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JURY ON THE PANAMA CANAL

AUDITOR MUST ACT ON BOARD'S ORDER

MAYOR, ACCORDING TO LAW MUST COUNTERSIGN WARRANTS ON TREASURER WHETHER HE APPROVES OF EXPENDITURE OR NOT, SAY THE LAWYERS AND COURTS CAN DO NOTHING BUT UPHOLD THIS IDEA—FAULTY YELLOW BLANKS CONFUSE.

A piece of yellow paper and a section of the Municipal Act have tied up the City and County officers to the Mayor's taste, not the Queen's taste, as the old saying has it, this time.

The piece of yellow paper is nothing more nor less than a "Clerk's Memoranda" or salary or expense demand which, with the conversion of the County into the City and County, was re-incarnated with but the simple changes of placing in the words "City" and "Mayor," the latter word being substituted for the word chairman.

Whether or not the Auditor, Bicknell, shall issue warrants on the Treasury on order of the Supervisors, whether or not such order is countersigned by the Mayor, J. J. Fern, is what is sticking with Auditor Bicknell and he will not say at this time whether or not he is going to issue warrants; and therefore, as far as the Auditor is concerned, it is not known whether, when the Supervisors over-ride the Mayor's veto of their appropriation bill, anybody is going to get any money.

Bicknell says he does not know where he stands.

The Supervisors have arranged expense appropriations for six months. The Mayor has said he does not approve of these appropriations.

The Auditor says he does not know what to do in the event of the Supervisors over-riding the Mayor's veto, and the Clerk is non-committal as to the procedure he will undertake in regard to attesting demands for salaries.

The uncertainty of the Auditor seems largely the result of the wording of the printed blank on the back of the aforesaid yellow piece of paper which is submitted to him in the course of ordinary procedure and which is known as the "Clerk's Memoranda" or a salary or expense demand.

And this for the reason that a blank is provided for the "examination and approval" of the certain committee of the Supervisors, and another blank, below the above, is provided to show that the claim has been "allowed by the Board of Supervisors," whereas it should, according to the Municipal Act, read "allowed and ordered paid by the Board of Supervisors."

Still another blank on this hypnotic piece of yellow paper allows for the countersignature of the "Mayor," and another for the attestation of the Clerk.

Now the Auditor feels that unless the Mayor "countersigns" in the blank provided, and unless the Clerk "attests" in the blank provided, he may not be able to issue warrants, for the claims involved, on the Treasurer.

But, in this regard, and evidently without the appreciation of the Auditor, the Municipal Act specifically

provides that: "The Auditor shall issue warrants on the City and County Treasurer in favor of persons entitled thereto in payment of claims and demands chargeable against the City and County which have been legally examined, ALLOWED AND ORDERED PAID by the Board of Supervisors."

Then the law, in other sections, very clearly goes on to say that the "Mayor shall countersign" and the "Clerk shall attest" upon such orders, without leaving the Mayor any alternative, making his countersignature purely ministerial.

This is the positive opinion of legal minds which go further and declare that, therefore, there is no issue which needs to be brought to the courts for discussion or decision, but that, on Thursday evening next, when the Supervisors over-ride the veto of their resolution and the salary and other expense demands are presented, after having been ALLOWED AND ORDERED PAID by the Board of Supervisors, the Mayor SHALL countersign and the Clerk SHALL attest the warrants before presentation; and this, whether the Mayor approves or not; for his function in this regard is ministerial only and his signature is merely a certificate of the fact that such warrants have been ALLOWED AND ORDERED PAID by the Board of Supervisors.

If this is realized the fight between Supervisors and Mayor will not go to the Courts, say the lawyers so giving their opinions, and if it is not realized before the question comes to the court stage, it will be merely a case of the court making the fact clear.

MILLINERY CLEARANCE

There will be a big millinery clearance sale at Sachs, beginning Monday, January 18th, with tremendous reductions.

THE NEW "BERLINER"

"Berliner" at the Young Cafe is a new pastry in Honolulu. Made from a German recipe, it is very delicious.

K. YAMAMOTO.

Wholesale Merchant on Hotel street has received the largest consignment of Japanese goods which he is disposing of at very reasonable prices. Mr. K. Yamamoto is always the first man to import the first crop of goods from Japan, and we can promise the best of treatment from this popular merchant.

GET A BOTTLE TODAY.

Guard the health of your family by keeping at hand a bottle of Chamberlain's Cough Remedy. It has no equal for coughs, colds and croup. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

Some Light On An Old Mystery

AFTER TEN YEARS OF FRUITLESS SEARCH REPORTS ARE AT LAST RECEIVED OF SOME TRACING OF YOUNG ALGERNON SHAW—THE STRANGEST DISAPPEARANCE ON RECORD HERE AND A POSSIBLE SEQUEL.

Traces are now reported of Algernon Shaw, the young artist who disappeared here about ten years ago, and whose mother has kept up a constant succession of appeals to various governors and others here, asking that they help to find her boy. According to reports just received from San Francisco, the young man went to that city as an employe aboard the S. S. City of Peking, and stated his intention of going to Tahiti.

Young Shaw's disappearance has been a most baffling mystery and the new report just received, while it appears to trace him for a couple of years beyond the date of his being lost, does not explain why he chose to drop out of sight.

Shaw was employed here as an artist

but was here only a short time. Suddenly he dropped completely out of sight, nearly ten years ago. His parents made the most strenuous efforts to locate him and they have never dropped the search. The most plausible theory was that he had gone on the transport Ohio, which left here for Manila on the day he was last seen here, but the records of that vessel did not show it.

According to the report now received young Shaw's disappearance was intentional, though no one knows the motive. He is quoted as saying that he intended to go to Tahiti and "lose himself in the mountains."

This much is an result of investigations made from San Francisco. Whether the young man will eventually be found in Tahiti is an open question.

FERN AND APPEALS GOVERNOR HEARD

There has been a question whether the Mayor should call on the governor before the governor calls on the mayor, or whether the governor should call on the mayor before the mayor calls on the governor, but His Honor the Mayor decided not to stand on ceremony, nor to wage too deeply into the swamp of etiquette, and therefore, accompanied by the Colossus of Rhodes as his secretary is affectionately termed by City and County officials, the Mayor of Honolulu this morning called at the Executive building and was ushered into the gubernatorial presence.

Felicitous commonplaces were politely exchanged. The Governor congratulated the Mayor on his accession and the City and County on its acquisition, while the Mayor expressed pleasure at observing that His Excellency had safely returned from his semi-official trip to the mainland, unscathed by the dangers of travel.

ANDRADE GOING UP

Police Magistrate Frank Andrade is slated, by his friends, to succeed Judge Lindsay who may retire from the Circuit Court Bench.

The prospect of the raising of the salaries of the judges of the Circuit Court may induce Lindsay to remain where he is, but it has been for some time reported, not without authorization, that Lindsay will vacate, leaving an opening for just such an advanced young man as Andrade who has the experience, the recommendation, the character and the ability.

Andrade, himself, does not deny that the next move in his ambition is for the higher court, though he does not admit it. Naturally a capable young man with an unassailable record looks to progress in his chosen profession and if Lindsay moves, Andrade may also move.

BRECKONS BETTER

District Attorney R. W. Breckons is slightly better this morning, an improvement over a rather bad condition yesterday having taken place. Yesterday morning, on account of the chief

DEFENDANTS IN CATHCART'S LIBEL SUIT WANT TESTIMONY OF EZRA POPPLETON TAKEN.

Appeals from the District Court of Honolulu in the cases of John Kalaukoa, sentenced to imprisonment sixty days, for assault on Bila Kalaukoa, and Tong Sing, fined \$15 and costs for breach of health regulations, came before Judge De Bolt today. A nolle prosequi was entered for Kalaukoa and sentence of Sing was suspended for thirteen months.

T. Yamamoto, arrested under warrant for bribery, was arraigned before Judge De Bolt today and his case continued on motion of Milverton for the Territory.

Frank K. Archer sues S. Naka and J. Sakehara for ejectment from land at Kanupoo, Waikale, Ewa, claiming damages of amount not stated together with restitution.

In the libel suit of John W. Cathcart against Hawaiian Gazette Co. and Walter G. Smith, the defendants' petition for a commission to Joseph Hutchinson to take the testimony of Ezra Poppleton at Palo Alto, California, was granted today by Judge De Bolt.

Judge Robinson today heard and took under advisement the ejectment case of the Portuguese Mutual Benefit Society of Hawaii against Mary Ann Kahanamakal and others. E. M. Watson for plaintiff, A. L. Castle for defendants.

The first annual accounts of Elsie Wundenberg, executrix of the estate of Fred Wundenberg, were referred by Judge Robinson to L. P. Scott as master.

Judge De Bolt denied a motion to strike the complaint from the files in the case of William Smith vs. John S. Walker, Peters for plaintiff, Davis for defendant.

FOR JUDGESHIP

Hon. S. F. Chillingworth is another candidate for the position of circuit judge on Maui. He has about forty years' record of good services in public positions here and on Maui, and it is understood that his application is being considered here and in Washington.

Best cup of coffee in the city at New England Bakery. ***** prosecutor's illness, Judge Dole excused the Federal grand jury until Monday.

INVESTIGATING PANAMA SCANDAL

(Associated Press Cable to The Star.) WASHINGTON, D. C., January 16.—The Grand Jury of the District of Columbia will investigate the Panama scandal.

FIFTY KILLED IN COLLISION

DENVER, January 16.—Over fifty persons were killed and a score were injured in a collision today on the Denver and Rio Grande Railroad.

90,000 DEAD IN MESSINA

MESSINA, January 16.—It is estimated that the dead in this city as a result of the earthquake will number ninety thousand. The remains of American Consul Cheney and his family have been found in the ruins by sailors from the U. S. S. Illinois.

THAW TO BE EXAMINED

NEW YORK, January 16.—Harry K. Thaw, who shot and killed Stanford White for relations with Thaw's wife, and who was found insane and committed as such, will again be brought into court for an examination as his state of mind.

STATEHOOD BLOCKED

WASHINGTON, D. C., January 16.—Statehood bills will not be passed at this session of Congress.

STORM CONTINUES. SAN FRANCISCO, January 16.—Stormy weather continues throughout the State, but no further damage is reported.

EMBASSY BURNED. TOKIO, January 16.—The quarters of the Italian embassy in this city were burned today.

TAXES GAIN IS \$111,431

NEARLY TWO MILLION DOLLARS RETURNED TO TREASURER CAMPBELL AS TAXES FOR 1908 FOR WHOLE TERRITORY — OAHU YIELDS A GAIN OF SEVENTY THOUSAND DOLLARS—KAUAI'S DEFICIENCY EXPLAINED.

Treasurer Campbell has the tax returns for all the divisions of the Territory for the year ended December 31, 1908, complete. They show the gratifying increase of \$111,431.10 over the taxes collected for the year ended December 31, 1907, thus:

1908.....	\$1,897,686.64
1907.....	1,786,255.54
Increase.....	\$ 111,431.10

(Continued on Page Four).

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It is the most careful and thorough system we know of, and a very effective one.

We shall be pleased to go over our methods and system with you.

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ALL THE NEW SHAPES MAINLAND PRICES.

L.B. Kerr & Co., Ltd ALAKEA STREET.

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