

Goods That Will Be Needed when Cool Weather Comes Round Again

A SPECIAL SALE OF WOOL DRESS GOODS WILL COMMENCE

Monday, September 11,

When the following notable bargains will be presented:

- 42-in. Black Crepon... formerly \$1.25, now 60c. per yd.
42-in. Black Crepon... formerly \$1.50, now 80c. per yd.
44-in. Fancy Crepon... formerly \$1.25, now 65c. per yd.
38-in. Black Grenadine... formerly 50c., now 25c. per yd.
52-in. Plaid Grenadine... formerly \$1.25, now 90c. per yd.
48-in. Plaid Grenadine... formerly \$1.00, now 65c. per yd.
42-in. Plaid Grenadine... formerly 75c., now 45c. per yd.
38-in. Plaid Grenadine... formerly 75c., now 45c. per yd.

N. S. SACHS' DRY GOODS CO. LTD., Cor Fort and Beretania Sts.

SAILING NOTICE.

The fine Steel Bark "KATULANI" with first-class passenger accommodations, will be dispatched for San Francisco on or about Saturday, 16th instant.

PROGRAM

OF THE TENTH CELEBRATION

Regatta Day!

TO BE HELD

Saturday, Sept. 16 1905

..IN..

HONOLULU HARBOR COMMENCING AT 9:30 A. M.

- 1. SIX-OARED GIG, STATIONARY SEATS.
2. SIX-OARED SLIDING SEAT BARGE.
3. LAUNCH RACE.
4. SECOND CLASS YACHTS.
5. FIRST CLASS YACHTS.
6. TUG-OF-WAR, JAPANESE SAMPANS.
7. SIX-OARED SLIDING SEAT BARGE, FRESHMEN.
8. JUNIOR, SIX-OARED SLIDING SEAT BARGE.
9. JAPANESE SAMPANS, SCULLING.
10. FIVE-OARED WHALE BOATS.
11. SIX-PADDLE CANOE.
12. SENIOR, PAIR OAR SLIDING SEAT BOATS.
13. JUNIOR, PAIR OAR SLIDING SEAT BOATS.
14. STEAMER BOATS.
15. SAILING CANOES.
16. TWO-OARED SHORE BOATS.

Races open to all. No entry fees. All rowing races are to be governed by the Racing Rules of the Hawaiian Rowing Association, yacht races by the Racing Rules of the Hawaii Yacht Club.

Each entry shall include the name of the boat, or if it has none, the name of the person who enters it in the race.

Entries will open at 8 a. m., Tuesday, Sept. 12, 1905, at Woods & Sheldon's, King street, and will close Thursday, Sept. 14, 1905, at 12 m.

For further information apply to the Regatta Committee: C. C. Rhodes, O. L. Sorenson and W. H. Soper, or the Secretary.

Want ads in the Star bring quick returns. Three lines three times for 25 cents.

CLAIM THE SEPTEMBER TERM DIED ABORNIN'

CIRCUIT JUDGES SUSPEND ALL BUSINESS AND PASS THE QUESTION UP TO THE SUPREME COURT—ANOTHER QUESTION, INVOLVING THE LEGALITY OF PROCEEDING IN SUMMONING JURORS, IS SENT UP WITH IT.

The supposed September term of the Circuit Court this morning encountered more difficulty and all business was suspended until next Tuesday, by which time the Supreme Court will, it is hoped, decide whether or not the term died abornin'.

The three circuit judges held a conference this morning on the subject of the contention that the term had a still-born legal baby.

BUFORD HERE FROM SAN FRANCISCO

BROUGHT DR. YOST BACK—HAS 4TH CAVALRY ABOARD—SAILS TOMORROW AT NOON.

The army transport Buford arrived early this morning from San Francisco after an uneventful trip. She left San Francisco September 5, a day ahead of the S. S. China, so did not bring any mail for this place.

The Buford brought a few passengers for this port among them being Captain J. D. Yost who is in charge of the army hospital at this place.

Colonel E. Z. Steever is in command of the 4th Cavalry. He is accompanied by his wife.

Mrs. General Fitzhugh Lee widow of the late General Fitzhugh Lee, is a passenger for Manila where she is to visit her son, Captain Lee.

Col. J. B. Girard of the medical department of the army, who was formerly stationed at Honolulu, is going out to Manila for duty in the Philippines.

The Buford brought a quantity of lighthouse and other quartermaster stores for this place. She is loading 600 tons of coal at this place and is scheduled to sail at noon tomorrow for Guam and Manila.

SHIPPING INTELLIGENCE

ARRIVING. Wednesday, September 13. U. S. A. T. Buford, Hull, for Guam Francisco at 6 a. m.

DEPARTING. Wednesday, September 13. Am. Bark Audubon Johnson, for San Francisco at 12:30 p. m.

Thursday, September 14. U. S. A. T. Buford, Wall, for Guam and Manila at noon.

PASSENGERS. Arriving. Per U. S. A. T. Buford, September 13, from San Francisco for Honolulu—Captain J. D. Yost, assistant surgeon, J. O'Brien, R. R. Hodge and G. W. King.

Per stmr. Kaula, September 13, from Kaula ports—Katagawa, J. Nevin, G. Malohe, J. R. Teves, James Bush, W. F. Sanburn, J. S. Malony, W. Kelly, M. B. Komatsu, Miss N. Kahaleale, Master Hofgaard, C. B. Hofgaard and wife and 14 deck.

Per stmr. W. G. Hall, September 12, for Kaula ports—Jared G. Smith, H. Ida, S. Ida and wife, Rev. S. Hyen, I. D. Willard, W. A. Kinney, Rose Crindoria, A. Wood, A. L. C. Atkinson, A. V. Peters, Mrs. A. B. Wood, Miss Dora Kobbe, T. H. Yun, Mrs. R. Fountain, W. Stoddt, Mrs. W. H. Rice, Jr., Mrs. A. H. Rice, Tong Kau, J. F. McKetchen, Capt. Demens, S. Lesser, R. D. Moler, F. W. Jennings, F. M. Bechtel.

Court. If the term is pau because its commencement was postponed a day on account of the statutory opening day being a legal holiday, all business done would be void.

The hearing in the Supreme Court will probably be by Chief Justice Frear and Circuit Judges De Bolt and Lindsay.

This morning Judge De Bolt was to have heard the case of H. E. Murray vs. D. H. Lewis. A plea to the jurisdiction was filed by Holmes & Stanley on the ground that the term had lapsed because not opened on Labor Day.

BOATSMEN ARE HARD AT WORK

HEALANIS AND MYRTLES BUSILY ENGAGED GETTING INTO SHAPE FOR THE RACES ON SATURDAY.

There are busy times along the waterfront every afternoon and every evening now in anticipation of the coming regatta on Saturday.

The old timers who have been watching the work of the crews still insist that the Healanis seniors are the best looking lot in the bunch.

The juniors and the freshmen are working hard enough but there is room for improvement in both.

On the whole the condition of the representatives of both clubs warrants the prediction of a fine day's sport on Saturday.

DAILY STOCK REPORT

Table with columns: Between Boards—Sales; Session Sales; Stocks; Bid. Asked. Lists various companies like Hawaiian Agr., Honolulu Sugar Co., etc.

KAUAI FROM KAUAI PORTS. The steamer Kaula arrived this morning from the Mikahala's run to Kaula ports.

BREAKWATER FOR HILO

(Continued from page one).

his report however, he has been handicapped by not being in possession of exact data bearing on certain details.

"I shall state," said Lieutenant Slattery, "that from an examination of the amount of shipping of that port, an expenditure of \$1,172,395 is warranted, and from a tentative plan prepared merely for the purpose of making an approximate estimate of the cost of such improvement, I believe that a breakwater, sufficient for the needs of that place, can be constructed for \$1,154,778.

"The proposed breakwater will be 6,000 feet in extent and will be located in water varying 34 feet to 45 feet in depth. There will be a superstructure of concrete which will be 5 feet above highwater and 12 feet above low water and be twenty feet broad at the crown.

"The proposed breakwater will start from a point about a quarter of a mile east of Coconut Island and extend northward a distance of 4,000 feet. There will be two breaks in this section of the breakwater of 100 yards each.

"The main object in the construction of the breakwater is to protect the harbor from severe northerly weather. The breakwater as proposed, will afford protection from that quarter, as well as from the northeast and east.

The report which Lieutenant Slattery is now preparing will be received by General Meeklenzie and by him be transmitted to the Secretary of War, who will in turn pass it along to Congress.

CARTER'S REPORT

(Continued from page one).

met for a long time now, and in spite of Chairman Atkinson's statements that its prospects of success are good, rumors are repeated that no satisfactory offers have been made by the planters and that the plan to send an agent east with such offers will have to be abandoned.

Another matter to be dealt with in the report it is understood, is that of fortifications for Hawaii, and the establishment of a naval station here.

Secretary Atkinson has already asked the President to endeavor to secure a sanitary commission to clean up Honolulu and this request may also be included in the report of Governor Carter.

Reports have been received by the executive from all the heads of Territorial Departments and these will be included in the governor's report. The report will give a comprehensive review of the year's commerce and of social and political conditions, showing the inception of the county system.

CANNOT COLLECT

(Continued from page eight.)

been hundred and ninety-two dollars. The post office inspector demanded of the defendants a full payment of the embezzlement, and the defendants requested from the post office inspector an extension of time of ninety days within which to pay such demand and agreed if such time was allowed, to execute and deliver to such inspector a promissory note to pay the said amount at the end of such period, which note was executed and delivered and which they failed and refused to pay after the time had expired.

"The second ground of demurrer is that said amended complaint fails to show any legal or valid consideration moving or having moved from said plaintiff or from any person or persons acting for or on behalf of said plaintiff in the premises, for the execution and



WHY NOT RENT A SAFE DEPOSIT BOX in a modern steel vault and feel that your valuables are secure? FIVE DOLLARS a year pays for one. Call and see us about it.

MANAGER CHURCH HAS A FULL HOUSE

"I have every room in the hotel full, I had to move out of my own quarters in order to accommodate guests and I had to turn people away. No, I am not blowing about it, I am simply making a plain statement of fact," thus spoke Manager Fred Church of the Royal Hawaiian Hotel this morning.

"Look at this," he added producing a note signed by Judge Gear and Commander Lucien Leung. "That is the sort of thing that helps along."

"Counsel for the plaintiff contends in his brief that this extension of ninety days was a sufficient consideration of the note made by the defendants, quoting a number of authorities in support of such contention and says further: 'While it is true that there is a difference of amount between the bond and the note, still it is submitted that this court cannot say that the ninety days extension asked for by these defendants, and obtained by them, was not worth to them vastly more than this difference in amount.'"

"As to this latter proposition, the court does not hesitate to say that such extension was not worth to the defendants anything like this difference in amount, a difference of nearly one hundred per cent, without a showing by the plaintiff to the contrary. It is an incredible thing that an extension of three months in the time of paying a claim should be so valuable to the parties of whom such claim is demanded as to be worth substantially the full amount of the principal of the claim except under extraordinary and most unusual circumstances."

"In all jurisdictions it would be admitted that forbearance of a claim is no consideration if the claimant knows his claim to be unfounded or conceals material facts relating thereto."

"Recognizing this rule as authoritative, the question arises in this case, first, whether the claim made by the post office inspector on the defendants was a lawful claim, and if not, whether the inspector knew that it was unfounded. The bond of the defendants was for one thousand dollars; they were not liable on account of the embezzlement of the principal of the bond for anything beyond that sum and although they were liable for that, yet I think the whole claim, being entire, was unfounded and the inspector being supposedly well acquainted with the bond, was in a position to know and must have known that it was unfounded. His demand therefore on the defendants for the payment of this larger sum was fraudulent in its essence. If the demand had been for the amount paid it at once, but their promise as set forth in the note referred to, to pay the whole amount of the claim, must have been made under undue influence or a misapprehension of their legal rights."

C. W. Ashford appeared for defendants and J. J. Dunne for the government.

The number of surgical operations has considerably increased at the Queen's Hospital since the completion of the new surgical ward.

HALEIWA

The Haleiwa Hotel, Honolulu's famous country resort, on the line of the Oahu Railway, contains every modern improvement and affords its guests an opportunity to enjoy all amusements—golf, tennis, billiards, fresh and salt water bathing, shooting, fishing, riding and driving. Tickets, including railway fare and one full day's room and board, are sold at the Honolulu Station and Travel & Company for \$5. For departure of trains, consult time table. On Sundays, the Haleiwa Limited, a two hour train, leaves at 8:22 a. m.; returning, arrives in Honolulu at 10 p. m.