

Best Advertising Medium.  
If you Don't Read the Bulletin  
you Don't Get ALL the News.  
It Reaches ALL the People.

# EVENING BULLETIN

The Oldest 8 Page  
Evening Paper Published  
on the Hawaiian Islands.  
Subscription 75c. a month.

Vol. IV. No. 695.

HONOLULU, H. I., THURSDAY, AUGUST 26, 1897.

Price 5 CENTS.

## THE EVENING BULLETIN.

Published every day except Sunday at  
210 King Street, Honolulu, H. I.  
SUBSCRIPTION RATES.  
Per Month, anywhere in the Ha-  
waiian Islands.....\$ 75  
Per Year.....8 00  
Per Year, postpaid to America,  
Canada, or Mexico.....10 00  
Per Year, postpaid, other Foreign  
Countries.....13 00  
Payable Invariably in Advance.  
Telephone 256. P. O. Box 89.  
A. V. GEAR, Manager.

## Weakened Vitality IMPOVERISHED BLOOD.

Read what Ayer's Sarsaparilla did  
for the Rev. Z. P. Wilds, a well-  
known city missionary in New York  
and brother of the late eminent  
Judge Wilds:

"I was for many years a sufferer  
from boils and other eruptions of a  
like nature, caused by the impover-  
ished state of my blood. My appet-  
ite was poor and my system a good  
deal run down. Knowing the value  
of Ayer's Sarsaparilla, by observa-  
tion of the good it had done to others,  
I began taking it. My

### Appetite Improved

almost from the first dose; then my  
general health improved, and now it  
is excellent. I feel a hundred per  
cent. stronger, and I attribute this  
result to Ayer's Sarsaparilla, which  
I recommend with all confidence as  
the best blood medicine ever  
devised."

For all disorders resulting from  
poor or corrupted blood and general  
debility, take

## AYER'S Sarsaparilla

AYER'S PILLS CURE BILIOUSNESS.

Hollister Drug Co., Ltd.

Sole Agents for the Republic of Hawaii.

DR. G. WALDO BURGESS,

Physician and Surgeon.

Residence: 488 Punchbowl Street.

HOURS: 3 to 5 and 7 P. M. TEL. 852.

A. C. WALL, D. D. S.,

DENTIST.

New Love's Building, Fort Street.

TELEPHONE 434.

William A. Henshall,

Attorney at Law

113 Kaahumanu Street.

LYLE A. DICKEY,

Attorney at Law

14 Kaahumanu Street.

Telephone No. 682. 498-6m

SAMUEL J. MACDONALD,

Counsellor at Law.

204 Merchant Street (one door from  
Fort street), Honolulu.

JAS. F. MORGAN,

AUCTIONEER AND STOCK BROKER

No. 45 Queen Street.

Expert Appraisal of Real  
Estate and Furniture.

GILBERT F. LITTLE,

ATTORNEY AT LAW.

HILO, HAWAII.

A. V. GEAR,

Notary Public

Telephone 256 No. 210 King St

## LATEST FOREIGN NEWS

### COMPLETE BUDGET OF ALL LANDS FOR ONE WEEK.

Cuban Rebels Pressing the Spaniards  
Hard—Items of the  
Gold Fields.

#### UNITED STATES.

Two \$1000 notes of a counterfeit  
issue of 1865 have been thrown  
out on presentation at the Treas-  
ury.

The report of Dr. William T.  
Harris, U.S. Commissioner of Educa-  
tion, shows 16,000,000 enrolled  
in the schools and colleges of the  
nation.

Frank Hinkey, the famous foot-  
ball captain of Yale, saved the  
lives of eight men who were  
floundering about in the Niagara  
river, opposite Edgewater, a sum-  
mer resort.

R. C. Johnston of Los Gatos,  
Cal., declares he holds a lake of  
oil, with fifty bubbling springs,  
in Alaska which will discount the  
richest gold claims on the Klondike.

There is trouble in the American  
Legion of Honor over assess-  
ments, and James McNamara of  
New Jersey has filed a petition in  
Boston for the appointment of a  
receiver.

Brigadier-General David G.  
Swain, U. S. A., retired, formerly  
Judge Advocate-General, died at  
Washington on the 17th, aged 63,  
of Bright's disease. General  
Swain was in attendance upon  
Garfield all through the last hours  
of the assassinated President.

Twenty-four members of the  
faculty of Brown University will  
be fired for signing a protest  
against the compulsory resignation  
of President Andrews for his  
views on the silver question. Most  
of them counted on having to go  
when they did it.

Dr. J. M. Bleier, a reputable  
physician of New York, announces  
that he has discovered a new cure  
for consumption by electricity.

Controller Eckels is offered the  
presidency of the Colonial Trust  
Co. at a salary of \$15,000.

Oakland, Cal., has a "woman in  
black" who goes round stealing.

The Americans won the tennis  
championship at Newport, R. I.

Commander J. C. Morong re-  
tires from the Navy, having reached  
the age limit of 62 years. His  
retirement promotes Lieutenant-  
Commander Albert Ross to be  
commander; Lieutenant J. A.  
Norris to be Lieutenant-Commander,  
and Lieutenant-Captain Hart  
of the junior grade to be Lieuten-  
ant and Ensign Darall to be  
Lieutenant junior grade.

A bill to make New Mexico a  
State will be introduced at the  
coming session of Congress.

Associate Justice Stephen J.  
Field of the Supreme Court of the  
United States on the 16th of  
August broke the record for contin-  
uous service on the Supreme  
Bench, having served thirty-four  
years, five months and six days, or  
one day longer than former Chief  
Justice John Marshall. There is  
no sign that Justice Field intends  
to retire.

Senator George of Mississippi  
is dead at the age of 71 years.

Duns' report shows good times  
and bright crop prospects.

Silver has dropped again, being  
52 1/2c. an ounce in New York.

Wheat is on the jump, going up  
nearly 5c. the last day in New  
York. It is near the dollar mark.  
The day's sale were more than  
14,000,000 bushels.

Bryan is spouting free silver to  
enormous audiences in Montana.  
L. M. Shaw is the Republican  
candidate for Governor of Iowa.

Captain J. W. Whitman and  
Mate W. A. Hansburgh of the  
schooner Olive Pecker, which  
sailed from Boston on June 21,  
have been murdered by the crew.  
The vessel was afterward burned,  
but the crew escaped from the  
vessel and landed at Bahia.

A petition, to be presented to  
the Brown corporation, is being  
circulated among the alumni of  
the university, asking that the  
trustees "take that action upon  
the resignation of President And-  
rews which will effectually refute  
the charge that reasonable liberty  
of utterance was or ever is to be  
denied to any teacher of Brown  
University."

It is reported the present mem-  
bers of the piano manufacturing  
firm of Steinway & Sons, New  
York, have consummated a deal  
whereby the extensive business of  
the concern passes into the hands  
of an English syndicate. The  
price paid was \$6,000,000.

Controller Eckels of the Treas-  
ury, addressing the bankers' con-  
vention at Detroit, characterized  
the American currency system as  
a thing of shreds and patches.  
Among needed remedies he gave  
first place to the final adoption of  
the gold standard.

The preliminary injunction  
against the striking miners has  
been made permanent at Pitts-  
burg. In consequence the strikers  
are demoralized and the operators  
on top. It is said the mines will  
be reopened. At Cleveland it is  
predicted that the forcible reopen-  
ing of the mines, with Pinkerton  
men protecting the non-union  
workmen, will produce a climax  
of bloodshed. One hundred and  
ninety Montana campers were  
arrested at Fairmount, West Vir-  
ginia, for marching, which the  
judge claimed was a violation of  
his injunction. Public sympathy  
is with the miners and there was  
more likelihood the last day of a  
general laying down of tools than  
at any time since the strike began.

Seals are reported as scarce in  
Behring Sea.

A test case will be made of the  
clause in the Dingley tariff bill  
imposing a discriminating duty  
of 10 per cent on goods brought  
in through Canada from other  
countries via the Canadian Pacific  
road.

Mrs. Schofield, Irving Mann  
and Dutcher stand confessed of  
the murder of Mr. Schofield in  
Santa Clara, Cal. The woman  
says the crime arose from her hus-  
band's ugliness at her refusal to  
consent to a proposition he made  
to burn their house for \$700 in-  
surance.

It is reported from Atlanta,  
Georgia, that General J. G. Long-  
street, the most prominent living  
Confederate veteran, is engaged to  
be married to Miss Ellen  
Dortch, a newspaper woman and  
Assistant State Librarian.

#### EUROPE.

John Cowles, curator of the  
Royal Geographical Society, Eng-  
land, believes Prof. Andree has  
failed in his attempt to reach the  
North Pole by balloon.

There is great excitement over  
a most extraordinary state of  
affairs on board the British battle-  
ship Royal Sovereign, which is  
about to sail from Portsmouth for  
three years' service with the  
Mediterranean squadron. The  
relations between the officers and  
seamen are acutely strained. The  
latter declare that they are suffer-  
ing from a variety of serious  
grievances, among which especial-  
ly objectionable is the deferring  
of the usual leave. Fifty men  
have deserted, all the cells on  
board ship are full and the sup-  
ply of irons is not sufficient for  
the large number undergoing  
punishment.

A girl has died in London hav-  
ing symptoms of Asiatic cholera.

Lady Henry Somerset has  
withdrawn her resignation of the  
presidency of the British Women's  
Temperance Association.

It is said some old-fashioned  
Tories are plotting to down Mr.  
Chamberlain.

It is semi-officially announced  
that the Italian Government has  
decided to abandon the entire  
Italian colony of Erythraea, on the  
Red sea, except Massop, and is  
negotiating for a transfer to Bel-  
gium.

Angiolillo, the assassin of Pre-  
mier Canovas of Spain, was to be  
executed by the garrote within a  
day or two.

An accident to the Hamburg  
express, causing the loss of three  
lives, is suspected to have been  
caused by an attempt to wreck  
Emperor William's train, that  
passed along six hours before.

Prince Henry of Orleans has  
fought his duel, but with the  
Count of Turin instead of Gen-  
eral Albertone, who kindly gave  
the Count precedence. The  
Count made a fierce attack and  
brought the Frenchman down  
with a serious wound in the ab-  
domen. Neither showed his usual  
skill with the sword. The Pope  
has excommunicated the pair of  
them.

Peace negotiations are at a  
standstill because Lord Salisbury  
will not consent to a Turkish oc-  
cupation of Thessaly pending a  
partial payment of indemnity.

Bulgaria has an alliance with  
Turkey, which will give her 10,-  
000 Turkish troops in case of  
trouble. "Prince Ferdinand would  
rather kiss the hand of the Sultan  
than abuse himself before Eu-  
rope," the Bulgarian Premier  
says.

The Duke and Duchess of York  
are visiting Ireland and being  
cordially welcomed.

After President Faure left  
Paris for Russia, which he did on  
the 18th inst., a bomb exploded  
on the route the President had  
followed. No damage was done,  
and nobody was hurt, but the  
episode caused great excitement.  
The police declare the bomb was  
not aimed at Faure.

Armenians are charged with a  
series of bomb explosions in Con-  
stantinople. One man was ar-  
rested at the Ottoman bank while  
trying to ignite a package of ex-  
plosives.

Emperor Nicholas declines to  
interfere in the snarl between  
Austria and Bulgaria.

#### GENERAL.

The British Association for the  
Advancement of Science is meet-  
ing at Toronto. About 1600 mem-  
bers are present. James Bryce,  
M. P., author of "The American  
Commonwealth," is the president  
elect.

The revolt of religious fanatics  
in the State of Bahia, Brazil,  
which began in December last, is  
becoming very serious, despite the  
Government's persistent efforts to  
quell it.

It is announced at Simla that  
the whole frontier seems to be  
afire. The Afridis are march-  
ing through the Khyber pass up-  
on Jamrud, while the Orakzais  
are advancing by Kurram and are  
threatening Samana. If the Afri-  
dis rise generally the British  
forces will be compelled to tem-  
porarily abandon Lundi and  
Kotal. The force of Indian and  
British troops under command of  
General Blood is now in camp at  
Kotal.

French troops were surprised  
by rebels in the Soudan, but came  
out victorious in the latest scrap.

News of fighting between the  
French and Siamese is confirmed.

Spain and Peru have concluded  
a treaty to settle any disputes  
they may have by arbitration.

Peru has settled with the United  
States and Great Britain both,  
for illegal treatment of sailors ar-  
rested for disorderly conduct.

Portuguese troops surprised  
rebels in Africa and killed 23  
chiefs and 300 men.

Premier Laurier of Canada and  
Lady Laurier visited the Pope,  
who questioned Sir Wilfrid about  
Canadian affairs generally and  
the Manitoba school question in  
particular.

The steamer Belgica left Ant-  
werp with the Gerlache Antarctic  
expedition on the 16th. Great  
crowds saw her off, and the U. S. S.  
San Francisco saluted the steamer.

#### A TREASURE ISLAND.

The Cocos Island treasure seek-  
ing expedition in the schooner  
Aurora has returned to Victoria  
with nothing but stone ballast.  
Hartford, an American who had a  
concession from Costa Rica to  
search the island, came back in

## IT IS UNCONSTITUTIONAL

SO THE INCOME TAX ACT IS PRO-  
NOUNCED TO BE.

Justice Frear Dissents from the Ma-  
jority of the Court in a  
Lengthy Opinion.

By a majority decision of the  
Supreme Court rendered today,  
the Income Tax Act of 1896 is de-  
clared to be unconstitutional.  
Chief Justice Judd writes the con-  
trolling opinion, of which the fol-  
lowing is the syllabus:

"An Act entitled, 'An Act to  
provide revenue for the Govern-  
ment by the assessment and col-  
lection of tax on income,' held to  
be unconstitutional and void, on  
the ground that Section 1 of the  
Act imposes the tax in violation  
of Article II of the Constitution,  
which requires that taxation must  
be proportional."

There were two petitions for in-  
junction against Jonathan Shaw,  
Tax Assessor in Chief, to res-  
train him from collecting the tax.  
One was by James Campbell, a  
wealthy individual, indicating ten  
points of unconstitutionality in  
the Act. The other was by the  
Honolulu Iron Works Co., a  
corporation, giving fourteen  
reasons why the Act should be  
declared unconstitutional. Dem-  
urrers were presented and  
argued to both complaints, which  
being overruled by the Court the  
Act is made null and void.

Second Associate Justice W. A.  
Whiting concurs in the decision  
by writing as follows:

"I agree with the opinion of the  
Chief Justice in so far as it de-  
clares the law unconstitutional as  
being in violation of Article II of  
the Constitution, for the reason  
that there is an unjust discrimina-  
tion in the imposition of the tax  
on incomes over \$4000 without  
the allowance of the exemption  
given to those having a less in-  
come. The exemption of \$2000  
of income from taxation ought to  
be allowed to all, in order that  
each member of society may bear  
his proportion or share of the  
burdens of taxation. The Legis-  
lature may classify the objects of  
taxation, but when classification  
there must be no discrimination.  
I am of opinion that the  
division of the income un-  
der Section 1 of the Income  
Tax Act of 1896 into \$2000, \$2000  
—\$4000 and \$4000 and over, is not  
classification of objects of taxation.  
I also agree that the whole Act  
falls, and the demurrer should be  
overruled."

First Associate Justice Frear  
dissents at length from his breth-  
ren. His conclusion is as fol-  
lows:

"So far as the three points dis-  
cussed are concerned, I cannot  
find that the Legislature has pro-  
ceeded arbitrarily or without real  
grounds for classification, or with  
any other purpose than to equalize  
the burdens of taxation. The tax  
is uniform upon all those within  
each class. With the various pro-  
visions of the statute so far as  
questions of policy are concerned,  
the Court has nothing to do. The  
strong presumption is that the  
Legislature acted within its con-  
stitutional power and that pre-  
sumption has not been overcome.  
I have treated the subject at such  
length because of its importance."

"The three points referred to"  
—quoting Justice Frear's words—  
"are (1) the \$2000 exemption or  
the discrimination between in-  
comes over and under \$2000, (2)  
the partial exemption of incomes  
under \$4000 or the discrimination  
between incomes over and under  
\$4000, and (3) the non-exemption  
of corporate incomes or the dis-  
crimination between individual  
and corporate incomes." The dis-  
senting Justice proceeds to dis-  
cuss whether these discrimina-  
tions are unconstitutional, finding  
in the negative as above set forth  
in his conclusion.  
Section 1 of the Act in question  
is as follows:

"Section 1. From and after  
the first day of July, A. D. 1897,  
there shall be levied, assessed,  
collected and paid annually upon  
the gains, profits and income de-  
rived by every person residing in  
the Republic, and by every person  
residing without the Republic,  
from all property owned and every  
business, trade, profession, em-  
ployment or vocation carried on  
in the Republic, wherever resid-  
ing, a tax of one per cent on the  
amount so derived; provided that  
where the gains, profits or in-  
come of any such person who re-  
sides within the Republic, or of  
any servant or officer of the Repu-  
blic wherever residing, shall not  
have exceeded the sum of Four  
Thousand Dollars for the pre-  
ceding twelve months, only so  
much of such gains, profits or in-  
come as exceeds the sum of Two  
Thousand Dollars shall be liable  
to such tax, and the tax herein  
provided for shall be assessed by  
the assessors and collectors for  
the time being for the several tax  
divisions of the Republic, and  
collected and paid upon the gains,  
profits and income for the year  
ending the 30th day of June next  
preceding the time for levying,  
assessing, collecting and paying  
the said tax."

And the 10th Article of the  
Constitution divided into two sec-  
tions, declared to be violated by  
Section 1 of the Act, reads thus:

"Sec. 1.—No subsidy, duty or  
tax, of any description, shall be  
established or levied without the  
consent of the Legislature; nor  
shall any money be drawn from  
the Public Treasury without such  
consent, except in the manner  
directed by this Constitution.

"Sec. 2.—Each member of so-  
ciety has the right to be protected  
in the enjoyment of his life, lib-  
erty and property, according to  
law; and, therefore, he shall be  
obliged to contribute his propor-  
tion or share to the expense of  
this protection; and to give his  
personal services, or an equivalent,  
when necessary as may be pro-  
vided by law.

A. S. Hartwell and Kinney &  
Ballou for the petition; A. G. M.  
Robertson for the Tax Assessor.

Wm. G. Irwin is Out.

W. M. Giffard told a reporter  
this morning that he was in re-  
ceipt of a letter from Wm. G.  
Irwin in which he stated that he  
was out for the first time on the  
day of writing. On the next day  
he was to go to San Rafael to re-  
main some weeks and regain his  
lost strength and flesh. Mr. Irwin  
said nothing as to when he expect-  
ed to return to Honolulu.

Nice four-year old riding  
horse, with saddle and bridle, for  
sale. Inquire at Hotel Stables  
or of Q. H. Berrey, 210 King  
street.

Those desiring to enter the  
Kindergarten Training School in  
September should apply at once  
to Mrs. Harriet Castle Coleman,  
660 King street.

Awarded  
Highest Honors—World's Fair,  
Gold Medal, Midwinter Fair.

DR.  
PRICE'S  
CREAM  
BAKING  
POWDER  
MOST PERFECT MADE.

A pure Grape Cream of Tartar Powder,  
Free from Ammonia, Alum or any other  
adulterant. In all the great Hotels, the  
leading Clubs and the homes, Dr. Price's  
Cream Baking Powder holds its supremacy.

40 Years the Standard.

LEWIS & CO.,  
AGENTS, HONOLULU, H. I.

Continued on 4th Page.