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# THE HAWAIIAN STAR.

The Hawaiian Star is the paper that goes into the best homes of Honolulu

VOL. VII.

HONOLULU, H. I., THURSDAY, NOVEMBER 1, 1900.

No. 2695

## STOCK TRANSFER ORDERED

### JUDGE HUMPHREYS DECIDES AGAINST HUSTACE ET AL.

Amended Bill Can Be Filed after the Original Decision, and Be Considered Part of Original Case.

Circuit Judge Humphreys announced this morning that he would render a judgment against Frank Foster, J. J. Egan and Frank Hustace for the return of \$120,000 worth of paid up stock of the Kamalo Sugar Company, in the suit of Hitchcock and others against the promoters of the Kamalo Sugar plantation. This determination was reached as the result of the motion and arguments made by plaintiffs' counsel for leave to file an amended bill to the original complaint which prayed for general relief against the defendants. This amendment asked that the defendants be required to return \$120,000 worth of stock.

When the case was called the court said that after considering the matter he had decided to grant the motion of the plaintiffs. Mr. Robertson the defendant's attorney asked permission to file additional evidence in the case but this the court overruled. In passing upon the matter the court briefly reviewed the case. He said that it has been shown that by means of a motion before the board of directors which the defendants controlled they had appropriated \$120,000 worth of paid up stock. Hustace had refused to surrender the books of the concern even after his successor had been elected, claiming that the company still owed him \$6,000. The plaintiffs instituted suit against Hustace and the others and probably on account of the fact that Hustace had kept the books they knew nothing of the transfer of this stock so in their bill they had asked merely for the restitution of \$120,000 alleged to have been fraudulently appropriated and further asked for general relief.

From evidence the court was satisfied that the three defendants had entered into a criminal partnership to fraudulently appropriate a portion of the stock of the concern. The evidence was as equally applicable to the \$35,000 as to the \$120,000 worth of stock subsequently appropriated. Inasmuch as the original complaint did not refer to the appropriation of the larger amount and merely asked for general relief the court was in doubt as to whether it could give judgment for the second appropriation. The matter was argued and the court in looking up authorities found that in such cases where general relief had been prayed for, he could permit an amended bill to be filed even after the first decision had been made and consider it a part of the original complaint. He announced that he would therefore render a judgment against the defendants directing them to return 6,000 shares of paid up stock or its equivalent could not be made the money equivalent of the stock at the time of the transfer, based upon a recent Massachusetts decision, should be paid.

W. A. Kinney stated that he had been retained by Mr. Foster and that certain contracts between his client and the other defendants would be thought throw a different light upon the relations of Foster with them and prove that Foster should not be affected to such an extent by the judgment as the others. Mr. Kinney announced that he would file a motion upon this point so the court granted him time in which to protect his client by the motion for the introduction of additional evidence.

### LILUOKALANI WINS POINT.

Circuit Judge Humphreys heard the petition of Liluokalani against Wong Kwai this morning asking that the latter as plaintiff in a suit against her for specific performance, be compelled to secure the defendant against loss on account of an injunction now issued against her, by increasing his bond to \$5000. The court ordered the bond increased to \$4,000.

A safe vote, is a straight Republican vote from Sam Parker to the end of the ticket. Mark only those names who are endorsed by the Republican party.

Members of Honolulu's 400 should call at the Golden Rule Bazaar 316 Fort street for the daintiest and very latest thing in society stationery. New shades. New shapes and all right up to date.

Continue prosperity by voting the straight Republican ticket.

### WILL ENTERTAIN GUESTS.

Music at Walkiki Inn Sunday afternoon and evening. Valpraag, Sharp and Stickney. Refreshments served.

Vote Straight Republican Ticket.

## TWO SETS OF BALLOT BOXES

### NEW PLAN FOR THE CROWDED PRECINCT PROBLEM.

Votes Up to 5 O'clock Go in One Set of Ballot Boxes—Those After 5 in Another.

Editor Star: If Secretary Cooper's plan of keeping the polls open later than 5 o'clock, when necessary to give all voters an opportunity to vote, shall be carried out, I have a suggestion to make that I think at least worth consideration. It is very evident that there is grave doubt of the legality of Mr. Cooper's plan. If it is illegal, the consequences will be far reaching, unsatisfactory, and in all probability extremely expensive. On the other hand, if it is legal and the only way out of the present situation, it will at least give every voter a chance to exercise his franchise. The suggestion I have to make, will I think enable the plan to be carried out without jeopardizing the legality of the election.

The suggestion is this. At 5 o'clock, in all those precincts where there seems to be necessity for keeping the polls open later, let the election officers close and seal the ballot boxes that have been in use during the day. Then let a new set of boxes be used for all ballots received after 5 o'clock. Then when the election officers count the ballots, let them first count the ballots received up to 5 o'clock and make footings of totals on their tally sheets. When that is done, let them count the votes received after 5 o'clock, and make full returns of these.

The effect of this will be that if keeping the polls open until after 5 o'clock does not change the result from what the votes received up to 5 o'clock would show, no one would be interested in raising the question as to the legality of the proceeding, and the matter would end there. If it did change the result, a contest could and probably would be made, which would test the question. But if the courts decided that the polls should not be kept open after 5 o'clock, all those votes received after 5 o'clock thrown out by the court, and the results as shown by the footings up to 5 o'clock would be the result of the election, and the election itself would not be invalidated. Votes received after 5 o'clock would be mere surplusage or functus officio, or any other harmless thing, for which the lawyers can doubtless find an appropriate name in the terminology of their profession.

In other words, in this means, the legality of the election need not be jeopardized at the same time that an opportunity may be given every elector to cast his ballot.

### CITIZEN.

#### HANRAHAN'S NAMESAKE.

Fined for Being Drunk in Honolulu Yesterday.

"Hanrahan!" The shade of the late police officer refuses to down. The name was called loudly in the police court this morning and a red-faced man, with a nose that showed the expenditure of vast sums upon color, rose to respond.

"What is your real name?" asked Deputy Sheriff Chillingworth.

The prisoner insisted that it was Hanrahan. Stephen Hanrahan. He was charged with being drunk yesterday.

"Yes, I was drunk, your honor," he said to the judge, and he was given the usual fine. Stephen came in last night, and he insisted upon giving the name of Hanrahan, in spite of official protests. As he would give no other name, the name appears on the calendar though there are those who say that it is a joke on the departed court officer. If it is it matters little now, for the court officer is far away, and is not likely to ever find it out.

### POLICE CHANGES.

High sheriff Brown has a new clerk, H. C. Mossman, who was formerly messenger in the attorney-general's department. Clerk Crowell has been made deputy sheriff of Koolau, and will leave for his new place in a few days. Crowell has been clerk for quite a long time, and has proved very efficient. Until he leaves for Koolau, deputy sheriff McGurn will fill the office left vacant there by the resignation of Frank Pahia, who is a Republican candidate for the legislature.

M. W. Bergen, who has been doing special work in the police station lately, has been appointed deputy sheriff at Hanalei. He will leave for his new post next week. Bergen is a Japanese interpreter, and will be a valuable man to the department.

Vote first for Parker, then for all others on the Republican ticket.

### ATTENTION STAND.

General blacksmithing and carriage repairing business in all branches at the old stand, Fort street W. W. Wright.

Vote Straight Republican Ticket.

## WALKOUT OF CARPENTERS

### UNION MEN QUIT WORK ALL OVER THE CITY.

Refuse to Work More Than Eight Hours and May Formally Order a Strike Tomorrow.

All the union carpenters in Honolulu laid off work today, on account of yesterday's refusal of the contractors to inaugurate the eight-hour system. The men say that it is not a "strike" and that they are opposed to strikes, but they have stopped working. They declare that this is only to await action to be taken at a regular meeting of the union tomorrow evening.

All the local contractors are affected by the walk-out, with the exception of E. O. Hall & Sons, who granted the eight hour day demands of their men. Work on the big buildings including the Post Office building, was practically at a stand still today and will be tomorrow.

The contractors met yesterday in the former United States consulate, with George Lucas in the chair. The meeting was called to consider the action taken some time ago by the carpenters, who notified the employers that after November 1 the eight-hour system would be asked for.

The employers discussed the matter at some length and agreed to postpone to January 1 the decision on the matter. This was not satisfactory to the men, and this morning most of them left their work. There are 126 men in the carpenters' union, constituting, it is stated, almost the entire force of carpenters here. The men claim that there are not 20 non-union carpenters in the city, and the walk-out of this morning resulted in a fairly complete stoppage of carpenter work in all the shops.

The carpenters appeared to be anxious today that their action should not be considered as a strike. It was stated that they had given notice that eight hours must be a day after November 1 and when this morning came and they found that their employers had not met the demand, they decided to stop work until they had considered the situation in regular meeting.

The union will meet tomorrow evening in its rooms on King street, and the decision of the contractors will be the principal business for discussion. As a result of the meeting a formal strike may be ordered, or a new proposal may be made to the employers. In the meantime, up to tomorrow night there will be little carpenter work done in Honolulu.

"We are opposed to strikes and think they work great injury to all parties," said one of the leaders of the men this morning, "but we decided this morning not to work in the interval until we have acted as a body upon the counter proposals submitted to us by the contractors. We do not think there is going to be any struggle over the matter, but at present we are not working."

"It's not a strike," said another man at the meeting on King street, "but we have all taken a holiday."

Some of the men say that the action of the contractors is designed to "job" them. They declare that the two months that will elapse before next January will put the contractors in condition to dictate terms, as they will then have some of their big contracts out of the way and will moreover, have had time to prepare for a walk-out. "If we wait till January," said one man, "they will be for cutting our wages to \$3.50 a day, on the strength of allowing us eight-hour days."

The carpenters now get \$4 per day. Their demand is for an eight-hour day, beginning at eight in the morning, and a change in the rate of wages. "If it isn't a strike, I'd like to know what it is," said one of the contractors today. "The men have all quit work without any notice. They are not on the sick list. As far as I know, when men walk out like that because things don't suit them, they are striking, and this is a strike."

"If the men were going to wait till tomorrow evening before they decided whether to strike or not, why did they not work till that time? They seem to have gone on strike before they decided whether they were going to strike or not. At present there is a strike on, whatever the men say."

The builders and contractors meet again next Saturday, to further consider the demands of the men. By that time they will have received the decision of the union as to what course the men will pursue.

### GOOD SAILING.

Now they want \$1,000,000 to improve the harbor at Manila, but Dewey found the sailing excellent there.—Chicago Record.

A vote for other than the straight republican ticket is a vote lost.

### FOR CAMARINS REFRIGERATOR.

Per S. S. Australasia—Peaches, Grapes, Oranges, Lemons, Limes, Celery, Cauliflower, Cabbage, Pears, Plums, Fresh Salmon, Flounders, Halibut, Crabs, Eastern and California Oysters (in tin and shell), all Game in Season, Turkeys, Chickens, New crop of Nuts and Dried Fruits, Onions, Burbank Potatoes, Swiss, Parmesan, Rockport, New Zealand and California Cream Cheese, Olives. All kinds of Dried Fruits.

## MUST PAY FEDERAL TAXES

### SALE OF ALCOHOL LIKELY TO PROVE VERY EXPENSIVE.

In Order to Avoid Local Law Stuff Must be Methylated But This Requires Rectifier's License.

The decision of Circuit Judge Humphreys prohibiting the sale of alcohol will have a much further effect than had been anticipated as the dealers will come within the pale of the Federal law, if they take the only method open to try to evade the territorial law, by methylating the stuff.

In future if the drug stores and others desire to sell alcohol by means of methylating the spirits they will have to pay an additional Federal tax of \$100. This ruling was announced this morning by collector of Internal Revenue Haywood. Soon after Mr. Haywood came into office he notified the dealers in alcohol who were required to pay a nominal tax to the United States that if they wanted to sell methylated alcohol which means the introduction of foreign water into the pure alcohol they would be required to take out a regular rectifier's tax which amounts to \$100. Naturally none of them cared to pay this sum when it was thought they could dispose of their goods with out paying the Federal government too.

Now that the territorial judiciary has decided against the druggists and other dealers, the only way out of the difficulty will be to pay the Federal rectifier's tax or else buy their goods from some person who is a rectifier.

"We have no choice in the matter," said Mr. Haywood "and we will have to enforce the law if we find any body attempting to sell methylated alcohol if they rectify the stuff themselves. They were informed of the law some time ago and I will not serve them with any further notice. It is the duty of every body to know the law not the place of officials to warn them."

## HOW TO MARK BALLOTS

### OFFICIAL DIRECTIONS OF REGISTRAR OF ELECTIONS.

#### Notices Telling People Exactly How to Mark Their Ballots Will Be in Every Voting Place.

If the voters want any information regarding the way in which to cast their ballots next Tuesday, they will find it in the notices which will be placed in every voting place and private individuals for enlightenment, for the government will not furnish any more information upon this score until the day of election.

Wray Taylor, the registrar of election, was seen this morning regarding this matter, and he said that the law does not require the government to publish any directions or anything else concerning the voting, and nothing more was to be issued by his office.

On the day of election, however, every voter would receive enlightenment upon the proper method to mark his ballot, for there was to be an official notice, both in the Hawaiian and English languages, posted inside the voting places. These notices will give full and complete directions as to the method of voting. In addition the different style of ballots to be used will be posted on the walls, so that the voters may understand what is meant by reference to the different colors. The directions contained in these notices are as follows:

1. The voter immediately upon entering the polling place shall proceed to the table of the Chairman of Election, Election in charge of the ballot boxes.
2. Thereupon he shall receive from the said chairman folded ballots, blue for Senators, white for Representatives, red for Delegate to 56th Congress, yellow for Delegate to 55th Congress.
3. Immediately upon receiving his folded ballots from the Chairman of Election, the voter must go into one of the compartments, and with the pencil provided in the compartment, then voting for Senators, Representatives or Delegates, mark on the ballot a cross, thus X, on the right hand side of the ballots, in the spaces provided for such purpose, opposite the names of the candidates for whom he desires to vote.
4. The voter is then to re-fold the ballots just as he received them from the Chairman of Inspectors, and thus folded deliver them to the Inspector of Election in charge of the ballot boxes. Thereupon the voter is to leave the polling place forthwith.
5. If a voter spoils a ballot he may obtain one other, upon returning the spoiled one. The ballot thus returned shall be immediately cancelled, and the reason of its cancellation endorsed thereon and signed by the Chairman of Inspectors.
6. No voter is allowed to take a ballot outside the polling place.
7. If the voter hands to the Inspector of Election in charge of the ballot boxes other ballots than those given to him by the Chairman, his ballots shall be void.
8. Each voter is entitled to vote for SIX (6) Senators.
9. Each voter is entitled to vote for SIX (6) Representatives.
10. Each voter is entitled to vote for ONE (1) Delegate to 56th Congress, and ONE (1) Delegate to 55th Congress.

### LAST TRIP OF DAVID.

This afternoon Prince David and party will address a crowd at a naval wharf at 3 o'clock. The party have chartered the steamer Waialeale and will speak from the boat. About 5 o'clock the steamer will take the party on their farewell tour before the election. They will go to Kahului and principal Maui ports stopping at several Molokai ports. The party expect to return home Sunday.

Continue prosperity by voting the straight Republican ticket.

### HAS FEW EQUALS.

For light running, easy adjustments, and good work the Singer Sewing Machine has few equals and no superiors.—B. Bergerson, agent, Bethel Street.

## HORSE'S BLOODY RECORD

### WILD LOT OF BRONCHOS ON THE CONEMAUGH.

One Animal That Has Killed Two Men—Arizona Cowboys Come With Them.

The wildest lot of horses ever seen in Honolulu is the lot that came on the transport Conemaugh, and are now at pasture. One of them has a bloody record to his credit, having killed two men in his time. Though a blooded animal, he is regarded as the worst brute among a large lot consisting of nearly all bronchos.

There will be lively times when the Conemaugh's animals are turned over to the army men. They have never been handled except by cowboys. Most of them are Arizona bronchos, and when the army bought them it engaged the cowboys to handle them. There are thirty-one of these crack horsemen on the steamer.

The bronchos are all supposed to have been "ridden," according to the purchase agreement, but some of the men who are to ride them again will think they have not. "The cowboys have jumped on their backs, and let them run all over the ten-acre lot," said Lieutenant Smith, the quartermaster in charge, "and after that they are supposed to have been ridden."

There are 100 horses in the Conemaugh's lot. The men speak of them in sulphurous language. The horses have wicked eyes, and a generally wild appearance, and when they go into action they are guaranteed to cut the air in as many directions as a well-used Indian club. A mule can kick and has a reputation to that effect, but the long-eared animals, though they may have a bit more weight where their heels strike, cannot get into action as quickly, nor cover as many points of the compass as the Arizona broncho.

There are 180 mules on the Conemaugh as well as the horses. The cowboys handle both bronchos and mules with wonderful success, and there was no much trouble in loading them at San Francisco.

The horse that killed two men is a splendid looking animal, the finest on board the steamer, but he is too vicious for any ordinary purpose. The sea voyage of eleven days took some of the ginger out of him, and perhaps when he has been doing army service in the Philippines for a few months he will become a quieter animal.

## MONSTER RALLY TONIGHT

### REPUBLICANS TO HAVE PARADE AND SPEAKING.

Biggest Parade of the Campaign to Be Held—Flambeau Torches—The Speakers.

Unless all signs fail the Republicans will outdo all other political gatherings ever held in the territory, as the gathering tonight is scheduled to be the biggest and most enthusiastic of the campaign. There will be two parts to the affair, the street parade and the meeting at the Drill Shed, where the leading orators of the party will be heard.

Special efforts have been put forth to make the parade the most successful and novel ever held here. It is a burnd flambeau torches will be in the hands of two well-drilled squads, and in addition an object lesson is to be given the public in the Full Dinner Parlour lanterns. These are patent arrangements which were received from the National Republican Committee, and have proved most effective throughout the States.

Walter Dunningham will have his party of Rough Riders bedecked with Teddy hats and full cowboy regalia. This is expected to make one of the features of the parade. Various other organizations will take part in the parade. Major Zeigler is the grand marshal, and his aides are Captain Johnson, Captain Kenake, Captain Kea, Major White, Lieutenant Foster. The various divisions of the parade column will be formed shortly before 7 o'clock at the Drill Shed, and a few minutes after 7 the column will march to march. The route is along Hotel street to Fort, down Fort to Merchant, out Merchant to Nuuanu, out Nuuanu to Vineyard over to Fort, down Fort to Hotel, and back to the Drill Shed.

By this time the shed will have been crowded by the people who intend to hear the speakers. W. C. Achi will preside. In the musical line there will be several selections by the Tuxedo Quartette and the band. The speakers will be R. D. Silliman, Jonah Kumalea, George A. Davis, D. L. Naona, Sam Parker, and T. McCants Stewart.

### VALUABLE EULOGY.

President Harper ought to be able to collect at least a million on "Prof. Triggs' eulogy of Rockefeller"—Chicago Record.

Be a genuine republican. Be a straight ticket republican.

REV. S. A. DONAHOE.

## CIRCUIT COURT JURORS

### NAMES DRAWN FOR THE TERM OF NOVEMBER.

Citizens Who Will Try the Coming Series of Jury Cases in the Upper Court.

The trial jury for the November term of the Circuit court has been drawn, and the summonses are out for those who are to serve. The list of those chosen includes many well-known citizens and a lot of excellent jury material.

The following is the list of men who will try the next lot of jury cases: Joseph C. Carter, A. Nicholas, Braham, John S. Andrade, Adam Peirce, James Steiner, Charles Everitt, Henry Vida, James K. Merseberg, Fitzhugh L. Dorch, Manly Hopkins, Charles A. Bellina, Henry Zerbe, D. H. Hitchcock, Carl C. Rhodes, Nathaniel F. Burgess, Frederick Goudie, Edwin H. Paris, Edward S. Hart, F. T. P. Waterhouse, J. W. Akana, Bernard Bergerson, C. R. Dement, Charles B. Lemon, John Good, William L. Easton, John Jones, Harlem G. Walty, Clarence M. White, Carl Widemann, John C. Clancy, Charles Nottley, Herbert S. Ewing, John Mitchell, George Haffner, Samuel P. Woods, George Macy.

A number of the men in the list are thinking up good excuses to avoid serving, as many of them are very busy men. Excuses that were acceptable were quite scarce the last time Judge Humphreys listened to them, however, and there is general realization this time that hot air will not work.

## TIME FOR CLOSING POLLS

The question of the time for closing the polls was the subject of some discussion in the executive council this morning. Secretary Cooper's ruling was talked over at some length, and defended the stand taken by himself and claimed that the various statutes quoted fully sustained his position.

Several members of the council, as well as the Governor, took part in discussing the matter. It was said that while the law was mandatory on the question of limiting the number of booths, it was not so positive upon the point of closing the polls. Several contended that the purpose of the law was merely to serve as a direction and not an inviolable rule for the guidance of those in charge.

The original suggestion of Mr. Cooper was amended slightly it being urged that to keep the polls open as long as people kept applying to cast their legal votes was wrong. It would be perfectly proper however, to permit those who might be in line at the time of closing to remain and cast their ballots for it would seem a hardship to deprive them of their franchise by the lack of a few minutes in time. This suggestion seemed to meet with general approval and practically no opposition was made to it. The council did not take any action in the matter however.

The matter of making sewer connections between the houses and the sewer system was also brought up. The cost for the connections and similar incidental expenses were considered but nothing was done, the matter going over to a subsequent meeting.

Be a genuine republican. Be a straight ticket republican.

### TURKEYS FOR THANKSGIVING.

A limited number of choice birds for sale for cash at 60 Dole street, Punahou HENRY DAVIS.

### ATTRACTIVE CONTRACTS.

During the past few years the Provident Savings has put out a few very attractive contracts that are being purchased in greater quantities each year by those who are seeking insurance in a strong up-to-date company. This is the best indication of the quality of the goods the Provident has to sell. I. R. Burns, resident manager; office in new Magoon building.

Continue prosperity by voting the straight Republican ticket.

An Hawaiian Fruit drink, Maia (My-yah) Ice Cream Soda served fresh each day at Benson, Smith & Co's Soda Spa Fort and Hotel Streets.

Vote Straight Republican Ticket.

## Heavy Weather Shoes

Are Shoes with Heavy Soles We Have Them in Box Calf, Black and Tan AT \$4.50

They Keep Your Feet Dry

MANUFACTURERS SHOE COMPANY

### HAWAIIAN TRUST AND INVESTMENT COMPANY, LTD

TRANSACTS A GENERAL TRUST AND SAFE DEPOSIT BUSINESS. TAKES ENTIRE CHARGE OF REAL AND PERSONAL ESTATES. COLLECTS AND REMITS INCOME AT REASONABLE RATES. RENTS SAFES AND STORES VALUABLES IN WELL GUARDED, BURGLAR AND FIRE PROOF VAULTS. ACTS AS TRUSTEE, GUARDIAN, ADMINISTRATOR. TRUST FUNDS AND TRUST INVESTMENTS ARE KEPT SEPARATE AND APART FROM THE ASSETS OF THE COMPANY.

109 Fort Street, Honolulu, T. H.

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