served at a proper temperature in the Royal, Pacific and Cosmopolitan saloons, conducted by the elite of the employees of the Peacock Co.

The Milwaukee Beer on draft has proven a tonic which is daily helping the sensible soldiers who are patronizing the three great refreshment places, where the beer is so served that even prohibitionists from Milwaukee recommend it.

Camarinos' Refrigerator.

Per AUSTRALIA—Frozen Eastern and California Oyster, (tin and shell) Game in Season, Fruits and Vegetables, Fine Olive Oil, Dry Fruit, New Crop of Nuts, Raisins, etc., etc. CALIFORNIA FRUIT MARKET. Telephone 378.

Passenger Travel.

ARRIVALS.

From Maui, per stmr Claudine, Dec. 11.—Mrs H Dickenson, Miss A L Gannon, Miss M E Alexander, M T Lyons, A G Correa, J Campbell, A H Landgraf, F A Richards, Mrs H Arpe, A Haneberg, Wong Han and 40 deck.

From Eleele, per stmr Iwalani, Dec. 11.—A Dreier, Dr T Katsumura.

From Nawiliwili, per stmr W G Hall, Dec. 11.—G N Wilcox, Capt Merriweather, S A Col Evans, S A H A Russell, G R Harrison, Judge A Perry, Mrs E Hart, H Blake.

From Maui and Hawaii ports, per stmr Kinau, Dec. 10.—Paul Isenberg, Chas Isenberg, Mrs Chas Isenberg, J S Walker, W P Boyd, Dr D A Carmichael, C B Hall, Dr W L Moore, J V Ray, S Peck, E V G Todd, Chas Hyde, B Conklin, S Messenger, G B Greigg, Walter Gasset, W A Baldwin, J Campbell, Howard Hitchcock and wife, L T Grant, Peter Lee, Mrs G H Ruttman, C Kaiser, G Seeley, W Cooperarl, W Dickson, W Toby, Dr S Karr, J R Renton, C Notley, Joe Parke, W C Punaloa, Miss Keola, H H Smith, Mrs J Smith, J P Jacobsen, T A Simpson, C H Brown, Geo B Lane, A C Zablan, H Jones, Miss J S Parke, E R Hendry, Enos W Beaslee, Robert Hind, Jr, Mrs H Mist, Geo Carter, E Dowsett Judge A W Carter, Hon L A Thurston, Hon Henry Waterhouse, Jas McClellan, J Silva, W W Needham, G P Wilder and 94 deck.

Kentucky's famous Jesse Moore Whiskey, unequalled for its purity and excellence. On sale at any of the saloons and at Lovejoy & Co., distributing agents for the Hawaiian Islands.



Have you seen our New Store?

The Quality and Assortment of New Goods?

Do you like our three Show Windows?

You are looking for Holiday Presents. You will find them in our store.

Articles from 15 CENTS TO \$75.00

We cater to all and our prices are right.

We have en route large shipments of merchandise in our various lines which will enable us to fill the wants of the people to their entire satisfaction.

We invite public inspection and public opinion.

W. W. DIMOND & CO., Ltd.

The People's Store

Von Holt Block, King St.

Should You be Weary and Full of Thirst

CALL AT

N. BREHAM'S

Hop Beer Cottage, No. 11, Konia (formerly Smith) Street.

He makes a specialty of the brewing of HOP BEER, and every bottle passes under his personal supervision and is guaranteed by him. HOP BEER is not an intoxicant, is non-alcoholic and is a cool palatable, home-like beverage. Mr. Breham courts an open inspection of his place and his methods of business.

WM. G. IRWIN & CO.

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LAUNDRY WORK

The HONOLULU STEAM LAUNDRY CO., LTD., Sollicits your patronage and Guarantees the

FINEST CLASS OF WORK

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Reasonable Prices.

Only White Labor Employed

All FLANNELS and SILKS Washed by Hand Ordinary Mending and Buttons Sewed on.

TELEPHONE, No. 583 and leave your orders. 1039-tf

HIGH PRICES

Will as usual be the result of

This Cruel War

THEREFORE, CO-OPERATE.

Attention is called to the benefits enjoyed by subscribers to the PALAMA CO-OPERATIVE GROCERY CO., LTD. has groceries at a little advance on San Francisco prices, credit to subscribers to the amount of shares held, profit of the business returned to subscribers every 6 months probable increase in value of shares, with a liberal discount off monthly bills. And now what are the risks. We answer none, because subscribers can either sell their shares or take groceries to their amount, if you want to withdraw or go away. Please consider the above and call or address, Palama Co-operative Grocery Co., LTD. for a share or for further information. Par value of shares \$25, or \$12.50 only being required to become a subscriber. Telephone 755 920 tf

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Plumber and Gas-fitter

Orders promptly attended to and work guaranteed.

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TELEPHONE 302.

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Plumber - and - Tinsmith

All work done Properly, Promptly and Profitably for Patrons.

SATISFACTION GUARANTEED.

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121 Queen Street.

CARRIAGE AND WAGON BUILDERS

RUBBER TIRES AND ROLLER BEARING AXLES.

WILSON & WHITEHOUSE,

Sole Licensees Hawaiian Islands,
121 Queen Street. tf

A. R. ROWAT, D. V. S.

[Graduate of McGill University, Montreal]

Has had ten years practical experience in the treatment of Horses, Cattle and Domestic Pets in the Hawaiian Islands.

Orders left at Club or Pantheon Stables will be received and promptly attended to. Office, 510 Fort Street. Telephone, 785 970-tf