Maui News

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WAILUKU, MAUI, H. I.

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The columns of the NEWS admit communications on pertinent topics. Write only on one side of paper. Sign your name which will be held confidential if desired.

G. B. ROBERTSON, Ed. and Prop.
MRS. G. B. ROBERTSON, Bus. Mgr.

Saturday, September 1

MAUI BLUE BOOK

Hon. J. W. Kalua, Circuit Judge,	Wailuku
J. K. N. Kealia, Clerk Circuit Court,	Wailuku
Judge G. B. Robertson Dist. Magistrate,	Wailuku
" Kahopualuna, " "	Makawao
" Kahaulelio, " "	Lahaina
" Kaleikau, " "	Honuaula
" Joepa, " "	Hana
" Pilimaia, " "	Hiipakaia
" Maheu, " "	Molokai
" Kahookalahala, " "	Lanai
L. M. Baldwin, Sheriff,	Wailuku
A. N. Hayseldon, Deputy Sheriff	Wailuku
W. H. King, "	Makawao
C. R. Lindsay, " "	Lahaina
F. Wittrock, " "	Hana
G. Trimble, " "	Molokai
W. E. Safery, Captain Police,	Wailuku
S. Kalama, " "	Makawao
M. Kaulahaha, " "	Lahaina
Lindsay, " "	Hana
F. J. Feary, " "	Molokai
C. H. Dickey, Tax Assessor,	Haiku
W. T. Robinson, Deputy Assessor,	Wailuku
W. O. Alven, " "	Paia
G. Dahu, " "	Lahaina
J. Gross, " "	Hana

The fact that several new lines of business have been successfully developed in Wailuku within the past six months demonstrates the fact that there is room for more yet. But it is no less true that anyone coming here to develop a new business should advise himself thoroughly as to all the conditions surrounding the proposed enterprise. The right man starting the right business here is bound to succeed, but it is true here, as it is elsewhere, that any one thinking of embarking in any line of business should carefully look into all the conditions and see in advance the reason for any success which he may hope to attain.

• • •

A grand jury is a very antiquated and cumbersome piece of machinery for the purpose of bringing criminals to trial, and it should be discarded at the next session of the legislature. In California, an information laid by the district attorney of each county, based on the developments at a preliminary hearing before a committing magistrate takes the place of the formal indictment by a grand jury, and the same method should be adopted here. The grand jury has its proper sphere, and should be called at least once each year to look into fiscal and municipal matters, but for the purpose of indicting criminals, the grand jury should be discarded.

• • •

It is not too early to begin to teach the people of the Islands that the office should seek the man, because from present indications there is going to be an unseemly struggle for political preferment this fall. If the laity who want nothing but good government will quietly make a note of ambitious statesmen who are over anxious to serve their country, and quietly turn all such down, substituting in their stead worthy men who are not seeking office, it will be much better for all concerned.

• • •

While the grand jury in Honolulu have not accomplished as much as was expected of them, yet the charge of using too much whitewash is one based on prejudice rather than on a fair estimate either of the men themselves or of what they really did and did not do. No grand jury should, after the next session of the legislature, be called on to do what was required of the Honolulu Grand Jury.

• • •

The real danger to our sugar interests is not to be found on the Islands, or even in the United States, but in Cuba. The scattered and individual sugar farms on the Island of Cuba are being bought up and consolidated by corporations which are coming from the Hawaiian Islands in the matter of cheap and improved machinery and methods. Nothing but a duty on Cuban sugar will prevent disaster to Hawaiian sugar interests in the next few years.

• • •

We would suggest in a brotherly way to the kamainas in all the political parties that the malihini, of what politics soever being more recently in touch with the trend of Americanism on the mainland, should be encouraged to become members of the next legislature, in order that our organic laws may be as American as possible. If this proposition be not sound, point out its weak spot.

• • •

It may be that tuberculosis is a contagious disease, but carelessness in the matter of exposure to draughts is the better explanation of the prevalence of pulmonary diseases. Although the climate of the Islands is mild and equable, yet it is treacherous, and more care should be taken to avoid catching cold from undue exposure to draughts.

• • •

There is further talk of an extra session of the legislature, to be called after the regular election of members of the legislature has been had. If the suggestion be not too blunt, wouldn't it be better to wait and see who are elected before the proposition of calling an extra session is agitated any further?

• • •

It seems an almost absolute necessity that there should be a rural delivery of mails in some part of Maui. A postal route agent will soon visit this island, and those who feel a proper interest in the matter should be prepared to show both the necessity and the economy of rural service.

• • •

In the relatively immense port revenues diverted from the Islands to the U. S. Treasury, our delegate to congress will find an unanswerable argument for post offices, fortifications and harbor improvements on the Islands.

• • •

At the head of the society news in Saturday's Advertiser is a cut which would more properly have graced the columns of the Police Gazette. It was quite pretty, however.

• • •

It will be interesting to Islanders to watch the effect which the death of C. P. Huntington will have on the Nacaragua Canal bill. The canal will be built.

• • •

If it simmers down to a question of Parker or Wilcox for Congress, Maui and Molokai will be practically solid for Parker.

HAWAII NEI

The Republican has initiated a war of extermination against Iwilei.

An ice plant is to be established at the leper settlement on Molokai.

The St. Louis College and St. Francis School begin the new term on September 4.

Hon. H. P. Baldwin is spoken of by the Hilo Tribune as an available man for delegate to congress.

Justice Galbraith will order the various courts on the Islands to admit applicants to citizenship.

Another grand jury will be empanelled at Honolulu in October, for the November term of court.

On suggestion of Governor Dole, Lanai will probably be made a separate election precinct at the next election.

Kapiolani park and beach residents are kicking because the Sunday concerts have been discontinued on Makee Island.

The case of Eugene Avery for embezzlement has been dismissed on the ground that no case was made out by the prosecution.

A military company at Hilo is a settled fact, and Major Pratt left Maui for Hilo on Tuesday's Kinau to muster in the company.

William Marshall of the extinct "Volcano" says that he will resume publication as soon as the exigencies of the case will permit.

Superintendent McCandless and W. E. Rowell have gone to Hawaii to spend some time in the inspection of government roads on the big island.

The Honolulu grand jury brought indictments against the proprietors of Waikiki Inn and the Hawaiian Hotel Annex for selling liquor on Sunday.

The Olaa settlers will not begin an injunction suit against the territorial government, but will initiate proceedings in the U. S. District Court, to determine their rights.

Only one tax appeal case was brought on the Island of Hawaii this year, that of Waikea Mill Co., and in that case the original assessment, $1,250,000, was sustained.

A large number of Chinese are leaving Honolulu by every steamer for China. The Advertiser suggests that there are not probably many Bow Wongs among the number.

George L. Edwards, convicted of an infamous crime, has been released on his own recognizance, and will probably be discharged by virtue of the writ of habeas corpus sued out on his behalf.

Messrs. Wilcox and Kaulia are stumping the big island. Mr. Wilcox recommends John T. Brown and Henry West as Senators, and William Nailiua and Mr. Ewalika as representatives.

E. C. Macfarlane, the head of the head of firm of Macfarlane & Co., is visiting the volcano house, Hawaii. It is rumored that this celebrated hostelrie is to be closed for lack of patronage.

From an interview with a prominent Hawaiian, published in the Tribune, it seems that no haoles are to be included in the list of legislative candidates to be brought forward by the independent party on the island of Hawaii, which will even shut out Lobenstein.

The Hawaiian Medical Association held their annual meeting at Honolulu last Saturday. For the ensuing year the following officers were elected: President, W. E. Taylor; vice president, H. C. Sloggett; secretary and treasurer, A. G. Hodgkins. The following new members were elected: W. L. McConkey, H. V. Murray, E. C. Waterhouse, Dr. Jobe, G. W. Burgess, Dr. Katsuki, Dr. Haida, C. A. Peterson, F. E. Coudert and J. T. McDonald.

BY AUTHORITY

IN THE SUPREME COURT OF THE TERRITORY OF HAWAII.

June Term, 1900.

GRAND JURIES.

1. When Required.

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land and naval forces, or in the militia, when in actual service in time of war or public danger." U. S. Const., Amend., Art. 5.

2. How Drawn.

"Until otherwise provided by the legislature of the Territory, grand juries may be drawn in the manner provided by the Hawaiian statutes for drawing petty juries." Org. Act., Sec. 83.

3. Qualifications of Jurors.

"No person who is not a male citizen of the United States and twenty-one years of age, and who cannot understandingly speak, read and write the English language, shall be a qualified juror or grand juror in the Territory of Hawaii, and all juries shall hereafter be constituted without reference to the race or place of nativity of the jurors." Org. Act., Sec. 83.

4. Number of Jurors.

The number of grand jurors in each circuit shall be not less than thirteen, nor more than twenty-three. See Org. Act., Sec. 83.

5. Sessions.

"Until otherwise provided by the legislature of the Territory, grand juries * * * shall sit at its such times as the circuit judge of the respective circuits shall direct." Org. Act., Sec. 83.

6. Challenges.

Before the grand jury retires, the prosecuting officer, or any person held to answer a charge for a criminal offense, may challenge the panel or an individual juror, for cause to be assigned to the court. All such challenges shall be tried and determined by the court.

7. Foreman.

From the persons summoned to serve as grand jurors and appearing, the court shall appoint a foreman and may remove him for cause. The court may appoint another foreman when the necessity arises.

8. Oath of Grand Jurors.

Substantiatlly the following oath shall be admministered to the grand jurors:

"You, and each of you you do solemnly swear (or affirm) that you will diligently inquire, and true presentment make, of all such matters and things as shall be given you in charge, or shall otherwise come to your knowledge touching this present service; that you will present no one through envy, hatred, or malice, nor leave any one unpresented through fear, favor, affection, gain, reward or hope therefor, but will present all things truly as they come to your knowledge, according to the best of your understanding; and that you will keep secret the proceeding had before you."

9. Charge of the Court.

The grand jury, being impanelled and sworn, shall be charge by the court. In doing so, the court shall give them such information as it may deem proper as to their duties and as to the law pertaining to such cases as may come beforethem. The court may further charge the jury when the necessity arises.

10. Officer in Attendance.

The court may appoint an officer to attend upon the grand jury.

11. Retirement of the Grand Jury.

The grand jury shall than retire to a private room and inquire into the offenses cognizable by them.

12. Clerk.

The grand jury may appoint one of their number to be their clerk, to preserve minutes of the proceeding before them, which minutes shall be delivered to the prosecuting officer, when so directed by the grand jury.

13. Subpoena of Witnesses.

"The several circuit courts may subpoena witnesses to appear before the grand jury in like manner as they subpoena witnesses to appear before their respective courts." Org. Act., Sec. 83.

14. Swearing Witnesses.

Witnesses appearing before the grand jury may be sworn in open Court or by the foreman of the grand jury or, in his absence, by any member thereof.

The oath or affirmation may be substantially as follows:

"You do solemnly swear (or affirm) that the evidence which you shall give before the grand jury shall qe the truth, the whole truth, and nothing but the truth."

15. Presence of Others with Jurors.

The prosecuting officer or any member of the grand jury may interrogate witnesses before the grand jury. The prosecuting officers shall advise the grand jury in regard to the law of the cases that come before them, and draw the indictments.

An interpreter may be present at the examination of witnesses before the Grand Jury.

Except the pros officer, interpreter, and witness under examination, no person shall be permitted to be present during the sessions of the grand jury.

No person except the members of the grand jury shall be permitted to be present during the expression of their opinions, or the giving of their votes.

16. Twelve Grand Jurors to Concur.

No indictment shall be found, nor shall any presentment be made, without the concurrence at least twelve grand jurors.

17. Indorsement by foreman shall be indorsed, "A true bill," and such indorsement shall be signed by the foreman. An indictment shall be indorsed also by the prosecuting officer. A presentment, when made, shall be signed by the foreman.

18. Presenting and Filing.

Indictments or presentments, when found shall be presented by the foreman, in the presence of the other grand jurors, to the Court, and shall there be filed; but such as are found for a felony against any person not in custody or under recognizance, shall not be open to the inspection of any person except the prosecuting officer, until the defendant therein shall have been arrested.

The foregoing rules relating to grand juries are hereby prescribed.

By the Court,
HENRY SMITH, Clerk.

Honolulu, Territory of Hawaii, July 5, 1900.

TERRITORY OF HAWAII, ISLAND OF OAHU.

Honolulu, July 30, 1900.

The following appointments have been made in the Judiciary Department of the Territory of Hawaii.

George Lucas, James A. Thompson and P. D. Kellett, Jr., respectively, as First, Second and Third Deputy Clerks of the Judiciary Department for the First Circuit.

James N. K. Keola, as Deputy Clerk of the Judiciary Deparnment for the Second Circuit.

H. D. Wishard, as Deputy Clerk of the Judiciary Department for the Fifth Circuit.

Executive Notice.

The Governor directs that notice be given that the following persons have been appointed Members of the Tax Appeal Court:

SECOND JUDICIAL CIRCUIT.

Wm. A. McKay, President.
Charles Copp.
Wm. L. Decoto.

HENRY E. COOPER,
Secretary of the Territory.

Capitol, August 1st, 1900.

Notice.

W. O. Aiken, Esq., has this day been appointed a Notary Public for the Second Judicial Circuit of the Territory of Hawaii

EDMUND P. DOLE,
Attorney General.

Office of the Attorney General, Honolulu, July 2, 1900.

Notice.

Is hereby given that Jas. N. K. Keola, Esq., has this 19th day of July, A. D. 1900, been appointed Notary Public for the Second Judicial Circuit of the Territory of Hawaii.

EDMUND P. DOLE,
Attorney General.

Honolulu, July 19th, 1900

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