

LOCAL ITEMS.

Money to loan—Wise. Sheriff Andrews, after a week in the hospital is again upon the streets. For screen doors all sizes go to Richey, Bridge street.

J. E. Rocha the well known tailor will make a business trip to Kohala in a few days. Frank Woods, the cattle rancher of Kohala is in Hilo stopping at the Hilo Hotel.

The Matson Line has completed the construction of two new barges to be used in lightering vessels. R. L. Auerbach arrived home by the Kinau with his wife and three children after a short visit in the Capital City.

For Rent—Office, corner King and Pittman streets.—Wise. A. W. Pearson, business manager of the Hawaiian Gazette Company arrived with his wife this week for a short vacation.

Mrs. G. W. Patey of Olua, who has been one of Hilo's nurses for the past three years, has given up her work as nurse. Mr. and Mrs. Levi Lyman came down from their Olua residence last Friday where they have been spending the past vacation.

L. A. Thurston was among the arrivals by the last Kinau. He came to look into various properties on this Island in which he is interested. First class pasture land for rent, principally Honohono. For particulars apply to Chas. M. LeBlond.

Sherriff Andrews has been empowered by the Department of Public Works to add 32 more lights to the streets of Hilo. The addition will fill a long felt want. Miss Kate Kelley, chief clerk in the office of the Secretary of the Territory, arrived in the city last week to visit with her sister, Mrs. J. T. Stacker.

Shimamoto, the bustling manager of the Corner Restaurant on Front street has decided to serve late suppers. His place will be open until 10 o'clock a. m. The Hilo Railroad Company is pushing the construction work on the Olua line toward Ferndale. Within thirty days it is planned to have completed thirteen miles of track.

Rubber tire work done at the Enterprise Carriage Shop; reasonable prices; satisfaction guaranteed. The Knight of Pythias will give a dance at Sipeckel's Hall on the evening of February 21. It is the annual ball of the order an occasion which is always a social success.

Mrs. Dr. Hayes of Olua was taken sick last week and confined to her bed for several days. While she is now convalescing she still feels the effects of her brief illness. "The Simplicity of Religion" will be Mr. Cruzan's subject Sunday morning. No evening service. The congregation will join in the union meeting in Haili church.

George Lycurgus, proprietor of the Union Grill restaurant at Honolulu, bought at public auction at Honolulu last Tuesday the government lot on which Demosthenes' Cafe is located, at the upset price, \$15,000.

NO TRANSITION PERIOD. (Continued from page 4.)

terms of that Act of Cession has not since that time been an open question, in this Territory, and where that sublime document is in force there it must be obeyed, and time has not been in this Territory since Aug. 12, 1898, when it was within the power of any Territorial Court to construe away from our citizens the beneficent protection of its wise provisions.

There are certain fundamental principles from which a free people ought never to depart, to-wit: A strict observance of justice and public faith. And the judges of this Territory are held to the strictest accountability not only by their oath of office but by the people and by the principles of good government to a strict maintenance of these principles. To what quarter will the citizen look for protection from an infringement on his Constitutional rights if not to the Courts of this land? And for the judge of this Court so to construe the plain provisions of our Act of Annexation so as to deprive anyone of his sacred constitutional right would be as grave a violation of his oath of office and the result would be as mischievous to the general welfare of society, to the extent and influence of the Court rendering it, as if he were to order the citizens of his judicial district to fire upon the United States flag.

In my judgment it is the solemn sacred duty of the courts of this Territory in all proper cases where these questions arise to keep the old loyal landmark of Constitutional Liberty clearly and sharply defined. Therefore, the demurrer to the Replication of the Territory interposed by the defendant must be over-ruled. The Replication of the Territory is sustained and the Defendant must be ready for trial under this indictment.

ANNUAL MEETING.

First Foreign Church Has Passed Through a Successful Year.

The annual business meeting of the Hilo Foreign Church was held last Wednesday evening in the church parlors. Favorable reports were read from the different departments of the church. The church has now an enrollment of 151 members, 24 members having been received into membership during the year 1901. A loss of members was reported.

The Sunday School is also at its high water mark, 170 pupils being enrolled with an average attendance of about 130. The Christian Endeavor Society reported an enrollment of 38, and an average attendance of 20.

The Woman's Board of Missions had done excellent work in the kindergarten, 68 pupils being enrolled. The Ladies Society reported that good work had been done.

The officers elected were: Deacons—F. S. Lyman (3 years), Wm. Chalmers (1 year). Standing Committee—Rufus Lyman and W. S. Terry. Sunday School Superintendent—Mrs. W. S. Terry. Church Clerk—Levi Lyman. Music Committee—Mrs. L. M. Severance, Miss Elvira Richardson and Mrs. Levi Lyman.

We are printers and publishers. Anything in the way of job work neatly and promptly executed at the TRIBUNE Office.

Mr. James P. Lino, head sugar-boiler at Pahala, Kauai, with the Hawaiian Agricultural Co., was in Hilo the past and present week. He took in the Olua Sugar Co. and was astonished at the rapid strides made every where in that new plantation.

Peremptory sale of Dry Goods at AUCTION on Saturday morning, Jan. 18, at 9 o'clock, at the old L. B. Kerr Co. store we will sell without reserve to the highest bidders, one lot of assorted Dry Goods slightly damaged by water.—A. E. SUTTON Co., Auctioneers.

Robert Rycroft the well known authority on coffee arrived in the city by the last Kinau. He is here for Hackfeld & Co. to investigate and report on the actual conditions of coffee cultivation in this district. The purpose of the inquiry is to ascertain the best policy to be pursued in the management of the Grossman coffee estate in Olua.

The Cotillion Club held the last business meeting at the home of Mr. Thos. C. Ridgway last Monday evening. The new members admitted to the Club were Dr. and Mrs. Holland of Puna; Mr. and Mrs. Walker of Olua, Misses Elvira Richardson, Severance; Messrs. J. B. Schoen and Elgin. The matter of the german to be given on the evening of St. Valentine, February 14, was discussed. Miss Mabel Peck will have charge of the arrangements. Mr. A. H. Jackson has been selected to lead the german.

Green River, the whisky without a headache; try it and see. Drop around to W. C. Peacock & Co., they have it for sale, with many other brands.

What promises to be one of the most interesting in the long series of union meetings will be held in Haili Church on Sunday evening. The program will be largely musical. Mrs. Lewis will preside at the organ, and the Foreign Church choir will sing. Mrs. Paul Bartels and Mr. Prouty will sing solos; the Kamahameha Quartette will render two numbers, and Mr. Paul Bartels will play a violin solo with organ accompaniment by Mrs. Lewis. There will also be congregational singing. Miss Elvira Richardson will give a reading, and there will be brief addresses by Messrs. Baptiste and Desha.

Christmas and New Year's have gone, but we are still at the old stand on Bridge street. W. C. Peacock & Co., Ltd.

Mr. Edward Scott of Kukuhihaele is in Hilo. Mr. Scott was in Waipio Valley during the past few months working with the Bishop Estate surveyors. During Mr. Turtles absence in Honokane Gulch in the Kohala mountains Mr. Scott had charge of the water investigations in Waipio. He reports that the big Christmas storm completely wrecked the weirs, etc., in that valley, so that all water investigation is now at a standstill. He says that the roads near Manua Gulch are in a fearful condition, almost ten culverts being numbered among the missing.

E. N. Holmes will hold an AUCTION SALE of a lot of Dry Goods damaged by water, at the old L. B. Kerr Co. store, the sale will begin at 9 o'clock a. m., Saturday the 18th and continue until the entire lot is closed out.

TEACHERS MEET AGAIN.

Greek Architecture and the Poems of Bryant Are Discussed.

Notwithstanding the threatening weather on last Tuesday night the attendance at the Teacher's Union was larger than usual. The meeting was the first since the Holidays, and more than thirty teachers were present.

The program was an excellent one, and was heartily enjoyed by the teachers. The subjects dwelt upon were Greek Architecture and the Life of Bryant. The first paper read was a paper on Current Events by H. I. Cruzan. Miss Helen Severance followed with an address on Greek Architecture, placing her subject before her listeners in a clear and logical manner that was quite delightful. Miss Deyo, Miss Coan and Miss Potter followed with short talks on Greek geography. The former took the general geography as her topic, the latter enlarged on the beauties of Attica, while Miss Coan gave some facts in regard to Thessaly and its people.

Mrs. Levi Lyman followed with the address on the evening of William Callen Bryant. Beginning with his childhood Mrs. Lyman gave a charming sketch of the poet's life up to his sixteenth year. A description by Bryant of his boyhood home was read by Miss Akama. Miss Deyo read "The Rivalry," and Miss Hansen followed with a short reading. Miss McCord also gave one of Bryant's poems. Mrs. Lyman gave several of his political poems which concluded the evening's entertainment. The reading of "Thanatopsis" by Mrs. Cruzan had to be omitted through lack of time.

Resume of Courts.

The past week has been an active one in the Fourth Circuit Court and the Criminal sheaves that were ripe for the harvest have been for the most part gathered in. Out of about fifty-five cases upon this department of the terms [calendar all but two have been disposed of. These two are the Territory vs. Kawagichia Paurekichi, a Japanese charged with extortion; and the Territory vs. Ah Quong charged with rape which is continued to the June term on account of the question involved being a Constitutional one which is already before the Supreme Court of the United States on an appeal from Judge Este's Court.

The following is a resume of the disposal of the other Criminal Cases taken up since the TRIBUNE last week to press. Territory of Hawaii vs. Kopolani and Kainoa, two boys charged with burglary in breaking and entering the office of the Hilo Market Co. and stealing therefrom \$24. The jury found the defendants not guilty. Lim Hin, for assaulting with intent to murder seventeen companions in a camp at Papekahi by putting paris green in their tea, was found guilty by the jury and sentenced to a term of ten years at hard labor.

In the Territory of Hawaii vs. Mrs. Ross, selling spirituous liquors without a license the prosecution fell down badly in attempting to sustain their case. Marston Campbell gave a spy for the purpose of buying liquor from Mrs. Ross, was found in and taken from the till of the defendant by the officers making the arrest. This money the Government attempted to put in evidence, which evidence was objected to by Mr. Wise, attorney for the defense on the ground that it was opposed to the Constitutional provision relative to making a defendant testify against himself. In this objection Mr. Wise was sustained by the Court.

J. Nahi Kumbon of Puna was sentenced to three years at hard labor for abducting another man's wife. Ah Moon steward on the Kinau was fined \$150 for selling opium without a license. Defendant appealed.

Nagayama Gingua, pleaded guilty to the charge of burglary and was sentenced one year.

Monido Monio and J. M. Rodriguez got five years for assault with intent to rob.

Chan Kee, for embezzling \$186 was fined \$500.

A few very handsome chairs, upholstered in leather and velvet, have just been opened by E. N. Holmes.

At a meeting of the trustees of the Hilo Library last Saturday evening, the sum of \$75 was appropriated for the purchase of new books. Useful improvements in the library room were also arranged for.

There will be an AUCTION SALE of Dry Goods damaged by water, at the old L. B. Kerr Co. store, the sale will begin at 9 o'clock Saturday morning, and last until the lot is closed out, come early and get bargains.

Harry Rycroft, well known in Hilo is reported by his father as prospering at Manila. He is general agent for an Extensive Tobacco Manufacturing. C. G. Campbell who accompanied Mr. Rycroft to the Philippines is the star reporter on the staff of the Manila Freedom.

It is worth your while to read Hoffschlaeger Co., Ltd., ad in this issue. They are offering genuine articles at reasonable prices. Their telephone is No. 23.

The stone building on J. G. Serrao's lot on Bridge street is about finished. The exterior finish makes it the most striking business block in the city. It shows what may be done architecturally with the building materials available in Hawaii. Mr. Serrao is to be congratulated for giving the community an object lesson in building.

George Mumby Hart, proprietor of the Enterprise Planing Mill, was seriously hurt at the mill last Monday. He was operating a sticker machine used in gutting siding. A loose bolt allowed a four pound knife to escape from the wheel on which it was revolving 3600 times a minute. The flying instrument struck Mr. Mumby on the right side of the head inflicting a wound that will keep him in the hospital some time. Yesterday Mr. Mumby was feeling very much elated over his improved condition.

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DOCK WILL BE BUILT.

Phillip Peck Returns from Successful Interview With Officials.

Mr. Phillip Peck of the First Bank of Hilo returned by the last Kinau with the information that a complete understanding had been arrived at between the Hilo Dock Company and the government officials at Honolulu. There is now no obstacle in the way of the progress of the big dock.

Mr. Peck's visit to Honolulu was for the purpose of interviewing the Territorial officials regarding the dock. He says that the plans of the company were approved, and that he found the officials willing to do all that had been asked of them. The enterprise now is upon a good business footing and the actual construction will presumably go forward. A meeting of the members of the dock company will be held in a short time at which various questions will be decided.

Polo Reviving.

Polo, that king of sports has at last given promise of a flourishing existence in Hilo. The popular pastime which has been showing only mediocre signs of life has at last budded out into an enthusiastic reality. Two full fledged teams have at last been picked and exciting and interesting sport will hereafter be the rule on Saturday afternoons. Polo has every thing in its advantage to make it a very enjoyable form of amusement in Hilo. To begin with Hilo has no regular Saturday sport so that an amusement of this kind every week would meet a long felt want in the community. The grounds of Hoolulu Park are so arranged that viewing the game from a carriage would be not only a matter of ease but of decided enjoyment.

Those who play polo in Hilo are, Prouty, Balding (2), Guard, Kennedy, Grace, Scott and Elgin. Efforts are being made to increase the membership of the clubs but the material now at the disposal of the players is sufficient to make up two rattling good teams. Two combinations made up on the following lines would need an authority on the sport to pick the winners.

No. 1—Prouty (captain), Guard, Elgin, and W. T. Balding. No. 2—Kennedy, (captain), Scott, Grace, and Balding.

Prouty has by far the best horse of the outfit for the heat follows the ball well and gets the spirit of the game. Kennedy's horse as soon as it gets over the sulks will be an animal that will be hard to beat. Balding has a fair horse but more training will improve the beast. All the others are fairly well mounted.

Supreme Court and Constitution.

An important Hilo case was decided by the Supreme Court last week, showing that august body has at last become convinced that the Constitution of the United States has arrived in Hawaii. It was the case of the Territory vs. Wing Tung, convicted by the District Magistrate here for having illegally in his possession wine and liquors. At the time of the trial, defendant's attorney, Wise and Nicksen, demurred to the information on the ground that the seizure was illegal and unwarranted and in violation of the 4th and 5th amendments to the Constitution of the United States, relating to unreasonable seizure of private property. The demurrer was overruled and the trial proceeded.

The Supreme Court on appeal reversed the decision on the grounds stated.

Comes Back for Re-trial.

Last week a decision was rendered by the Supreme Court in the case of Paakiki vs. Owaanui, action in ejectment, reversing the decision of the Fourth Circuit. In the trial below the plaintiff introduced deed showing complete chain of title from the Royal patentee to himself. Afterward in the trial, the plaintiff offered to show a conveyance of the property from the royal patentee to one, Kaalii. To this, the defendant objected and was sustained by the Court. The Supreme Court held that while it was not necessarily error for the lower court to rule out the deed, still the failure of the court to instruct the jury that the plaintiff had proved good title in himself, is held sufficient to warrant a new trial. Magoon and Thompson for plaintiff; Smith and Parsons for defendant.

Olaa Athletics.

Manager McStocker of the Olaa plantation has been interviewed by some of the lovers of sport at Nine-Mile, with the result that the latter are elated over the outlook at that place. Mr. McStocker promises cooperation in the building of a gymnasium and reading room to be open evenings and Sundays. He has also said he would do something to encourage baseball, if sufficient interest is shown by the young men. Embert M. Brown, now located at Nine-Mile, believes he can make up an Olaa nine that will be able to give Hilo teams cards and spades.

George Mumby Hurt.

George Mumby, proprietor of the Enterprise Planing Mill, was seriously hurt at the mill last Monday. He was operating a sticker machine used in gutting siding. A loose bolt allowed a four pound knife to escape from the wheel on which it was revolving 3600 times a minute. The flying instrument struck Mr. Mumby on the right side of the head inflicting a wound that will keep him in the hospital some time. Yesterday Mr. Mumby was feeling very much elated over his improved condition.

SEND FOR FREE ILLUSTRATED CATALOGUE OF LADIES', CHILDREN'S AND INFANTS' WEAR. GOODS OF QUALITY EXCLUSIVE NOVELTIES REASONABLE PRICES. I. MAGNIN & CO. 918-922 MARKET ST. SAN FRANCISCO, CAL.

ITEMS OF INTEREST.

THEY MAY INTEREST YOU.

Dress Suit Cases - Large Stock

I can always give you a shade the better of it in these. I get them direct from the factory. The foundation for their construction is 20th century sense.

Felt Hats - Straw Hats

I have some good ideas about hats which I have embodied in my selection of stock.

M. F. McDONALD,

HABERDASHER CLOTHIER HATTER HILO, H. T.

1902

We have now in stock the celebrated SINGER for 1902 with all the improvements, and lighter running than ever.

Now is the time to purchase one and sell your old machine. We have a Coast order for one hundred and fifty old machines and we must have yours.

Singer Manufacturing Co.

Waianuenue Street - Opposite Telephone Office

Campbell to Maui.

Marston Campbell returned from Laupahoehoe where he went to oversee the beginning of the work of repairing the washed out culverts and bridges. He found that the Maui had landed at Papeaon, just one week from the day on which the Department of Public Works received the Road Board's requisition, a cargo of materials, which will make the road from Honohina to Laupahoehoe as good as new. The Department has acted with military promptness and the work will go forward with alacrity. Mr. Campbell leaves by the Kinau this morning to do work for his Department on Maui.

Kinau Passenger List.

The following passengers arrived by the Kinau this week: Miss K. Kelly, P. Peck, Paul Jarrett, wife and 2 children; Arthur Peel, A. J. Campbell, John Baile, M. D. Hall, L. A. Thurston, R. Rycroft, T. B. C. Thornhill, R. L. Williams, T. C. Buzzell, Miss B. Arnaud, Mrs. A. B. Robertson, J. B. Madeiros, T. Ikida, S. Awasaki, M. Kogo, R. Tanita, T. Wolf, Sam Zolinsky, Miss A. Forbes, Miss E. Lyman, Dr. Nacci, A. W. Pearson and wife, Mrs. C. L. Green, D. W. Green, R. L. Auerbach, wife and 3 children; Miss McWilliams, H. P. Morse, H. C. Barrow, H. Rudman.

A Cure for Lumbago.

W. C. Williamson, of Amberst, 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 HILO DRUG Co."

In the Circuit Court of the Fourth Circuit, Territory of Hawaii.

AT CHAMBERS—IN PROBATE. In the matter of the Estate of ANTONE MEDEIROS of South Hilo, Hawaii, deceased.

Petition for Probate of Will. The last will and testament of said deceased having been presented to said Court together with a petition for the Probate thereof, and for the issuance of Letters Testamentary to Maria da Gloria having been filed.

Notice is hereby given that Tuesday the 11th day of February, A. D. 1902, at 9 o'clock A. M., in the Court House of South Hilo, Hawaii, is hereby appointed the time and place for proving said will and hearing said application, when and where any person interested may appear and show cause, if any they have, why the prayer of said petition should not be granted.

Dated Hilo, Hawaii, Jan. 15, 1902. By the Court: DANIEL PORTER, Clerk.

RIDGWAY & RIDGWAY, Attorneys for petitioner. 11-31

NOTICE.

I have bought the Merchandise Store, on Front street, opposite Ah Hip's place, from Wing Lee Chang, and will conduct a Coffee Shop and Merchandise Business in the future in my own name. The place was formerly owned by Kwong Fung Cheong.

KONG YU.

For Immediate Sale.

The stock in trade of a Japanese Merchant. Inquire of A. E. SUTTON & CO.

Annual Meeting.

The annual meeting of the stock holders of the Hilo Electric Light Co., Ltd., will be held at the company's office on Wednesday, January 29, 1902, at 3 o'clock p. m., for the purpose of the election of officers for the ensuing year, and for such other business as may be brought before the meeting.

W. T. BALDING, Secretary.

A Mortgagee's Notice of Foreclosure and Sale.

In accordance with the provisions of a certain Mortgage, made by M. B. Fernandes, of Lihue, Kauai, Territory of Hawaii, to F. da Silva Lopes, of the town of Hilo, Island of Hawaii, Territory aforesaid, dated the 13th day of January, A. D. 1900, and recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 204 on Pages 198 and 199; notice is hereby given that the said Mortgagee intends to foreclose the said Mortgage for conditions broken, to wit: Non-payment of Principal and Interest.

Notice is also hereby given, that the said property, covered by said Mortgage, will be sold at Public Auction, at the Court House in the town of Hilo aforesaid, on Monday, the 3rd day of February, A. D. 1902, at 12 o'clock noon.

The property covered by said Mortgage is described as follows: All and singular that certain piece or parcel of land, situate in Villa Franca, Hilo, Hawaii, aforesaid, known as Lot Numbered Three (3) of Block "C" of the Villa Franca addition to Hilo, said Lot being the same conveyed on the 14th day of July, A. D. 1899, by Charles S. Desky and wife of Honolulu, to the party of the first part, which said conveyance was registered in Honolulu, on the 25th day of July, A. D. 1899, in Liber 195 on Folios 310 and 311; together with the dwelling houses, out-houses and other improvements thereon.

F. da SILVA LOPES, Mortgagee.

Terms Cash. Deeds at the expense of purchaser. For further particulars apply to CHAS. M. LEBLONDE, G. F. AFFONSO, Attorneys for Mortgagee.

Dated at Hilo, Hawaii, January 15, A. D. 1902. 11-31

Hoolaha Hooke o ka Moraki a me ke Kuai.

I kuliike ai me na olelo o kekahi moraki i hanaia e M. B. Fernandes o Lihue, Kauai, Teritori of Hawaii, ia F. da Silva Lopes, o ke Taona o Hilo, Mokuuni o Hawaii, Teritori i hoike mua ia aenei maluna, i hanaia ma ka la 13 o Ianuari, M. H. 1900, a i kakau kopeia ma ke Keena Kakau Kope ma Honolulu, Buke 204, Aoo 198 a me 199; ke hoolahaia aku nei ua makemake ka mea paa Moraki e hooke aku i ua Moraki la no ka hooke ole ia o ka ae like, oia hoi, no ka hoolaha ole ia o ke kumupaa a me ka ukupanea.

Ke hoolahaia aku nei ka lohe, o ka waiwai i paa maloko o ua Moraki la, e kuaia aku ana ma ke kudala akea ma ka Hale Hookekoloko ma Hilo Taona i hoikeia, ma ka Poakahi, la 30 Februari, M. H. 1902, ma ka hora 12 awakea.

O ka waiwai i paa maloko o keia Moraki oia no keia i hoikeia malalo iho nei, penei: O kela apana aina e waiho la ma Villa Franca, Hilo, Hawaii, i hoikeia maluna ae, a ikeia ka Apana Ekolu (3) o ka Mahele "C" o Villa Franca i pakuia me Hilo, a oia no hoi ka Apana Aina i hoioleiole ma ka la 14 o Iulai, M. H. 1899, e Charles S. Desky a me kana wahine mare o Honolulu, i ka mea noua ka noo mau, a i hoopaaia ma ke Keena Kakau Kope ma Honolulu, ma ka la 25 o Iulai, M. H. 1899, Buke 195, Aoo 310 a me 311, me na hale a me na hana hua a pau maluna o ua Aina nei.

F. da SILVA LOPES, Mea Paa Moraki.

Kuikie ke dala. No ka hana ana i na palapala ma ka noao i Hilo ai. No na mea i koe e nuiua ia CHAS. M. LEBLONDE, G. F. AFFONSO, Na Lolo no ka Mea Paa Moraki.

Hilo, Hawaii, Ianuari 15, M. H. 1902. 11-31

What you want during this cold weather is a bottle of GUINNESS DUBLIN STOUT bottled by FOSTER & SONS, LONDON. 2.50 per dozen. For enriching the blood and invigorating the system try our OLD SPANISH PORT \$12 per Case of one dozen bottles. HOFFSCHLAEGGER COMPANY LIMITED THE PIONEER WINE AND LIQUOR HOUSE CHURCH STREET Telephone, 23

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.