

LEGAL NOTICES.

NOTICE TO CREDITORS.

Estate of Julia d'Olivera.

Letters Testamentary on the estate and under the will of Julia d'Olivera having been issued to the undersigned by Hon. W. J. Robinson, Third Judge of the Circuit Court of the First Judicial Circuit, Territory of Hawaii, on April 17, 1911.

Notice is hereby given to all creditors of said Julia d'Olivera, deceased, to present their claims, duly authenticated, and with proper vouchers, if any exist, even if the claim is secured by mortgage on real estate, to the undersigned at his office in the Stangenwald building, in Honolulu, or at the office of Castle & Withington, attorneys for the executor, at their office, No. 37 Merchant street, in Honolulu, within six months from the first publication of this notice, or they will be forever barred.

All persons indebted to said Julia d'Olivera are requested to make immediate payment to the undersigned at his office aforesaid, or at the office of Castle & Withington, attorneys for the executor, No. 37 Merchant street, in Honolulu.

Dated, Honolulu, Oahu, April 17, 1911.

GEORGE P. CASTLE,

Executor Under the Will and of the Estate of Julia d'Olivera.
Castle & Withington, attorneys for executor.

1905—Apr. 18, 25; May 2, 9, 16.

IN THE CIRCUIT COURT OF THE First Judicial Circuit, Territory of Hawaii.—At Chambers. In Probate. In the matter of the Estate of Antonio Thome Telles, Deceased. Notice to Creditors. Notice is hereby given that the last Will and Testament of Antonio Thome Telles, late of the City and County of Honolulu, Territory of Hawaii, deceased, has been admitted to probate by the above Court and Letters Testamentary granted to the undersigned, Barbara Telles, the Executrix named in the said Will. All creditors of the deceased or of his estate are hereby notified to present their claims, duly authenticated and with the proper vouchers, if any exist, even though the said claims may be secured by mortgage upon real estate, to Messrs. Holmes, Stanley & Olson, attorneys for said Barbara Telles, Executrix, at their offices, No. 653 Kaimanani street, Honolulu, within six (6) months from the date hereof (which is the date of the first publication of this notice); otherwise such claims, if any, shall be forever barred.

All persons indebted to the said estate are hereby notified to make payment to the said Holmes, Stanley & Olson. Dated at Honolulu, T. H., March 28, 1911. BARBARA TELLES, Executrix.

1887—Mar. 28; Apr. 4, 11, 18, 25.

IN THE CIRCUIT COURT OF THE First Judicial Circuit, Territory of Hawaii.—At Chambers. In Probate. No. 4289. In the matter of the Estate of Wilhelm Kuhlmann, deceased. On reading and filing the petition of Bishop Trust Company, Limited, an Hawaiian corporation having its principal office in the City and County of Honolulu, Territory of Hawaii, Administrator of the Estate of Wilhelm Kuhlmann, late of Honolulu aforesaid, deceased, wherein it asks to be allowed \$238.83 and charges itself with \$467.61, and asks that the same may be examined and approved, and that a final order may be made of distribution of the property remaining in its hands to the persons thereto entitled, and discharging it and its sureties from all further and future liability and responsibility under trust as such administrator; It is Ordered, that Monday, the 22nd day of May, 1911, at 10 o'clock a. m., before the Judge of said Court at the courtroom of the said Court at Honolulu aforesaid, be and the same hereby is appointed as the time and place for hearing said petition and accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. Dated at Honolulu, this 11th day of April, 1911. By the Court: J. A. THOMPSON, Clerk. Holmes, Stanley & Olson, attorneys for petitioner.

1899—Apr. 11, 18, 25; May 2.

BY AUTHORITY.

OFFICE OF THE BOARD OF HEALTH.

Honolulu, Hawaii, April 24, 1911. TENDERS FOR FURNISHING AND EQUIPMENT, KAPIOLANI GIRLS' HOME, KALIHI, HONOLULU.

Sealed tenders, in duplicate, endorsed "Tenders for Furnishing and Equipment, Kapiolani Girls' Home, Kalihi, Honolulu," for furnishing and equipping the Kapiolani Girls Home, at Kalihi, Honolulu, will be received at the office of the Board of Health until 12 o'clock noon, Monday, May 8, 1911.

Specifications and a list of articles required, and other information, may be had upon application at the office of the Board of Health.

Tenders must be accompanied by a certified check equal in amount to 5% of the tender.

All bids must be made on forms furnished by the Board of Health and must be submitted in accordance with, and be subject to, the provisions and requirements of Act 62, Session Laws 1909.

The Board of Health does not bind itself to accept the lowest or any bid or tender.

THE BOARD OF HEALTH.

By its President,
E. A. MOTT-SMITH.
4910 Apr. 24, 25, 27, 28, 29; May 1, 2, 3, 4.

Telephone 1003

A. P. McDONALD,

Contractor and Builder.
Estimates given on all kinds of building.
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PAUHI STREET, NEAR NUUANU

BY AUTHORITY

ACT 107.

AN ACT

TO REGULATE THE IMPORTATION AND SALE OF SEED INTO AND WITHIN THE TERRITORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the importation for seeding purposes into the Territory of Hawaii of seeds of alfalfa, barley, Canadian blue grass, Kentucky blue grass, bromo grass (awnless), buckwheat, alsike clover, crimson clover, red clover, white clover, field corn, Kafir corn, meadow fescue, flax, millet, oats, orchard grass, rape, red top, rye, sorghum, timothy, vetch, and wheat which are adulterated or unfit for seeding purposes within the meaning of this Act is hereby prohibited, and the Board of Commissioners of Agriculture and Forestry is hereby authorized and empowered to make such rules and regulations, subject to the approval of the Governor of the Territory, as will provide for the exclusion of such seeds from the Territory of Hawaii.

SECTION 2. That seed shall be considered adulterated within the meaning of this Act: First, when seed of red clover contains more than three per centum of seed of yellow trefoil or any other seed of similar appearance to and of lower market value than seed of red clover; second, when seed of alfalfa contains more than three per centum of seed of yellow trefoil, burr clover, or sweet clover, singly or combined; third, when any kind or variety of the seeds named in Section 1 of this Act contains over five per centum of seed of another kind or variety of lower market value and of similar appearance. Provided, that the provisions of this paragraph shall not apply to mixtures of white and alsike clover, red and alsike clover, alsike clover and timothy.

SECTION 3. That seed shall be considered unfit for seeding purposes within the meaning of this Act: First, when any kind or variety of clover or alfalfa seed contains more than one seed of dodder to five grams of clover or alfalfa; second, when any kind or variety of the seeds named in Section 1 of this Act contains more than three per centum, by weight, of seeds of weeds.

SECTION 4. That each and every package or lot of agricultural seeds of the kinds named in Section 1, containing one pound or more, whether in package or bulk, which is sold, offered or exposed for sale by any person, firm or corporation in the Territory of Hawaii shall be plainly, legibly and indelibly labeled in English upon the exterior of the container, with a written or printed label. Such label shall show:

First: The commonly accepted name of the kind and variety of seed;

Second: The full name and address of the person, firm or corporation selling, offering or exposing the seed for sale.

SECTION 5. That in case of sale, offering or exposure for sale of mixed seeds, the package or containers shall be plainly labeled upon the exterior of the container with correct common name of the kinds or varieties of seed composing the mixture.

SECTION 6. That no person, firm or corporation shall sell, offer or expose for sale in the Territory any agricultural or garden seeds, excepting only garden seeds in a packet or a package of one pound or less, which contain in greater numbers than one to two thousand of the seeds under examination the seeds of the following named noxious weeds:

Canada thistle (*Carduus arvensis*), Russian thistle (*Salsola tragus*), couch, quack or quitch grass (*Agropyron repens*), clover dodder (*Cuscuta epithymum*), field dodder (*Cuscuta arvensis*), sow thistle (*Sonchus arvensis*); and the sale of agricultural or garden seeds containing more than a reasonable trace of the seeds of wild oat (*Avena fatua*), bur-grass (*Cenchrus tribuloides*), witch grass (*Panicum capillare*), porcupine grass (*Stipa spartea*), knot-grass (*Polygonum aviculare*), sorrel (*Rumex Acetosus*), Mexican tea (*Chenopodium ambrosioides*), charlock (*Brassica arvensis*), hedge mustard (*Sisymbrium officinale*), black mustard (*Brassica nigra*), Shepherd's purse (*Capsella Bursapastoris*), wild pepper-grass (*Lepidium Virginicum*) Jimson weeds (*Datura Stramonium* & *D. Talula*), rib-grass (*Plantago lanceolata*), ragweed (*Ambrosia artemisiifolia*), may-weed (*Anthemis Cotula*), burdock (*Arctium Lappa*), ox-eye daisy (*Chrysanthemum Leucanthemum*), chicory (*Chichorium Intybus*), bull-thistle (*Carduus lanceolatus*), black-eyed Susan (*Rudbeckia hirta*), broad cocklebur (*Xanthium strumarium*), or the seeds of any other plants which may, from time to time, be specified in rules and regulations to be issued by the Board of Commissioners of Agriculture and Forestry as noxious weeds, is unlawful.

SECTION 7. That it shall be unlawful for any person, either for himself or while acting as agent or servant of any other person, firm or corporation, to sell, offer or expose for sale, or to deliver within the Territory of Hawaii any seeds that are misbranded within the meaning of this Act. Seed or seeds shall be deemed to be misbranded if the contents of any sack or lot of seeds, whether in package or in bulk containers, is not labeled in accordance with the requirements of Sections 4, 5 and 9 of this Act, or if such seed or seeds is falsely labeled in any respect.

SECTION 8. Whoever sells, offers or exposes for sale in the Territory of Hawaii any seeds without complying with the requirements of Sections 4 and 5 of this Act, or in violation of Sections 6 and 9 of this Act, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than Ten Dollars (\$10.00) and the costs, nor more than One Hundred Dollars (\$100.00) and the costs of the prosecution for the first offense, and not less than One Hundred Dollars (\$100.00) and costs, nor more than Five Hundred Dollars (\$500.00) and costs of prosecution for the second and subsequent offenses.

SECTION 9. The provisions of this Act shall not apply to any person, firm or corporation growing or selling or exposing for sale cereals or other seeds for manufacturing purposes, for food or forage. Provided, that the provisions of this Act shall not apply to the sale or exposure for sale of uncleaned seed, provided each package, lot or bulk of such uncleaned seed sold, exposed or offered for sale be plainly labeled with the words

"Uncleaned Seed," and provided, further, that in case of large quantities of such uncleaned seeds stored in an elevator, granary or warehouse, they shall be labeled, the bins or subdivisions, "Uncleaned Seeds," and no such uncleaned seed shall be sold or delivered within the Territory for sowing purposes without the consent of the purchaser. This Act shall not apply to seeds or grains in transit.

SECTION 10. The Board of Commissioners of Agriculture and Forestry may inspect, examine and make analysis of, or test seed sold, offered or exposed for sale in the Territory at such times and places and to such extent as it may determine. The said Board is hereby authorized and empowered to appoint a Territorial seed inspector and such other agents as it may deem necessary to carry out the provisions of this Act, and said inspector or agents shall have free access at all reasonable hours upon and into any premises or structures to make examinations of any seeds, whether such seeds are upon the premises of the owner of such seeds or on other premises; and may take from any person, firm or corporation any sample or samples of such seeds.

SECTION 11. This Act shall take effect from and after the date of its approval.

Approved this 20th day of April, A. D. 1911.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 108.

AN ACT

TO AMEND SECTION 2161 OF THE REVISED LAWS OF HAWAII, RELATING TO NOTICES OF FORECLOSURE OF MORTGAGES UNDER POWER OF SALE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2161 of the Revised Laws of Hawaii is hereby amended by striking out in the sixth line of said section the words "the Hawaiian and," and by substituting for the word "languages," in the same line the word "language."

SECTION 2. This Act shall take effect upon its approval.

Approved this 20th day of April, A. D. 1911.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 109.

AN ACT

MAKING SPECIAL APPROPRIATION TO COMPENSATE YEE YAP FOR THE DAMAGES SUFFERED BY HIM BY REASON OF THE DEFECTIVE TITLE OF LAND CONVEYED TO HIM BY LAND PATENT (GRANT) NUMBER 61, DEPARTMENT OF PUBLIC WORKS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There shall be, and hereby is, appropriated the sum of Twelve Hundred and Fourteen Dollars (\$1214.00) to be paid out of any moneys in the Treasury received from the general revenues of the Territory, as compensation to Yee Yap for the damages suffered by him, by reason of the defective title of land attempted to be conveyed to him by Land Patent (Grant) Number 61, Department of Public Works.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 20th day of April, A. D. 1911.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 110.

AN ACT

TO PROVIDE A CLOSE SEASON FOR THE PROTECTION OF THE FISH KNOWN AS AMAAMA.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That it shall be unlawful for any person to fish for or take, or be engaged in the fishing for or taking from any of the waters within said Territory, except as hereinafter provided, Amaama, during any time from December 1st to March 1st inclusive in any year. And it shall be likewise unlawful for any person to expose or offer for sale, to have in possession for the purpose of exposing or offering for sale any Amaama, during or within any of the times stated in this section; provided, however, that the prohibition of this section against the fishing for or taking of Amaama, shall not extend or be applicable to the owners or lessees of enclosed fish ponds privately owned.

The word Amaama as used in this Act shall be construed to include Anae and all other terms used to designate the various sizes of fish of which Amaama is the common name.

SECTION 2. Any person offending against any of the provisions of this Act shall, for the first offense, be punished by a fine of not less than Ten Dollars nor more than One Hundred Dollars, or by imprisonment not less than ten days nor more than twenty-five days, in the discretion of the court, or by both; and upon a subsequent conviction of such offense, at any time within one year after a former conviction thereof, the person so convicted such subsequent time shall be punished by a fine of not less than Fifty Dollars, nor more than Five Hundred Dollars, or by imprisonment not less than fifty days nor more than one hundred days, in the discretion of the court, or by both.

SECTION 3. Any and all Amaama which shall be exposed or offered for sale or held in possession with the intent of exposing or offering the same for sale, contrary to the provisions of this

Act, shall be seized by any officer of the Board of Health or any police officer, and shall be by him forthwith sold, (if fit for food), and the proceeds of such sale shall be reported to the District Court having jurisdiction of such offense, and if said court shall find that such seizure and sale was justified under this Act, such said proceeds shall be adjudged forfeited to the county in which such court is located, and shall be paid over to the County Treasurer thereof, in like manner as fines and costs realized in such District Court are now authorized to be paid; but if such court shall find such seizure and sale to have been unjustified under this Act, such proceeds shall be paid over to any claimant thereof who shall establish his right thereto before such District Court.

SECTION 4. Appeals from the decisions and judgments of said District Courts, under the provisions of this Act, may be taken to the Supreme Court or to the appropriate Circuit Court, in like manner as appeals from such District Courts are now provided to be taken.

SECTION 5. This Act shall take effect upon and from the date of its approval, and shall continue in force for and during a period of six years.

Approved this 20th day of April, A. D. 1911.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 111.

AN ACT

RELATING TO ABATEMENT OF NUISANCES, AMENDING SECTIONS 994, 995, 997 AND 1000 OF THE REVISED LAWS, ADDING A NEW SECTION THERE TO TO BE KNOWN AS SECTION 995A, AND REPEALING SECTIONS 996, 1001 AND 1002 THEREOF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 994 of the Revised Laws is hereby amended to read as follows:

"Section 994. The Board of Health and its agents shall examine into all nuisances, foul or noxious odors, gases or vapors, water in which mosquito larvae breed, source of filth and all causes of sickness or disease, on shore, and in any vessel, which may be known to them or brought to their attention, which in their opinion are dangerous or injurious to health, and shall cause the same to be abated, destroyed, removed, or prevented."

SECTION 2. Section 995 of the Revised Laws is hereby amended to read as follows:

"Section 995. Whenever any such nuisance, foul or noxious odors, gases or vapors, water in which mosquito larvae breed, source of filth, or cause of sickness or disease, shall be found on private property, the said Board shall cause notice to be given to the owner or owners to remove and abate the same at his or their own expense within such reasonable time as the Board may deem proper; a duplicate of the notice so given shall be left with one or more of the tenants or occupants of the premises; if the owner resides out of the Territory or cannot be reached with notice speedily, notice left at the house or posted on the premises shall be deemed sufficient, and if the owner or owners thus notified shall not comply with such notification or order of the Board of Health, or its agent, within the time specified, the Board, or its agent, shall proceed to abate such nuisance and remove, destroy or prevent the cause of such foul or noxious odors, gases or vapors, water in which mosquito larvae breed, source of filth, or cause of sickness or disease, or other thing detrimental to public health, and said Board shall have a right to recover by action the expenses incurred by it in such abatement, removal, destruction or prevention, from any person or persons who shall have caused or allowed such nuisance, source of foul or noxious odors, gases or vapors, water in which mosquito larvae breed, source of filth or cause of sickness or disease, or other thing detrimental to the public health, and from any owner, tenant or occupant of the premises, who, after notice as aforesaid, shall have failed to abate, remove, destroy or prevent such nuisance, source of foul or noxious odors, gases or vapors, water in which mosquito larvae breed, source of filth, or cause of sickness or disease, or other thing detrimental to the public health within the time specified in such notice."

SECTION 3. A new section is hereby added to the Revised Laws, to be known as Section 995A.

"Section 995A. Whenever any such nuisance, foul or noxious odors, gases or vapors, water in which mosquito larvae breed, source of filth, cause of sickness or disease, shall be found on public property or on a public highway, street, lane, alley, or other public place, notice shall be given by said Board, or its agent, to the person or persons officially in charge thereof, and such person or persons shall be notified to abate, destroy, remove or prevent the same; and in case of failure to comply with such notice, the mode of procedure shall be the same as hereinbefore provided in case of private persons in Section 995."

SECTION 4. Section 997 of the Revised Laws is hereby amended to read as follows:

"Section 997. Whenever any member of the Board of Health, or its agent, shall deem it necessary for the preservation of the lives or health of the public to enter any land, building or vessel for the purpose of examining into, abating, destroying, removing or preventing any nuisance, source of foul or noxious odors, gases or vapors, water in which mosquito larvae breed, source of filth, or cause of sickness or disease, or other thing detrimental to public health, and shall be refused such entry, such member may make complaint to the district magistrate in whose district such nuisance, source, place, or cause is, and such district magistrate may thereupon issue a warrant, directed to any sheriff, deputy sheriff or police officer of said district, commanding him to take sufficient aid, and, being accompanied by such member of said Board or agent, between the hours of sunrise and sunset, to repair to the place described in said complaint, and to abate, destroy, remove or prevent, under the directions of such member or agent, such nuisance, source or cause."