

EVENING BULLETIN

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HONOLULU, TERRITORY OF HAWAII, MONDAY, JULY 1, 1901.

PRICE 5 CENTS.

HOUSE IS WAITING FOR SENATE TO ACT

Nothing to Do at the Session This Morning.

BECKLEY PAYS COMPLIMENT TO THE ATTORNEY GENERAL

Representatives Wondering Whether Carter's Scheme is to Keep the Session Going Beyond the Sixty Day Limit.

The House was again compelled to wait for the Senate this morning. Although the great bill that the Senate has been considering for seven weeks and which contrary to precedent carries appropriations for current expenses as well as salaries passed some time last week, no word has been heard from the Senate this morning.

The House has passed four bills and they are all in the hands of the Senate today. The Senate has passed one House bill and one Senate bill in such shape that the House would not even ask for a conference with the Senate but sent it back "without thanks."

The result is the House has been meeting from day to day for nearly a week now waiting for the Senate to do something. As far as the House is concerned, the business of the extra session is through if the Senate would pass the House bills. It is not impossible that certain elements in the Senate hope to pass the sixty-day limit and have the Legislature again expire by limitation without an appropriation bill passed at all.

There was nothing to do in the House. They came to order about half past ten, went through the usual formalities of prayer and roll call and approving the minutes, taking up as much time as possible in hopes that the sergeant at arms would announce "a communication from the Senate."

A communication from the Wilder S. S. Co. in regard to the detention of passengers desiring to go to Molokai on the Lehua, claiming that the company did not know until too late that there were any such passengers was read and laid on the table. Beckley wanted to send it to the Attorney General. Not that he thought anything would come of it for the Attorney General was a member of the Board of Health which had been reported as refusing permission to the passengers or instructing the Wilder S. S. Co. to do so, but simply because members of the bar said that the Attorney General was not worth \$100 per month outside of his office and he wanted to give him something to do to help a little to earn the salary he was drawing. He declared that the statements of the Board of Health, the steamship company and the passengers who were refused passage were at variance and he was sure there was a "nigger in the wood pile" somewhere. He said he knew something of the facts in the case himself and he thought it called for investigation.

Dickey said he thought it was a poor way to get a good opinion out of the Attorney General to "insult him and Beckley replied that he had no expectation of getting an opinion. He merely wanted to refer the matter to the Attorney General to see whether the company was not violating the subsidy contract. Emmeluth said it was no use to expect these officials to have time to do anything for the people. That they were all too busy maintaining their class privileges. That it was a mere waste of time to send the matter to the Attorney General for he was a very

"busy" man. He would table the matter. And to the table it went.

The House then spent some more time deciding whether to take a recess until 2 o'clock in the hope that the Senate might get something down to them or to give up for the day and begin again tomorrow. Mossman opened the ball with a motion for a recess till 2 o'clock. Kumahe moved to adjourn. Dickey seconded the motion. Kanoho moved for a recess until 7 o'clock this evening. Dickey said it was no use, they could not get a quorum and he moved to adjourn. Then Makekau moved to adjourn also. Haabeo seconded the motion for a night session, but the Speaker put the motion to adjourn three times made first and it carried "unanimously" the Speaker declared, although nearly half the House voted against it.

Gold Headed Cane is Presented to Shaw

Jonathan Shaw was at the tax office this morning giving the place a few last touches, getting it ready for his successor, J. W. Pratt. Last Saturday at noon, when Mr. Shaw returned from lunch, he found on his table a beautiful gold headed cane, the gift of the employees in the office. It was presented without formality of any kind and was accepted as an evidence of the esteem in which the chief of the office is held by those who have worked with him.

Mr. Shaw went into the tax office in 1893, as an appointee under Theo. C. Porter, Minister of Finance. He says the only regret he feels in retiring from public office, is that which comes from severing the pleasant relations with coworkers and other officials. Mr. Shaw took occasion to express himself as deeply conscious of courtesies received from the public during the term of his service.

J. W. Pratt assumed charge of the office this morning. E. V. Richardson took a step upwards in the Water Works department, succeeding J. W. Pratt as chief clerk.

Celebrate Fourth On Wide Pacific

The Nippon Maru Social & Athletic Club gives notice to the Nippon Maru's passengers that it is the intention "to make the Fourth of July a day of celebration long to be remembered by those participating."

In the morning there will be athletic games and fireworks, in the afternoon, a picnic and a luncheon, and in the evening a fancy dress ball.

For groceries ring up Blue 911.

Alexander Liholiho Council

At a specially called meeting of the Alexander Liholiho Council of Kadosh, No. 1, by Henry E. Cooper, Deputy Legate of the Supreme Council of the 33rd of the A. & A. S. R. of the Southern Jurisdiction of the United States of America, the following officers were elected and appointed for the ensuing Masonic term: Frederick Whitney, Receiver; Albert Van Clief Gear, First Sub. Preceptor; Lemuel Clark Ables, Second Sub. Preceptor; E. C. Brown, Chancellor; Samuel Louis Rumsey, Orator; Joshua Daniel Tucker, Almoner; David Dayton, Recorder and Treasurer; E. R. Bath, Master of Ceremonies; George Waldo Burgess, Turcopler; Arthur Morgan Brown, Draper; George David Gear, First Deacon; Edward Streit Boyd, Second Deacon; Louis Marks, Bearer of First Standard; David Kawanakoa, Bearer of Second Standard; William George Ashley, Bearer of Third Standard; Benjamin Hale Norton, Lieut. of Guard; Theodore Hoffman, Sentinel.

PLANS FOR PARADE THE GLORIOUS FOURTH

Col. J. W. Jones is hoping that the National Guard may pass in review before Adjutant General Corbin while parading on the Fourth of July.

General Corbin is expected to arrive in the transport Grant due tomorrow or next day. Corbin is on his way to make an inspection of the Philippines army service and will doubtless spend a few days in this port. An effort will be made to induce the general to remain in Honolulu over the Fourth, that he may form an idea as to the character of the Hawaiian militia as well as the condition of the Federal army work.

The National Guard and the Fire Department will furnish about the only thing in the way of a celebration that Honolulu can boast of on the Fourth. The Guard is ordered to assemble at the drill shed at 7:30 on the morning of the Fourth for parade. Special attention is called to the change in the hour of assembly from 8 to 7:30.

Chief Thurston of the Fire Department was in conference with Col. Jones this morning and it was decided that the department should also turn out in force.

The parade will start from the drill shed not later than 7:45 and go over the following line of march: From the drill shed to Beretania street, to Fort, to Merchant, to the Capitol grounds where the parade will pass in review and march directly to the drill shed.

The line of march is made short and the time set early in order that members of the Guard may escape the heat of the day and their work finished in time to allow the boys to make an early start for the boat races or attend any other events planned for the day.

Navy wharf No. 1 is in. The Philadelphia is coaling there and is the first regular navy vessel to enter the slip.

WILEI INJUNCTION UP FOR ARGUMENT

Respondents File Demurrer to Fitch's Complaint.

BIG GRIST OF PROBATE BUSINESS SETTLED

Judge Gear Grants Divorce to Mrs. Wootton on Grounds of Non-Support-Cases Continued to August.

Andrews, Peters & Andrade, for the defendants, John Ena, Tadomoto Ozawa, Eugene Sullivan and Kanematsu, in the matter of the injunction against Wilei, filed a demurrer to the complaint in Judge Gear's court this morning. The demurrer is based on the following grounds: That the complaint does not state facts sufficient to grant equitable or any relief; that several causes of action have been improperly joined; that the court has no jurisdiction to determine the question of damages, sitting without a jury; that there is a non-joinder of parties; that the bill is ambiguous and improperly entitled. The demurrer will be argued at 4:30 p. m. today.

The respondents made a separate return to the order to show cause in which it is alleged that the proceedings have not been proper, that there is no nuisance which can be at present enjoined by this court as shown by the affidavits of Ozawa and Kanematsu. These affidavits declare that no bawdy house was being run or kept by them at Wilei at the time the injunction was served on them June 27, and that such a place has not been kept or maintained since that date.

Thomas Fitch, in behalf of the complainants, maintained that this was a new matter and raised a question of fact which he would like to have time to meet with evidence. The point was waived by the attorneys for the defendants and argument on the demurrer set for this afternoon.

Petition for the appointment of a guardian for Frances and Gladys Hobron, minors, was filed by Thos. W. Hobron.

The case of A. R. Titlow vs. Albert Whyte et al. has been continued for the term.

In the estate of J. R. Williams, the report of P. D. Kelett, master, on the annual account of W. R. Castle as executor has been confirmed and the accounts approved.

By consent, the suit of Franz Buchholz vs. W. R. Castle has been continued to the August term.

Judge Gear rendered a decision today in the case of Frank Lillias vs. James Carty, finding for defendant.

The suit was one for recovery of the purchase price of a horse, plaintiff claiming the soundness of the animal was warranted.

In the estate of Elizabeth K. Bingham the court has approved the final accounts of the executors and confirmed the report of the master.

The second annual account of Charles E. Cooper, guardian of Reynold B. McGrew, has been approved and the report of Geo. A. Davis, master, confirmed.

The report of J. A. Thompson, master of the accounts of Ab Lan, administrator of the estate of Ah Chee, has been confirmed and discharge of administrator ordered.

Judge Gear granted a divorce today to Mary Wootton from her husband Henry G. Wootton, on the ground of non-support.

An order was made today by Judge Gear approving the accounts and granting the discharge of John Ena as administrator of the estate of Julius Hottel.

FROM THE ORIENT.

Among the through passengers in the Nippon Maru are Mrs. J. M. Bell, wife of Brigadier General J. M. Bell, who lately passed through Honolulu, Col. H. C. Cochran, U. S. M. C., who has lately gained much notoriety in the East, G. P. Dyer P. A. Paymaster, U. S. N., F. W. Dyson an astronomer sent by the British Government to Sumatra, Pay Clerk W. M. Gulek, U. S. N., Chevalier de Melotte, Belgian Consul at Tien Tsin, Ensign Dudley Knox, U. S. N., Capt. Guy G. Palmer, U. S. A., and wife, David Potter, U. S. N., H. Tanaka, Japanese Commissioner to inquire into the financial standing of different foreign powers, Lieut. R. H. Towley, U. S. N., J. L. Upham of a well known San Francisco firm, Lieut. Col. C. Watanabe, going to Washington on official business for the Mikado, Paymaster R. H. Woods of the U. S. S. Monopcy, and Captains C. H. Davis and Goodwin, R. A.

NATIONAL GUARD BENEFIT

Special efforts are being made to entertain the audience at the National Guard benefit this evening. The Flying Jordans will introduce several sensational feats in which Miss Nellie plays the part of the handball, being tossed from one to another of her parents while they are suspended from the top of the canvas. Berger's band will be in attendance and give a regular concert during the evening. The regiment has sold a large number of tickets which are being exchanged for reserved seats at Walls, Nichols and a packed house, or rather tent, is expected. One great feature of the last act on the program is the complete somersault turned in midair by Mrs. Jordan on her way from the flying trapeze to

her husband who catches her by the wrist and returns her to the platform. The feat is made unusually perilous by reason of the climate rendering Jordan's hands perpetually slippery with perspiration which, combined with the silk tights of his fair partner makes it a hard matter to grasp a flying athlete by the heels and swing them back to the flying bar.

Seabury will dive promptly at 7:30 this evening and the performance starts at 8:15 sharp. Several patriotic features are to be introduced into the bill and an unusually good entertainment will be furnished the crowd.

CAPTAIN WALLACE SAID BAD WORDS

The coming of the American bark Sea King to port started a disturbance which will have a hearing in the Police Court and in the United States Court if the threats of some of the sailors and a policeman are carried out.

When Pilot Lourenzen boarded the vessel Captain Wallace was in a rage over the slowness of things at this port. He claimed that he had spoken Diamond Head at 4:30 o'clock Saturday afternoon and asked to be reported. He was told that there was no communication with town.

As he arrived off the harbor so late the doctor did not go out and the tug under the circumstances did not go out.

In bringing the ship to an anchorage the mate, Douglas, had his foot badly lamed by the anchor chain and in the evening Captain Wallace came to town to get medical attendance. When the vessel came into the harbor yesterday morning the patrol wagon was sent to the wharf to get the injured man and take him to the hospital. As the officers with the stretcher attempted to board the vessel they were met by the captain and second mate, who said very naughty words to them and refused to allow them aboard. For the naughty and bad things he said to the officers, the captain is going to be complained of at police headquarters. The injured mate was finally got ashore to the Queen's Hospital where it was found necessary to amputate three of his toes.

Now there are three of the ship's company ashore looking for the United States Marshal so they can have the injured mate and the cook arrested. Harry Dear complains of Mate Douglas and says he has witnessed the way in which Wallace has expressed himself and kicked by the mate during the trip. Carroll, another seaman, says that the cook tried to carve him with a big butcher knife because he kicked about short provisions.

Captain Wallace is well known here and regarding him his friends say that the trouble all arose over the gentle way in which Wallace has of expressing himself, which is not always understood by strangers.

Adjutant General Corbin is Coming

The transport Hancock with Adjutant General Corbin and other members of her staff, left from San Francisco this afternoon. She was to have left the Coast on the 25th of June and it is thought she will be hurried along so as to make the stay here as long as possible.

PUNCHBOWL BATTLE.

The neighborhood of Punchbowl and Emma street was stirred up last night by a scrimmage between Officer Silva and a gang of crap shooters. The war assumed such dimensions that Deputy Sheriff Chillingworth went to the rescue of his subordinate. Silva was beaten in the face, he claims by one Freitas. Chillingworth himself was struck in the face by the same man. The wounds of Silva were dressed by Dr. Camp.

CAPTAIN DAVIS DEAD.

The American bark Coryphene arrived from Newcastle yesterday in charge of Mate R. R. Grindley. Captain Davis who left the Colonies in charge of the vessel died of malarial fever on June 31 and was buried at sea.

Captain Davis was well known here. He leaves a wife and family in Alameda. The dead skipper was about sixty years of age.

INCOME TAX LAW.

The income tax taking effect today, one of the first duties of J. W. Pratt, the new assessor, was to send out blanks to all the firms in the city on which to make their returns. These blanks will be forwarded to all people in the islands as quickly as the force in the office can get them out.

AT MURPHY HALL.

The concert at the Francis Murphy hall last Saturday night was again favored by a full attendance and the program was as usual bright and interesting. The meeting was presided over by Rev. Mr. Bancroft. Music was furnished by Ernest Wilson and others. The hall will be open each night this week.

M. P. D.

Calls at the House for Parcels.

TEL. BLUE 621.

FIFTEEN HUNDRED ACRES LAND SOLD

The Oiaa Dirt Goes Into Hands of Small Farmer.

BOYD NOT TO WAIT FOR U. S. LAND LAWS HERE

Will Also Make Every Effort to Prevent Public Domain from Being Gobbled by Plantation.

Land Commissioner E. S. Boyd by proclamation published today, transfers about 1500 acres of the Oiaa lands to small settlers. This is only a short step in the proposed vigorous policy which the Commissioner will pursue in allotting lands to small holders. At present there are on file in the land office over 300 applications for small lots of the public domain. These will be taken up and acted on as fast as possible.

"We are going to be liberal in our treatment of applicants for land and will not embarrass them with high appraisements. Lands which are worth \$100 are being turned over at \$12 and even lower.

"I believe in cutting down the plantations, but you can rely on it that if the United States land laws are established here, the sugar planters will eventually own the whole of our fertile land. The reasons are plain. We have not the facilities nor the resources nor the land. Coffee has proved a failure and I am certain that small farming would be encouraged under the operation of the United States land laws, unmodified. My idea is to give very liberal homestead agreements to good settlers, under the right to purchase lease. The tracts should range from 20 to 40 acres. Under the form of contract we are making settlers may obtain title in from two to twenty-one years to suit themselves.

"That the settlers will hold onto their lands is proved by the record of Malulu, Waipuuulua and Waikaua. Many small farmers settled in these localities in 1896, on farms ranging from 40 to 75 acres. They have refused offers of as high as \$150 per acre for their land. Out of the original sixty-seven settlers only eight have sold out. These farmers are happy and prosperous. They raise cane and sell it to the mills. I believe that wherever available land near sugar mills can be opened to the small settler, he should have it. The best crop is cane.

The activity in this branch of the land department is based on the settlement of the question of the legality of land leases and sales, ruled by Federal Attorney Baird."

EXECUTIVE COUNCIL

In the Executive Council this morning an application of Mr. Speitz of Kailiwal, Kauai, for a liquor license was read but not recommended owing to the smallness of the district.

E. S. Boyd brought up the matter of granting permission to Dr. Raymond to run water from Polipali spring to his ranch in Kailiwal. The proposition was favorably considered.

A petition came in, through the Land Commissioner, signed by citizens of Keanea protesting against the rumored purposes of the Hawaiian Commercial Company, Kehei and others to divert water from Keanea and Waianu. No action was taken in the matter.

J. H. Boyd presented maps of the railway line in Oiaa.

THE MARQUARDT CONCERT.

The Marquardt concert promises to be an event in the musical line and much interest is being taken by the public. The program will include a number of features, one of which will be by Herr Marquardt. He will play for a violin solo a fantasia on the sextette from Lucia. Madame Marquardt will play some new harp solos, and, in addition, will wear some handsome imported gowns for the first time. James D. Dougherty, a tenor with a good voice, has consented to appear and will contribute a number entirely new. The whole program promises to be an artistic one.

KAMALO CASE AGAIN

In the Supreme Court this morning, the Kamalo case which was given a place only last Saturday, was stricken from the calendar on motion of A. G. M. Robertson. Geo. A. Davis filed the following affidavit in the matter: I, Geo. A. Davis, solicitor in equity, make oath and say:

"That the complete record in this case was filed with the clerk of this Supreme Court by Mr. Ballou one of the counsel for appellants and he stated to me that the record was complete and all requirements for placing the case upon the calendar had been complied with. And that he had no objection to placing the case upon the calendar of this June term.

Secondly, that A. G. M. Robertson, another counsel, states in open court that he was not ready to argue the case and that Mr. Hankey was away at this time and these were the only objections he urged.

Third that Mr. Hankey was not counsel in this suit on the trial thereof but was employed after the evidence was

submitted; that in the interests of justice it is important and urgent that this case be placed on the calendar this term of this court; that the issues involved herein have been found for the plaintiffs and a decree entered up and for awarding the plaintiffs as trustees for the corporation \$35,000 in cash and \$120,000, or the return of that amount of stock and the court below found actual fraud conspiracy and conversion by the defendants of stock and money of the corporation.

That substantial justice requires that this case be placed on the calendar and I say that the defendants are seeking to evade and delay the hearing of this suit without good cause and substantial reasons.

TEST THE INCOME TAX

At a meeting of the Merchants' Association of Honolulu held Saturday afternoon the constitution and by-laws as drafted were accepted. Action was taken regarding the new income tax which goes into effect today and it was the sense of the meeting that the Board of Directors take steps to inquire into the constitutionality of the tax bill.

JUDGE DISMISSES SMITH PLEA IN ABATEMENT

The decision of Judge Gear on the plea in abatement in the case of W. G. Smith, indicted by the Grand Jury on the charge of perjury, was rendered this afternoon, dismissing the plea. Smith's case will go to trial tomorrow.

In his decision Judge Gear quoted from numerous authorities. The Court took occasion to sharply criticize the inaction of the Attorney General in the case saying that his neglect had imposed an extra amount of labor upon the Court. At the close of the decision, the Attorney General asked the permission of the Court to make a statement by way of explanation.

TOM MCTIGHE BRANCHES OUT.

Tom McTighe, for sixteen years connected with the house of Macfarlane & Co., has started out on his own account having become a member of the new liquor firm of Gomes & McTighe, 35 King street. Tom McTighe is one of the best known and popular men of the town. He is one of the most genial men of the business circles and is sure to have a good patronage for his new venture.

Strike on Mikahala.

There was a strike of Japanese deck hands on the Mikahala on her last trip. The men refused to work cargo between the vessel and landings at 5 o'clock in the morning. They were put ashore by Captain Gregory and the work done with the remainder of the deck force.

Mahukona Shipping.

Arrivals—June 23, brig Consuelo, Page, 14 days from San Francisco; general merchandise to Hawaiian Railway Co., Ltd. June 23, schr. Minnie A. Gaine, Olsen, 60 days from Newcastle, N. S. W.; coal to Kohala Sugar Company.

Departures—June 22, schr. John G. North, for Port Townsend, in ballast, and Mary Dodge, Olsen, for San Francisco, with 750,805 pounds sugar, valued at \$50,124.70.

DIED.

FOX—At Honokaa, Hawaii, June 30, 1901, of typhoid malarial fever, Mary Ida Fox, only daughter of Koolahala and Charles H. Fox, aged 7 years, 7 months and 14 days.

A. R. Hindt wants some cottages for some desirable tenants. See his ad in the Want column.

The Evening Bulletin, 75 cents per month.

Cool Feet

and how to keep them so : : : This is assured by wearing our patent : : : :

VENTILATED SHOE

MANUFACTURERS SHOE COMPANY

Puunui BARGAIN TWO LOTS 120x200 EACH LOCATION PUUNUI AVENUE just above Wyllie St. RESIDENCE PROPERTY FOR SALE ON Beretania, King, Prospect, Anapuni and other Streets A neat little Cottage on KING STREET CHEAP M'CLELLAN, POND & CO REAL ESTATE INSURANCE INVESTMENTS