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HONOLULU, H. I., MONDAY, MARCH 21, 1898.

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HILO, HAWAII

FOR MORE REPRESENTATION

Debate on Mr. Achi's Proposed Amendment to Constitution.

Mr. Gear Moves an Amendment to Bill and States His Views at Length.

Last week's message from the President, respecting resolutions, was taken from the table in the House this morning, and referred to the Finance Committee.

Following petitions were read: Mr. Achi, \$700 for improving school house at Honomakau, Kohala.

Mr. Achi, \$5000 for repairs to the road from Kohala to the Waimea road.

Mr. Kaao, \$6000 for water works at Waimea.

Minister Cooper answered Mr. Gear, with respect to reported cases of leprosy patients by Dr. Alvarez. The doctor, to whom the questions had been referred, replied that two cases had been cured in three months. The treatment was not continued in the case of persons merely benefited, because the improvement had ceased after a month of such treatment. No mention had been made to the Berlin conference about the matter, for the reason that the toxins of the bacillus prodigiosus did not prove to be a specific remedy for leprosy.

Prior cases in other countries and at other times had been reported. To the knowledge of the doctor no persons not afflicted with leprosy had been sent to Molokai.

Notice was given of the following acts:

Mr. Damon, "An Act to authorize the consolidation of the public debt of the Republic of Hawaii."

Mr. Achi, "An Act to provide for a public administrator."

Mr. Achi asked the Attorney-General if any accidents had ever occurred from telephone or electric light poles near tram line, and if any effort was being made to protect the public in the matter.

Mr. Kahaulio asked for \$3000 for water piping for Wailuku. Public Lands Committee.

The proposed amendment to Article 57 of the Constitution, increasing the number of Representatives from 15 to 21, came up for second reading. Mr. Achi took the floor and spoke for ten minutes in favor of the measure.

Mr. Gear took the floor and offered an amendment to Mr. Achi's amendment, further increasing the numbers of Representatives in the Fourth and Fifth districts to five each. Speaking to his amendment Mr. Gear said:

Mr. Speaker—It is considered a principle of government that the House represents the people. Representatives elected to the House represent, first, their district; secondly, their island, and, thirdly, the whole group. But when the membership is restricted as now another important consideration appears. Not only do the members come from the districts and the islands, but they find themselves in a position of having small constituencies and coteries of friends. With the small number of members in the House it is difficult to secure thorough discussion of important questions. Members are swayed in their opinions and course of action from their own experience with subjects as well as the advice of friends. With a larger membership we gain, at least, more advice and more assistance in the consideration of measures. I believe it to be a general, as well as a correct principle to have the lower house larger than the Senate. It should not be so large, however, as to work to its own and the Government's disadvantage. If too large it cannot work advantageously. The expense is not a fair argument. I have ar-

rived at the conviction that the amendment is proper at this time after a careful consideration of the distribution of population, the representation from the various districts and the proportion. A constitutional measure or amendment should be framed, not for the moment alone, but for the years to come. There should be an eye well into the future. On this account I have also carefully calculated on future population and conditions. To get at this I have figured on the increase of the past years. I have secured and have before me the number of possible voters, number of actual voters, population of each island and each district, male inhabitants of each district and the increase under all these heads from 1891 to 1896. After carefully weighing all the points I have arrived at the conclusion that the way to reach an equitable and constitutional arrangement is on a basis of these increases. The proportions of increase of voters for the period mentioned is as follows: For Kauai, 3; for Maui, 6-10; for Hawaii, 6; for Oahu, 9.

At this juncture Mr. Atkinson interrupted to ask where the figures referred to came from, and if the calculations were based on the population or actual voters. In reply Mr. Gear said:

The figures are taken from the report of the Superintendent of the Census of 1896, which are supposed to be correct. They come from the comparative statement of the population. I would state right here that, in view of the changes constantly being made, it would be absurd to base calculations upon actual or even possible voters. The table of possible voters, on a basis of the last registrations, shows: For Oahu, 800; Hawaii, 1109; Kauai, 421; Maui, 384. The actual voting list shows a reduction of this number. No equitable conclusion could be reached on a basis of actual voters, nor, on account of certain and constant changes, registration lists. The Constitution should provide representation in proportion to the population. Numbers of voters and number of registrations change with each election and cannot be figured upon. An amendment effecting the object in view must be elastic to the requirements of the future. It must be based upon the probable possibilities of the future. The figures I propose are as near that as they can be got. The members of this House do not represent the male inhabitants of the Islands alone, Mr. Speaker. I maintain the theory that we represent the entire population. It is our duty to consider the interests of all the people, of both sexes, and all business interests involved. Any changes we may make in the matter before us must be framed in the interest of the entire people, and must be a correct basis to work upon for several years. The argument that it is inadvisable to change the Constitution has weight on first sight only. At the beginning of the session Mr. Damon stated that we must work, independent of annexation prospects, as if the Government was to continue all ways. The amendment is opportune. The time for it is at hand. The increased expense would be only \$3200 for two years, or \$1600 a year. There would be 23 members in place of 15. A number of my constituents in the Fourth district favor the amendment. I believe that my entire district will favor it. It will be a good thing for Hawaii, for Oahu and the entire islands. An argument against the bill is the difficulty of securing representative men in the outside districts. This will not hold water. With the varying plantation interests and other industries everything cannot be properly represented unless there is an increase of members in the House.

Messrs. Paris, Kahaulio and Kaai spoke in favor of the amendment. Mr. Robertson opposed it.

At 12 o'clock the House took a recess to 1:30.

CANADIAN AUSTRALIAN LINE

The Concern Placed in the Hands of a Receiver.

Mr. Huddart First Apprised of the Trouble Upon Landing in New York from England.

A dispatch from Ottawa, the Canadian capital, dated February 23, contains the following news of trouble to the Canadian-Australian line, the concern operating the steamers Miowera, Warrimoo and Aorangi between Sydney and Vancouver, B. C., via Wellington, N. Z.; Suva, Fiji; Honolulu, and Victoria, B. C.:

Information which is now coming in upon the Trade and Commerce Department goes to show that Mr. Huddart, chief promoter of the Canadian-Australian Royal Mail Steamship line, finds himself in an extremely unfortunate condition as regards the position of his company. Mr. Huddart had been working in with the New Zealand Steamship Company in building up a trade with New Zealand, and had secured the Aorangi especially with this end in view. The manager of the latter company had a fall-out with Mr. James Huddart, over the management, but on an appeal to the courts the New Zealand Steamship Company was ordered to pay costs. Mr. Huddart thereupon sailed for this country to arrange matters in connection with his new mail subsidy, just received from the New Zealand Government, for a mail service to the Pacific coast. While he was on the Atlantic an application was made for winding up the affairs of the Canadian-Australian Steamship line, and Mr. Huddart arrived in New York, to receive the startling intelligence that this line had already been taken, and an enemy appointed by the court to take over the provisional management of the line at a salary of £3000 a sterling per year. The order is based on the charge that there is a net money enough on hand to pay expenses.

The London Weekly Times of February 25 gives an account of the trouble. Meetings of creditors and of shareholders in the Canadian-Australian Royal Mail Steamship Company, Limited, had been held three days prior to that date. G. S. Barnes, Senior Official Receiver, presided.

Mr. Barnes said that the company had been registered on March 17, 1897, and down to that date James Huddart & Co. had carried on business between Sydney and Vancouver with two steamers, the Miowera and Warrimoo. The reason for the company's formation was that it was desired to purchase a third steamer.

The Aorangi was bought, which thirteen years previously had cost £127,426, about six hundred thousand dollars. The total share capital of the company was £120,000, divided between James Huddart & Co. and the New Zealand Shipping Co., from which

the steamer was bought. From the beginning the company had no working capital whatever.

In August and September last the managers began to press the New Zealand Shipping Co. for monetary assistance. As a reply that company insisted on receiving accounts. The question of accounts had apparently been a bone of contention throughout.

The chairman was informed that a deficiency had arisen during the ten months of no less than £41,000, or about two hundred thousand dollars. The New Zealand Shipping Co. alleged that there was a deficiency of £63,474. The chairman did not think there had been any malversation.

Mr. Huddart was present and addressed the meeting at considerable length, stating that when the accounts were completed the deficiency would be explained. A somewhat lengthy and acrimonious debate ensued between the parties.

Then a vote was taken between two candidates for liquidator. The chairman announced that Charles John Cowan, secretary of the company, was supported by a majority, but as there was a difference of opinion the facts would be reported to the court, with whom the appointment rested. This appears to have been a separate meeting of the creditors, for it is added, in the Times report, that a similar result followed at the shareholders' meeting.

Evidently the result mentioned was reversed by the court, which would account for Mr. Huddart's saying that "an enemy" had been appointed as receiver. E. Cayford, of Houder Brothers, Leadenhall street, was the other candidate.

IN NUANU CEMETERY.

Funeral of the Late Theo. C. Porter Held Sunday Afternoon.

The remains of the late Theo. C. Porter arrived by the Zealandia. It was the dead man's expressed wish to be buried in Nuanu cemetery. Upon arrival the body was removed to the Masonic Temple and taken charge of by Hawaiian Lodge.

The funeral took place at 2:30 o'clock Sunday afternoon. It was conducted throughout by the Masons. Despite the bad weather a long line of carriages joined the procession. The pall-bearers were: Col. J. H. Soper, W. F. Allen, M. E. Grossman, J. M. Monsarrat, Norman E. Gedge, W. H. Cornwell, John Phillips and W. M. Graham.

Each Claimed the Road.

During the downpour about 8:30 last night two King street cars met at the Fort street crossing. The Waikiki car claimed to be on time, while the Palama Joku asserted that he had waited ten minutes over time on the Smith street switch. After they had wrangled about five minutes, passengers took a hand and compelled the Waikiki driver to turn back to the switch at the Government building.

"Anti" Commission Returns.

James K. Kaulia, D. Kalaukalan and Wm. Auld, part of the anti-annexation delegation to Washington, returned by the Zealandia Saturday. They left J. O. Carter and John Richardson at the American capital. Mr. Kaulia is telling the native societies that annexation is dead forever and that Hawaii will remain independent.

Palmer Will Not Come.

Justice W. F. Frear received a letter by the Zealandia from Rev. S. S. Palmer of Oakland, declining the call to fill the pulpit of Central Union church. He states that he is so situated in his California work that he deems it best not to leave that field at the present time.

FREE ON HABEAS CORPUS

Laborer Viercke Discharged by Order of Supreme Court.

No Law Against the Offense for Which He Was Sentenced Circuit Court Notes.

The Supreme Court met today to hear the petition on habeas corpus of Johann Viercke, sentenced to imprisonment for one year for using threatening language to one Thielop. The case has excited considerable interest, which was intensified when the prisoner, his wife and child met in court. Their mutual grief and tears provoked an extreme feeling of sympathy and then came the cold wave of law.

Hampberys & Gear appeared for the petitioner, and Mr. Gear, in an argument that was listened to by court and bar with much deference, presented his point, which was that there was no such crime known to our laws as the "use of threatening language." This was deemed to be a bold assertion and there was much bustling and searching of authorities, and Mr. Justice Whiting asked Mr. Dole, Deputy Attorney General:

"Mr. Dole, can you find any law providing for the punishment of the offense charged against the defendant?"

Mr. Dole promptly admitted that there was no such law, and Justice Whiting delivered the opinion of the court that the prisoner should be discharged, and he was.

When Judge Perry ascended the bench on Saturday afternoon to hear a motion in the matter of the estate of Chang King, he expected a pleasant half hour, but did not have it. W. S. Edings presented his petition for an order of final distribution and settlement of accounts. Tong Duck, as the temporary administrator, presented his account and then Mr. Silliman arose and the trouble began. There was a shower of affidavits and eloquence and then the court took the matter under advisement until today, when it found that Tong Duck had properly acted in his office and ordered that he be relieved of all responsibilities in the premises and receive \$250 for his services.

At Wailuku, Maui, Antonio T. Tavares on Saturday filed his oath of office as Deputy Clerk of the Second Circuit Court.

In the action of Chas. Notley and Sons vs. Kukuiua Plantation, the defendant filed a motion for a new trial. Kinney & Ballou for appellants.

Fort Street Flushed.

The shower shortly after 4 o'clock Saturday afternoon was what is popularly called a "trash lifter." For several minutes after the rain had ceased Fort street was filled to the top of the curbing with water and looked like a canal. Chips of wood, boughs from shade trees, old hats and every other imaginable article of debris filled the rolling stream.

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