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# THE HAWAIIAN STAR.

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

VOL. IX.

HONOLULU, H. I., SATURDAY, JANUARY 11, 1902.

No. 3664

## KNOX HEARD FROM

GEORGE DAVIS, PERRY AND OSAKI.

Appeal From Hawaii Advanced on the Calendar—Queer Mixture at Department of Justice.

Attorney General Dole heard from United States Attorney General Knox by the Alameda mail regarding the appeal of the Territory of Hawaii in the case of Osaiki Mankichi. Knox states that he will do all that he can to advance the case on the national supreme court calendar, but that it is not likely that the case will be reached before March or April.

The Supreme Court is now in session at Washington, and will probably hear the case from Hawaii at the present term, a habeas corpus matter of the kind having the right of way over many other cases. Dole will await further advice before leaving for Washington to argue the case. He will be notified as soon as a date is set for the hearing.

In the meantime George A. Davis, of counsel for Osaiki, at last accounts was hastening across the continent, distributing interviews by the way to the effect that the demand for the removal of Justice Perry of Hawaii and Justice Perry of Osaiki, as it will be a couple of months, according to Knox, before Davis can do anything to rescue Osaiki, he will have plenty of spare time to put in knocking the Hawaiian jurist he is after. Davis is so sure that Perry's decision was wrong that he thinks the error a cause for removal of the justice, while on the other hand Attorney General Dole is so sure that Perry was right that he has appealed against a decision of Estee's that was contrary to his decision, by decision, by decision, by decision.

The Department of Justice will have a queer mixture of troubles when Davis lands with his anti-Perry campaign. It will have a demand for Perry removal, based upon a decision which at the same time that the demand is made, the Attorney General is asking the highest court in the land to sustain.

## BAD STABBING AFFRAY

JAPANESE OILER ON AMERICA MARU HURT.

Attack Occurred on Last Voyage of the Vessel—The Assailant Will Not Be Prosecuted.

Aboard the America Maru is the victim of what might have proved a fatal stabbing affray on the last trip of the vessel from Yokohama. R. Yamaka is his name and he is one of the oilers on the vessel. His assailant was a Japanese employed in the fire room. Both men are now at work and it is not likely that the offender will be prosecuted.

Several days after leaving Yokohama, the men got under the influence of liquor. Words led to blows and during the quarrel, the fireman drew a knife and attacked Yamaka. The latter was stabbed in the thigh, left arm several times and slashed across the chest. He was badly wounded and had not other members of the crew gone to his assistance, his assailant might have stabbed him to death.

Twenty-four stitches had to be taken in the fellow's wounds. He was laid up in the ship's hospital for some days. By the time San Francisco was reached he had improved so rapidly that it was deemed not necessary to send him to the hospital so he was kept aboard the vessel and no charge was preferred against the man who had done the stabbing.

**DIED.**  
CHALMERS—At Waimanalo, Oahu, January 11, 1902, Mary Chalmers, wife of George C. Chalmers, manager of Waimanalo Plantation, aged 46 years. Funeral from her late residence at 9 o'clock a. m., January 12, interment at Nuanuan cemetery.

**ROTH'S NEW STORE.**  
S. Roth, tailor, has secured larger and better quarters and is now located in the store on Fort street, and formerly occupied by the Golden Rule Bazaar.

**THE ORIENTAL LIFE.**  
The only Company issuing policies in both Chinese and English languages is the Oriental Life Insurance Co.

**THE LATEST FAD.**  
Evening parties at the "Tea House" on the Heights is the latest fad.

**Only a Few Left.**  
THE ROOMS OF THE BOSTON BUILDING ARE NEARLY ALL TAKEN.  
THOSE DESIRING OFFICES IN A CENTRAL LOCATION WITH GOOD ELEVATOR AND JANITOR SERVICE CAN LEARN TERMS AND FURTHER PARTICULARS BY APPLYING TO

**HAWAIIAN TRUST CO., LTD.**  
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**FRESH SHIPMENT OF DOG CAKES.**  
KENNEL Medicines and Sundries.

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CORNER HOTEL AND UNION STREETS  
Telephone Main 317

## KAUAI SUGAR DIRECT

ANAOHOLA TO START ABOUT FEBRUARY 1.

Makaweli Will Send First Shipment To San Francisco In The Edward May Very Soon.

The first shipment of sugar from Makaweli plantation, direct to San Francisco, will be made either the latter part of this month or the first of February. The ship Edward May was to have left Kihiti last Thursday for Makaweli where she will load the first cargo of sugar from that plantation. The buyers have all been laid by Captain Goodman and every thing is in readiness to begin the first shipment.

Particular interest is being taken in the shipment of sugar from the Makaweli plantation at Anahola. According to reports received from that place yesterday, it was expected that the first vessel of the Globe Navigation would be at Anahola about February 1 to receive the sugar. The Eureka which is now in port is to go to Kahului next week to discharge a cargo of lime but is expected to return to Seattle. The first boat to begin the new direct service between Anahola and the Coast will probably be the Taniqua which should arrive about the end of this month.

Makaweli plantation had not started grinding yet but it will probably begin within a few days and have cargo ready for the freighter. Mr. Beebe the local representative of the Globe Navigation Company says he does not know of the movements of the vessels for the handling of Anahola sugar business, as he states that all of the contracts have been signed between the plantation people and the head offices and not through him.

## KEPT THEM AWAKE

The America Maru arrived off port this morning at an early hour, from San Francisco. She left the dock about an hour ahead of the Alameda but owing to the orders of the Toyo Kisen Kaisha, Captain Going kept to the regular schedule and got in on time and not ahead of time as has been the former custom. The vessel has only a fair sized list of through passengers. She carried seven Japanese stowaways and five deported Chinese.

For the two days previous to reaching Honolulu, the vessel experienced nasty weather. A heavy swell began to roll and, for two nights, it has been almost an impossibility for the people aboard her to get any sleep. Several are reported to have rolled out of their bunks as the vessel was rocked about by the constant swell. It seemed as if she had dropped her bilge keels for the boat rolled worse than at any other time in her history. The officers have had to make regular troughs of their bunks to prevent being rolled out.

The Christmas holidays were very sad ones to Purser Bemiss for he learned on reaching San Francisco of the death of his mother who died shortly before the arrival of the vessel. Among the passengers aboard, are a party of oil experts who are going to Yokohama, in the interests of the Standard Oil Company.

Probably the most interesting passenger is Miss R. Hansen who is bound for Hongkong. She is to be married to a sea captain when she reaches her destination. She came all the way from Norway and, by some mistake, her baggage did not get aboard the steamer. Although she has but one costume, she has not permitted that to dampen her spirits and is one of the happiest passengers on the vessel.

The vessel will sail for the Orient at 6:30 p. m. today.

**KINAU SIGHTED TODAY.**  
The Kinau was sighted about noon and is expected to arrive about 1:30 p. m. today.

**FORECLOSURE SUIT.**  
S. C. Allen has begun suit in foreclosure against T. H. Lucas and others on account of a note for \$4,000 secured by a mortgage on property on Kinahu, Mikiol and Beretania streets.

**PEARL HARBOR JURY.**  
The jury in the Pearl Harbor case had not reached a verdict at noon today. Judge Estee ordered Marshal Hendry to take them to luncheon, and ordered a recess of court. The jurors have been out since 10:40.

**A GOOD APPEZZIZER.**  
A ride up Pacific Heights is a good appezzizer.

**CAN'T BE BEAT.**  
Tremendous bargains are offered in all our shoe lines. Note the prices we quote in our ad on page 4. The entire stock must go at this removal sale. Kerr & Co.

**ESTEE'S INSTRUCTIONS TO PEARL HARBOR JURY.**

Judge Estee's charge to the jury in the second Pearl Harbor case was delivered this morning at nine o'clock, and the jury retired to consider the verdict half an hour later. The charge was a quite lengthy one. It was expected to on many points by the defendants and the government also had several exceptions to note. The foreman of the blank verdict handed to the jury was also a subject of disagreement. The principal points in the charge were stated as follows, after the court had stated the issue as to the Honolulu Plantation Company's leasehold interest in the land covered by the leasehold interest. In placing a valuation upon this leasehold interest you cannot consider the mere speculative or possible value of sugar that might be produced on this land. This is too remote and uncertain a thing to be taken into account. So the amount of sugar which it is claimed can be produced on this land is purely speculative; the amount of the future crop would depend on many conditions, the amount of water used, the character of the cultivation, and many other elements which must enter into the problem of a crop which might be produced in any one or series of years. But you may consider what the land is best suited for, and the defendant is entitled to a just compensation therefor for its leasehold interest in these lands for any purpose for which it may be used. You may in estimating the value of this piece of land sought by the government for public purposes, consider the testimony of the witnesses in view of its whole property, its needs and its equipment.

And if from the evidence, you should find that the defendant has any improvements upon that portion of the land covered by the leasehold interest of the defendant, and sought to be condemned by the United States, which were there prior to the 6th day of July, 1898, you are to find the value thereof separate and distinct from the value of the land itself in such case. And in this regard, I instruct you, that you cannot consider in this case the cost or value of the sugar mill, the pumping station or other machinery belonging to the defendant, if not connected or standing upon the land sought to be condemned by the United States, at the time of the taking, to wit: July 6th, 1898.

In this case certain so-called expert testimony has been introduced, but I instruct you that it is your province to weigh the testimony of the witnesses whose opinions have been given upon the subject of the value of defendant's leasehold interest in this land, by reference to the whole situation of that portion of the property sought to be condemned by the United States, upon which this leasehold interest exists, and by applying to all these circumstances, your own knowledge and general experience. The evidence of experts as to value does not differ in principle from the evidence of experts upon other subjects, and you are to weigh it as your own knowledge and ideas, you may apply that general knowledge and those ideas to the matters of fact in evidence. In this case, determining the weight to be given to the opinions expressed.

Some evidence has been introduced by the Government, tending to show certain valuations of this leasehold interest sworn to by the defendant, through its Manager, Mr. Low, before the commencement of these proceedings, to wit: certain tax returns filed with the Assessor pursuant to the law of the Territory. Such sworn returns if duly made by the representative of the defendant, to the Assessor are called in law, admissions against interest, and are competent evidence tending to show the market value of the property. You may therefore consider such returns along with the other evidence in the case bearing upon the question of value of this property, and give to it such weight as to you may see fit.

Defendant has asked for certain instructions arising out of the treaties entered into between the Kingdom of Hawaii and the United States Government in 1887, and in refusing to give any but one of said instructions, I think it proper to state to the jury, that in the year 1875 and again in 1887, two treaties were negotiated between the Government of Hawaii then represented by King Kalakaua, and the Republic of the United States by which the latter government granted reciprocity to Hawaiian sugar and other articles produced in Hawaii.

In the treaty stipulations of 1887, of which treaty stipulations this Court must take judicial cognizance, it was provided by Article II, thereof, as follows: "His Majesty the King of the Hawaiian Islands grants to the government of the United States, the exclusive right to enter the Harbor of Pearl River, in the Island of Oahu and establish and maintain there a coaling and repair station for the use of vessels of the United States and that under the said Treaty the United States may improve the entrance to said Harbor and do all other things needful for the purpose aforesaid."

## FIXING THE VALUE

UNCLE SAM'S LONG EARS BOUGHT BY HONOLULU PLANTATION.

Manager Low Picks up a Bargain and Buys Stock For Trifle Over Reserve Price.

There was a sale of government mules this morning at the quartermaster's offices on Hotel street under the direction of Captain Williamson of that department. Fifteen long ears were trotted out for inspection and the quartermaster sergeant acted as an auctioneer. The upset price was set at \$100 and practically the only bidder was Manager Low of the Honolulu plantation who bought all but four of the animals at a small margin over the upset price, most of them bringing \$110. The other Captain Williamson reserved for the present stating that he would get another month's work out of them before he sold them at a lower price.

All of the animals were in good condition and guaranteed sound, those rejected by Mr. Low being left out only on account of their lack of weight for his purpose. They are all branded U. S. on the near shoulder but have no other markings.

The plantation manager allowed that he had purchased the animals at a bargain, stating that he had some two hundred head of mules on the plantation which had averaged him \$155 to last year. The sale is the outcome of orders received from headquarters some three months ago, cutting down the number of troops here and necessitating the sale of certain stock in the quartermaster's department.

## MYSTERY IS SOLVED

The mystery of the black eyes received on the last trip of the America Maru has been solved. The indefinite accounts which the San Francisco papers have given of the alleged general condition of mourning among the officers of the various passengers who landed at that place last month, gave rise to the fear that perhaps, every body had indulged in a free for all fight. The black eyes were not of so general a character as the reports would indicate, but there were some very "hot" old times on the vessel between here and San Francisco.

The fashion for black eyes was set by Jules Clerfayt, the little representative of the Trans-Siberian railway to settle his ears. He had his eye put into mourning in Honolulu. He engaged a Portuguese hack driver to take him driving. During the course of the trip, Clerfayt made numerous stops where he imbibed considerable liquors of a refreshing character. When he came to settle his ears, he maintained that he should not be for the time being, but the driver insisted on being paid for the wait. Clerfayt objected and dared him to fight. The fight was short and decisive, Clerfayt being rescued with his eye closed.

On Christmas eve, L. L. Gillespie an attorney who had been in the Philippines on business and had been a busy man on the boat imbibing booze and P. Fitz-Gibbon were in the smoking room. Gillespie, had, for some reason, gained the dislike of his fellow traveler and in his inebriated condition began to annoy Fitz-Gibbon. The latter began to fight. Combined, they made the smoking room look like a slaughter pen, while Fitz-Gibbon individually made Gillespie look like a slaughtered animal. Both of Gillespie's eyes were put into mourning and he was laid up for the night.

Retribution followed though for several days later on the steamship, Fitz-Gibbon fell while running after a companion and received a black eye by coming into contact with a door. Fitz-Gibbon's eye was also out.

One of the passengers did not end when they left the vessel for "Mother" Fouts, came in for more than an average person's share. Coming over she had been the ravest of the gay. She was a "sport" from the start however and was engaged to the foot of the Hoffman. She there met a handsome girl and a strange man. She took a fancy to their personality while they took possession of about \$800 in cash and some jewelry belonging to her. In doing so, they beat her up terribly and broke her jaw in two places.

**PROMOTION TOO LATE.**  
BOSTON, January 3.—Information from Washington shows that Captain Richard B. Leary, United States Navy, who died at Chelsea recently, died a rear admiral without being conscious of the fact. It was a promotion which he had looked for, and it is said to have been the one thing which troubled him in his last moments. The appointment was made the day he died, but it was only when his brother-in-law, Dr. DeWitt, returned from his funeral at Minneapolis that the appointment was made known.

**A CURE FOR LUMBAGO.**  
W. C. Williamson of Amherst, Va., U. S. A., says: "For more than a year I suffered from lumbago. I finally tried Chamberlain's Pain Balm and it gave me entire relief, which all other remedies had failed to do." Sold by all dealers, Benson, Smith & Company general agents.

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## MULES GO CHEAPLY

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## MEETS THE CUT RATE

OCEANIC COMPANY IS AFTER A-H LINE.

Spreckels Company Announces New Rate of \$1.50 a Ton on Steamer Stuff From San Francisco.

The Oceanic Company has announced a reduction of \$1.50 a ton net on its steamer freight rates between San Francisco and this port. The former rate was \$2.00 per ton net. This announcement, which is officially made by the Spreckels agents here, is dated January 10.

The reduction of freight rates by the Oceanic Company at this time, comes in the nature of a surprise. The cut has been foreseen by the coming advent of the local line of the American-Hawaiian steamship company between this port and Kahului and San Francisco. That company announced a net rate of \$3.50 a ton recently between San Francisco and this port. It was naturally expected that this rate would force the Oceanic people to make a corresponding reduction but the cut was not expected quite so soon.

The first vessel of the new company will make its appearance this month. It is the Hyades which is under special charter. She will keep on the local run until the two new steamers will have been completed when they will be put into commission and run twice a month.

## BIG TOURIST TRAVEL

Southern Pacific Hard Put To It to Furnish Accommodations for Western Bound Tourists.

Colonel George W. Macfarlane who returned on the Alameda from a lengthy trip in the States, expresses himself as gratified with the prospect for the tourist season of this year, which he states is likely to be the biggest that has ever been here and is also more than favorably impressed with the improvements made in Honolulu during his absence.

The colonel has come to Honolulu to attend the annual meeting of the First National Bank, taking place next Tuesday at which meeting he will represent the interests of Eastern and San Francisco stock holders. At the meeting he will be "heard" by the meeting. "I shall then be able to bring forward something for the financial relief of the town. My stay depends on what developments may arise at the meeting although I have interests that I shall incidentally look into during my stay. As far as the funds of the Kona Sugar Company are concerned I have at present nothing to say for publication.

"I was anxious to meet my brother Edward before he went away on his trip, to talk with him both recent and contemplated hotel improvements I still retain my long cherished idea of adding two or three stories to the Hawaiian hotel and now that the outside improvements, I mean the cottages, have reached the point where they can temporarily take care of the guests, I think that the extra stories will be put into active operation sometime this year when my brother returns.

"As far as Hawaiian securities are regarded on the coast and the States generally, the matter is resting until they can see which way Congress is going to act. There is undoubtedly depression, but there is a steady current of belief in the stocks that will come to the surface as soon as there is any reason for believing that the opportunities are ripe.

"If Cuban sugar is allowed free into this country it will undoubtedly have a deleterious effect but if only a moderate tariff is levied, it will effect them with the scientific culture and improved methods with the lessened cost of production by inventions superseding labor why the Hawaiian securities will be able to overcome the languor they are now suffering from and regain their normal value.

"If a full annexation basis is determined on with Cuba, there will undoubtedly be much capital forthcoming from the east that will be poured into Cuba, resulting in sugar production from which we will of course suffer, but if the tariff is only a moderate one, the amount of capital sunk in Cuba will, against our advantages here, be easily overcome and will form no barrier to our success and prosperity.

"I brought two guests down with me this time who are both out of health. General Warfield, manager of the California Hotel and commanding the fourth brigade of the National Guard and R. Stevenson, the chief executive for E. W. Schweinin of the Southern Pacific, who has come down here for a complete rest. You want to see Mr. Stevenson, he says that this year will see the largest tourist travel that the coast has ever known and of course we are going to get our share of it. California is afraid that she will not have enough cars for the demand."

## THE NATIVE FORESTS

TAYLOR REPLANTING INDIGENOUS TREES.

His Agents Collecting Seeds of Native Forest Trees—Will be Grown in Nursery and Set Out.

Agricultural Commissioner Wray Taylor is collecting seeds of indigenous forest trees to set them out with a view to quickly replenishing forests all over the Islands and especially in Hamakua. Eben Low, who left for Hawaii last week, will send out forces of natives to collect seeds of all kinds, and thousands of trees will be grown in the nursery here.

Already Taylor has received seeds of 15 different varieties of native trees, and has planted a lot of them. One, the Uluhi, has shown very quick results, and a lot of them will soon be ready to plant. The district of Hamakua, which suffered from the recent big fire, is to receive special attention.

The seeds are planted in small pots made of tin leaves. This method does away with the necessity for any transplanting. When it is time to set the tree out, the pot and all is stuck in the ground. The tree sends its own roots through the rotting tin leaves that formed its first home, and the pot rots away and makes fertilizer.

Taylor expects some large shipments of seeds from Hawaii in the near future, and no time will be lost in planting them. As fast as the young trees are ready for it they will set out, preference being given to the fastest growing varieties. Forester Griffith, who is now on Maui or Hawaii making investigations, will assist with reference to the best method of replenishing forests.

It is thought that quicker results can be obtained by using indigenous trees than by planting imported varieties, the growths being more likely to be healthy.

**THE SEWALL IN PILIKIA.**  
The ship Benjamin Sewall has been repaired and is not leaking. She may be detained in port indefinitely however until the question of her original crew list will have been settled. She is an American vessel and left Baltimore, Md., four years ago. Since that time, she has not been in an American port, before coming into Honolulu. Her original crew list has been lost and Captain Halested is unable to produce, as is required by law, United States Attorney Dunne and Solicitor Stackman will have a consultation regarding the vessel and will try to allow her to clear, if possible and resume her voyage.

**FINEST IN THE CITY.**  
The Silen Barber Shop possesses the finest baths ever publicly opened in this city.

**KERR'S SHOE STORE.**  
All shoes have been marked below cost. This was done to facilitate removal. Come early or you will not be among the lucky ones.

**ICE HOUSE DELICACIES.**  
Camarinos California Fruit Market is the place for ice house delicacies. Everything the California market affords this season of the year can be found at Camarinos.

**Oxford Ties.**  
The Correct Shoe for Island Wear

Combines grace with ease and comfort and our stock consists of the shoes made from the very best materials. Special attention given to perfect fitting and prices are reasonable. We are always pleased to show these goods whether you intend to buy or not.

**ROYAL Baking Powder**

Made from pure cream of tartar.

Safeguards the food against alum.

Alum baking powders are the greatest menaces to health of the present day.

ROYAL BAKING POWDER CO., NEW YORK.

## THE TALK OF THE TOWN.

Gruehagens fine candies, none better to be had at the Fountain Ice Cream and Confectionery Department of Wall, Nichols Co., Ltd.

**COMPANY WELL MANAGED.**  
After a searching examination covering a period of seven weeks, the Provident Savings Life has been found by examiners representing the states of Tennessee and Texas to be in a thoroughly satisfactory condition financially, to have a healthy membership, to be safely and economically managed.—The Investor, Oct. 5, 1901. A. Newhouse, resident manager; 15-14 Progress block.

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