HAWAIIAN GAZETTE

M. RAPLEE,
DIRECTOR OF THE GOVERNMENT PRESS

HONOLULU:
WEDNESDAY, FEB. 12, 1873.

BY AUTHORITY.

HIS HAS PLEASED HIS MAJESTY THE KING to constitute and appoint the following gentlemen as the Board of Health of this Kingdom:

His Excellency Edwin O. Hall, President; Dr. George Trousseau, Hon. S. G. Wilder.

Iolani Palace, February 5, 1873.

THE attention of owners of Ahupuaas and Ilis of land within this Kingdom, whose lands have not been awarded by the Land Commissioners, patented or conveyed by deed from His Majesty the King, by boundaries decided in such award, patent, or deed, is called to Section 9 of the Act approved on the 22nd day of June, 1868, entitled An Act to facilitate the settlement of boundaries, &c., as follows:

"Sec. 9. If the owner of any Ahupuaa or Ili of land, coming within the purview of this law, shall make default in filing a proper application with the Commissioner on or before the 22d of August, 1873, he may be summoned by the Commissioner, at the instance of His Majesty's Minister of the Interior, or Attorney General: and it shall be lawful for the Commissioner to proceed to certify the boundaries of said Ahupuaa or Ili, and the owner thereof shall be mulcted in DOUBLE COSTS, as a penalty for his default, subject to appeal, as provided in Section 6 of this Act."

EDWIN O. HALL,
Minister of the Interior.

Interior Office, Feb. 5, 1873.

NOTICE is hereby given, that in the settlement of unascertained boundaries by the commissioner of boundaries in the 3rd Judicial Circuit, or Island of Hawaii, the following persons have been appointed to represent the interests of the Hawaiian Government in the settlement of all boundaries where the government is a party and notices of hearings may be served upon them, viz:

F. S. LYMAN,—for Hilo, Puna and Kau,
S. C. WELTON,—for Hamakua and Kohala,
J. G. HOAPILI,—for North and South Kona.

EDWIN O. HALL,
Minister of the Interior.

INTERIOR OFFICE, Feb. 10th, 1873.

DR. GEORGE TROUSSEAU has this day been appointed Port Physician of the Port of Honolulu.

EDWIN O. HALL,
President of the Board of Health.

INTERIOR OFFICE, Feb. 10th, 1873.

J. W. SMITH, Esq., has this day been appointed Road Supervisor of North Kona, Island of Hawaii, in place of James Smith, Esq., resigned.

EDWIN O. HALL,
Interior Office. Minister of Interior.
Feb. 1st, 1873.

RULES relating to the boarding of Vessels arriving at these Islands by the Port Physician, adopted by the Hawaiian Board of Health, on February 10th, 1873.

1st. Upon the arrival of a Steam or Sailing Vessel off the Ports of these Islands, which has been at sea for a period less than eighteen days, the Pilot after boarding the vessel shall strictly enquire into the health of the persons on board; he shall instruct the Captain to have his crew and passengers mustered on deck, whom he shall personally review, when, if he shall deem it necessary he shall hoist a yellow flag to call on board the Port Physician for a more thorough investigation, and anchor the vessel outside.

2nd. In the cases of Steam or Sailing Vessels arriving after a longer period at sea than eighteen days from their last port of call, the procedure shall be such as has been followed heretofore, and ordered in Sections 594, 595 and 596 Civil Code.

3rd. In all cases where a vessel is boarded by the Port Physician, his fees and expenses shall be paid by the vessel.

By order of the Board.

CHAS. T. GULICK, Secretary.

SUPREME COURT, OAHU SS.

It is hereby ordered that the Circuit Court for the Fourth Judicial Circuit to be holden on the first Tuesday in February next, shall stand adjourned from that day to the last Tuesday of March next, *i. e.* 25th March, A. D. 1873.

By Order of the Court. WALTER R. SEAL,
Honolulu, Jan. 27, 1873. Clerk Supreme Court.

SUPREME COURT, OAHU, SS.

Magistrates, Sheriffs, and Clerks of Circuit Courts, are hereby reminded that *Processes* are to issue from their several Courts in the name of LUNALILO, THE KING, and prepare their forms accordingly.

By order of the Supreme Court.

WALTER R. SEAL,
Clerk's Office Supreme Court, Clerk Sup. Court.
Honolulu, Jan. 20, 1873.

CHARLES R. WAITE, Esq., has this day been admitted to practice as an Attorney at Law in all the Courts within this Kingdom. By order of the Court.

WALTER R. SEAL, Clerk.
Honolulu, 18th January, 1873. 2-3t

WE publish this week the Statistical Tables prepared by the Collector General showing the imports at Honolulu for the year 1872. These tables are very valuable as showing the quantity and value of every article imported, Paying Duties, Bonded and Free.

These Statistical Tables, we believe, are the second of the kind ever prepared here, and the care and labor expended on their compilation is highly creditable. We shall publish them together with the tables published last week, in pamphlet form, at the request of the Collector General.

Fiji.

We have dates from Fiji to the 1st of January. At the close of the year planters and producers congratulated themselves upon a prosperous season, the exports having exceeded that of former years. Some of the planters are destroying their cotton plants and cultivating sugar cane. The *Southern Cross* says that "the year past has opened up a new question, namely—annexation to Great Britain. The proposal of Mr. McArthur for England to annex the group has been warmly discussed here, and has elicited general sympathy in favor of the project." It is said that the Ministers of the King are in favor of the project, though by their oaths of office they cannot say so. A correspondent of the *Fiji Times* says: "It is well known (to us planters) that there is not a native chief who is not puzzled and dissatisfied with the present useless policy, which deprives them of all power which the present Government cannot replace or exercise." A deputation has waited on Mr. Thurston with a resolution from a public meeting, to request the King to annul the present Constitution of Fiji. Mr. Thurston replied at some length, and said that in respect to the resolution the King declined to entertain it at all. All the complications arose from the Europeans, not from the natives. Great duties and serious obligations devolved upon the King, and he must decline to abandon the situation at the request of a small body of whites who appeared to be animated with a general spirit of unrest. The natives had made a step in civilization, and were really interested in the present question and looked upon it with peculiar interest.

AMONGST the items of importance brought by the last telegrams from Europe, is the announcement of the death of Napoleon III. at Chiselhurst, on the 9th of January last.

This event, if it had taken place a few years ago, would assuredly have been looked upon as a public calamity, both in France and abroad, by the Conservative Governments of Europe; but will now quietly pass on, if not altogether unnoticed, unattended at least with the disastrous consequences of a great loss.

History will with impartiality pronounce its verdict upon one who for a period of 18 years, as a powerful Emperor, had the direction of the destinies of the French nation, and who died an exile, after having plunged his country into the horrors of a war which he could have honorably avoided. Time alone will show the part of responsibility he has assumed, and how far he has been the deluded author or the blind agent of the dreadful calamities which have befallen his Empire, and ruined forever the hopes of his dynasty. Even during his lifetime his action and genius have been diversely interpreted, both by his admirers and his detractors, and it will require the sober consideration of posterity to come to a fair and unprejudiced view of the subject, equally free from the exaggerated praises and the bitter disparagement with which it is at present surrounded. A brief synopsis of his life may at any rate prove interesting.

Louis Napoleon Bonaparte was born in 1808, the second son of Louis Bonaparte, King of Holland, and of Hortense de Beauharnais. The fall of the Empire of his uncle, Napoleon I., deprived his mother of her Queenly station, and she with her two sons retired to Switzerland, with the title of Duchess of St. Leu. He first gave evidence of his daring spirit during the insurrection fomented by the Italian Liberal Party at Florence in 1831, which having failed, he remained in comparative obscurity. His brother and the Duke de Reichstadt, son of Napoleon I., being both dead, he became the only representative of the Napoleonic dynasty, and from that moment determined to claim his rights as such.

His attempt at overthrowing Louis Phillippe met with failure at Strasbourg, and he was, owing to his name, mildly treated and sent as an exile to the United States of America. Not profiting by that severe lesson and the example of a free people, he landed at Boulogne with a view to carry out his plans of restoration of the Empire. Tried by the Chamber of Peers, he was sentenced to be imprisoned in the citadel of Ham. After a few years detention, with the help of Dr. Conneau (whose name appears among those of the physicians who attended at his death-bed) he managed to escape, and the Revolution of 1848 offered him the long sought for opportunity of promoting his ideas of Napoleonic fatalism. He courted popular favor by assuring his followers of his devotion for republican institutions, and he was elected as member of the Assembly. On the 11th of December, 1848, he was made President of the Republic, and on the 20th took the oath to that form of government. Three years later, breaking his word, he sent to prison those Representatives of the Assembly who were hostile to his views, and by his *coup d'etat* of December 2d, 1851, proclaimed himself Emperor of the French. This was the original sin, the consequences of which were to be felt all through his career. He could not efface it, do what he would. It is a conceded fact that during his reign industry, commerce and agriculture attained a climax of unprecedented prosperity. It is also a known trait of his life that he sedulously worked to improve the condition of the working classes, but his efforts were unavailing, and his popularity was never deep-seated. The Crimean war in 1855, and the Italian war in 1859, gave a new prestige to his name, and seemed to justify his hope of implanting his dynasty in France, as he had asserted his predominance in the world; but the Mexican war soon proved to his adversaries that there was no solid foundation to his stability, and the republican ideas which he had violated were undermining his projects. Even his highest conceptions were turned to his detriment, and the principle of nationalities which he upheld when he made the Italian war, was invoked by Prussia in the Danish and other questions.

The great Exhibition of 1867, one of the most memorable events of his reign, added a fresh lustre to the imperial glory; but from that moment we can date the steady downfall of the frail fabric raised by one man against the laws of God. Surrounded by counsellors such as he could find in a corrupted court, badly advised by those who connived with him at the *coup d'etat*, he rushed headlong into the German war to escape, it is alleged, the dreadful consequences of a revolution which threatened to overthrow him. Whatever his motive may have been, it is proved now beyond a doubt that he willingly refused to listen to the arguments of those who showed him the abyss open before him. "*Quos vult perdere Jupiter dementat.*" The disaster of Sedan has broken in France the magic spell of the Napoleonic legend. Chiselhurst cannot compare with St. Helena.

Mauritius and Hawaii.

EDITOR GAZETTE: In the leading article of the GAZETTE of Feb. 5, commenting on the Custom House statistics, appears the following paragraph:

"We have before spoken of the benefit and saving which would accrue to our planters here should it be possible to make this the market for their products. This is almost the only sugar growing country in the world where the planter is obliged, either of himself, or through an agent, to ship his produce to a foreign market. The saving both in expense and delay in realization, would no doubt be great, and, could such an object be attained, benefit would no doubt accrue both to the planter on other islands and the agents in Honolulu."

The statement is well put, and the costly system referred to as in vogue here is undoubtedly one of the principal evils under which our planters have long labored, and its reverse is the secret of the success in Mauritius and Cuba. Not only must sugar be manufactured at a low cost to make the heavy investments remunerative to the planter, but it must also be marketed, or disposed of, at the lowest possible cost. Otherwise the expenses will absorb all the profits, and result in failure, as has been the case in too many instances here. In Mauritius, not only is the sugar invariably sold *before it leaves the Island*, but in many instances it is sold *before the cane is cut*, and the planter is allowed to draw (if needed) in advance of delivery on the buyer, free of charge. Everything is thus in his favor, and he has not only no interest to pay on advances, but pays very small commissions, or none, for selling, and has the great advantage of dictating his own terms to the buyer.

Some two years ago, two gentlemen who resided here, and desired to see this economical system of selling our sugars before shipment introduced here, made proposals to buy the entire crop of one of our plantations (say two million pounds,) at what was considered a fair price to both parties. The terms were concluded, lacking only the signatures of the parties, when a great cry was raised about attempts to destroy the business of agents of plantations. Something was also said about the immorality, if not dishonesty, of meddling with other people's affairs, while the planters interested were spoken of as the most ungrateful of humans in withdrawing their business from those who had bridged over the chasm of "hard times." To make a long story short, the Mauritius system was proved a humbug, and the Hawaiian system lauded as the planters' only salvation, and all who undertook to change it as "morally though not legally wrong."

So long as those engaged in growing sugar and other products fail to see, or seeing, fail to adopt, the admirable and economical system which prevails in other sugar-growing countries, and invite buyers to come here, just so long will our agriculturists be burdened and complain of expenses from which no "reciprocity treaty," nor any other treaty, will permanently relieve them.

I venture to say that it has for ten years and does still cost the planters of these islands from ten to twelve per cent. more for commissions, interest, insurance, loss in weight and in other ways, than it costs the planters of Cuba, Mauritius or Jamaica, who sell on the spot. Now ten per cent. saved annually on a crop of one hundred thousand dollars, amounts in ten years to a snug little fortune, sufficient for men of ordinary ambition to retire on. Can any one doubt why our sugar interests languish? Yours &c. H. M. W.

To the Editor of the Hawaiian Gazette:

SIR:—I learn from reports now being circulated that it is the intention of the Rev. Mr. Mason to leave these islands by the next steamer for San Francisco or Auckland, intending either in America or New Zealand, to locate and practice his profession as a Protestant Episcopal clergyman. Now, I understand, Mr. Mason is not one who is tired of the country, and is anxious to get out of it for the sake of change; but on the other hand, would prefer remaining here, and making this beautiful little elysium his home. Yet in the face of this, he is compelled by circumstances to plant himself in some other soil and exercise his more than mediocre talents in another clime. A want of funds in the church coffers to pay his stipend appears to be the one insurmountable cause. It is a pity—nay, more, a shame—that a gentleman of Mr. Mason's ability and usefulness should be quietly permitted to leave our shores without an effort on the part of the church and its friends to retain his services here. Surely, Mr. Mason should be well enough known at Honolulu ere this to be appreciated. He has spent many years of his active life on these islands, laboring earnestly and zealously for the moral and religious enlightment of both natives and foreigners, and has well nigh lost his sight in the church's service. Is he now to be compelled to seek another field of labor because the mission funds here cannot support him? It can scarcely be said that things have so changed that Mr. Mason's services are not now required; for never during the past ten years' history of the church's mission on these islands, have ministers of his talent been more needed than at the present. Not only so, if there were too many laborers in the field, it was cruel and ungrateful to dismiss those who have "borne the burden and heat of the day," while strangers enter into their labors and luxuriate on the fruits of their toil. Aside from these considerations, Mr. Mason's preaching ability should be sufficient to induce the people here to exert themselves to keep him among them. Without wishing to draw an invidious comparison between him and his brother clergymen of his own church or other churches, he certainly takes a first place among the Christian ministers of this town as a fluent, lucid, logical and impressive preacher. Are not the forementioned considerations of sufficient moment to induce the members and adherents of the church of which Mr. Mason is a minister to keep him with them? It should be an easy matter in a place like this to raise funds enough to pay him a respectable salary without looking to the mission funds. Let his friends organize themselves into a committee, collect subscriptions, and take the necessary steps to prevent his departure; and I have no doubt that sufficient money can be raised and other matters satisfactorily arranged to induce the Reverend gentleman to remain here and labor for the people's moral good as heretofore. I for one will most cheerfully contribute my mite towards the funds.

Trusting you will favor me with space for this in your columns, I remain, &c. W. G. P.

MR. EDITOR: In answer to the biased Police report of the *Commercial Advertiser* of last Saturday, we state that we did not appear in old livery but in military coats, as decided in Court. Our intention was not to injure the Order, nor to offend any person present at the ball, and we regret that the same was misconstrued by a few. When we were requested by the Committee to leave the room and to change our coats we immediately complied and left the ball-room, but in the act of doing so we were encountered by the keeper of the Hawaiian Hotel, who insulted us in a vulgar and abusive manner.

T. GRUSSENDORF,
R. KOHLER,
H. LUNDY.

Honolulu, February 10, 1873.

Supreme Court, Hawaiian Islands.

JANUARY TERM, A. D. 1873.

Kamaipunpaa vs. C. R. Bishop and J. O. Dominis, Administrators of the Estate of His late Majesty, Kamehameha V.—BEFORE HARTWELL, J.

Replevin to recover certain goods and chattels, viz:

One single carriage and horse;
One double carriage;
Two horses, one whip;
One large bedstead;
Three small bedsteads;
Four gold rings, six feather wreaths, five combs, two dozen calabashes, one wardrobe.

The answer disclaims as to the rings, wreaths, and combs, and pleads the general issue as to the other property. Jury waived, and the cause heard in vacation as of Term, by agreement.

W. C. Jones for Plff.
R. H. Stanley for Defts.

FINDINGS AND JUDGMENT OF THE COURT:

The evidence is that the horses and carriages were bought and paid for by His late Majesty, the bill of sale being in his own name, and that they were kept and cared for by him, and used mainly by the plaintiff, a member of his household and a favorite servant. They were also sometimes spoken of as hers, but the fact that two other horses given her by the King were by his order branded with her brand, confirms me in the view that these were never given or meant to be given to her except for use. There is no evidence that the furniture which the plaintiff used in the Palace yard was given or belonged to the plaintiff. The calabashes however appear to have been bought with her money and to be her property. So of the bedsteads and wardrobe taken from her house at Waikiki. The possession of these articles there indicates *prima facie* ownership. For these articles, to wit, wardrobe, small bedsteads taken from Waikiki, and calabashes, judgment may be taken, but not for the rest.

Honolulu, H. I., Feb. 6, 1873.

Supreme Court—In Banco—October Term, A. D. 1872.

BEFORE ALLEN, C. J., HARTWELL AND WIDEMANN, JJ.

In Re Estate of Poholowai, deceased intestate.

Question reserved, and submitted by agreement.

The Local Circuit Justice of Maui, acting as a Court of Probate, decreed in favor of a certain claimant of the Estate of Poholowai, deceased intestate, to which decree an appeal was taken to the Circuit Court by the contestants. The decree of the Probate Court (of which due legal notice had been made by advertisement.) was made after hearing all the evidence presented. When the appealed case was called in the Circuit Court a new claimant appeared, who filed an affidavit that he was the only heir-at-law, and sought to be made a party to the proceedings. Objection thereto was made by the original parties, and the cause was continued, on the new claimant depositing a sufficient sum for costs of continuance, with the agreement between the original parties that the question of admitting the new claimant be heard and decided by this Court in banco.

L. McCully for the Claimant.
E. Preston for Contestants.

OPINION OF THE COURT BY HARTWELL, J.

If the Appellate Court have the right in these cases to hear claimants who were not before the Probate Court, it is obvious that much expense is saved to all parties. For admitting that there are heirs whose rights at law are not finally concluded by a probate decree, it would increase litigation to compel them to resort to suits in Equity or actions of ejectment, and large opportunities of placing the property beyond the reach of such new claimants would exist if the decree of distribution made in probate be affirmed on the appeal.

The Statute allows parties to introduce new evidence, and therefore the judgment of the Appellate Court is not confined to facts or evidence before the lower Court. The parties, however, may object to new claimants on the ground of surprise; but such objection, duly substantiated, would furnish grounds for continuance.

The conclusiveness of a probate decree after legal notice certainly protects the executor or administrator in delivering over the property to the parties according to the decree, and, if not duly appealed from, is also conclusive on parties and privies. But it is doubtful whether the rights of a lawful heir are barred in law or equity by a probate decree on a hearing of which no personal notice was given. It is not necessary, however, to hold that such decree is a final bar to all proceedings subsequently brought, but only to say whether under our Statute of Appeals, cases of this nature will allow new claimants to be heard without detriment to the legal rights of the original parties. In regard to this, it may be remarked that the evidence of the parties themselves may at any time satisfy the Appellate Court that there is a lawful heir not shown in the Court below, and the final judgment may be adverse to each of such parties. The Court are called on to say who is the heir, and if the evidence, or if affidavits filed with proper security for costs and expenses of the delay, satisfy the Court that a decree can not properly be made without the admission of a new party, it seems no more than just and equitable that amendments be allowed to admit him, so far as this can be done without lessening any legal right of the appellants or appellee. It is the right of a party to have two hearings of his case, one at the Probate Court, and one on appeal. To admit the new party, and remand the case to the Probate Court for rehearing would secure this right, and as it seems to us, would be the proper course in such cases. The new claimant, whatever be the final judgment, should pay all costs caused by his late appearance, and no case should be remanded until he has deposited a sufficient sum to cover such costs.

NEW ADVRTISMENTS.

Marshal's Sale!

IN VIRTUE OF A WRIT OF EXECUTION issued by the Supreme Court of Law and Equity of the Hawaiian Islands, upon a judgment against S. W. Maheiona, Defendant in execution in favor of J. I. Dowsett & Co., Plaintiff in execution, for Nine Hundred and Sixteen 86-100 dollars. I have levied upon and shall expose for sale to the highest bidder on TUESDAY, the 11th day of March, A. D. 1873, at 12 o'clock noon, at the Court House in Honolulu, all the right, title and interest of said defendant in and to the following property, viz:

1 Wooden Building situated in Aiea, Ewa, Oahu, House, 1 Out-house, 1 Koa Bedstead, 2 Settees, 1 Round Table, 2 Small Tables, 2 Chairs, 1 pair Working Bullock.

1 Lot land situated in Waiau, Ewa, Oahu, described in kuleana No. 10505, and containing 15 7-10 acres of kula land, and 20 acres of sea fishery.

1 Lot land situated in Kapakai, Aiea, Ewa, and described in Royal Patent 2875, and containing 1 37-100 acres.

1 House lot situated in Kapalama, Oahu, and described in kuleana No. 1242, Royal Patent No. 690 and containing, 108 fathoms.

1 Lot land situated in Aiea, Ewa, described in Royal Patent 785, kuleana 2053 and containing 67-100 acres.

1 Lot land and 3 Fish Ponds situated in Pilnaio, Aiea, Ewa, and described in Royal Patent 3923, kuleana No. 2083, and containing 1 73-100 acres.

1 Kalo patch situated in Kanukuahi, Aiea, Ewa, and containing 3 41-100 acres.

½ interest more or less in kuleana No. 3276 in the Ahupuaa of Pahoa, Oahu.

Also all the right title and interest in and to lease of a certain tract of land situated in Waianae, Oahu, from the Crown Commissioners, having an unexpired term of 7 years and 7 months at a rental of $100 per annum. Unless said judgment interest costs of suit and my fees and commissions be previously satisfied.

W. C. PARKE, Marshal.
Honolulu, Feb. 11, 1873. 4-4t

Marshal's Sale!

IN VIRTUE OF A WRIT of Execution issued by the Supreme Court of Law and Equity of the Hawaiian Islands, upon a judgment against S. W. MAHELONA, defendant in execution, in favor of NAKIHEI, plaintiff in execution, for Four Hundred and Fifty 78-100 dollars. I have levied upon and shall expose for sale, on SATURDAY, the 8th day of March, A. D. 1873, at 12 o'clock noon, on the premises the following real estate situated on Maunakea Street and bounded and described, as follows:

E hoomaka ana ma ka aoao hema o ka alanui Maunakea ma ke kihi kom. akau o ka Pahale o Lima, a hole hema 49° kom. 55 kp. ma ka alanui Maunakea a hema 39° hik. 33 kp. ma ka hapalua makai no E. Kiha, alaila, akau 54° 30' hik. 59 kp. ma ka pa hale o L. Kometa, akau 38° 30' kom. 40 kp. ma ko Lima a i ke kihi i hoomaka ai malaila he 53 anana, 5½ kapuai together with all the right title and interest of the said S. W. Mahelona in and to the above described premises unless the said judgment interest costs of suit and my fees and commissions be previously satisfied.

W. C. PARKE, Marshal.
Honolulu, Feb. 4, 1873. 3-5t

Executor's Notice.

HAVING been appointed Executor of the Will of Rev. ARTEMAS BISHOP, late of Honolulu, deceased, by Letters Testamentary from the Supreme Court in Probate, I hereby notify the Creditors of the Estate of the said Rev. ARTEMAS BISHOP, deceased, to present their claims, duly verified, to me, or to S. B. Dole, Esq., of Honolulu, within six months from this date, or from the day they become due, or they shall be forever barred.

SERENO E. BISHOP.
January 29, 1873. 3-4t

Boundary Commissioner's Notice.

Proper application having been made to the undersigned by the Kahuku Ranch Co., that the boundaries of the Ahupuaa of Kahuku, situated in the District of Kau, Island of Hawaii, may be defined and settled, Notice is hereby given to all whom it may concern, that TUESDAY, the 11th day of March next, at 9 o'clock A. M., is the day and hour set apart for the hearing of said application, at the Court House at Waiohinu, Kau, Hawaii.

R. A. LYMAN,
Commissioner of Boundaries, 3d Judicial Circuit.
Hilo, Jan. 29th, 1873. 3-3t

For Sale.

THE UNDERSIGNED OFFERS FOR Sale his Blacksmithing Shop at Hilo, with the Tools, Stock, and Good Will of the business. This establishment is desirably situated in the town of Hilo, and enjoys a large portion of the public patronage. The building used as a shop is the property of the proprietor, the land on which it is built being leased from the Crown Commissioners, the lease expiring in about four years. For terms apply to

JAMES TAYLOR,
3tf Hilo, Hawaii.

LEGAL NOTICES.

SUPREME COURT OF THE HAWAIIAN ISLANDS, In Probate.—In the matter of the Estate of D. WEATHERBEE, late of Honolulu, deceased. Order of Notice of Petition for Approval of Claims, at Chambers, before Chief Justice Allen.

On reading and filing the petition of S B Dole, Administrator with the will annexed of the estate of D. Weatherbie, late of Honolulu, deceased, showing that certain claims against the said Estate, set forth in a schedule annexed to said petition, were presented to the petitioner, duly authenticated with necessary vouchers, and by him approved, and praying that upon a day to be appointed the same may be examined and approved by the Court:

It is ordered, that WEDNESDAY, the 26th day of February, A.D. 1873, at 10 o'clock A.M., before the said Justice, at his Chambers, in the Court House, at Honolulu, be and the same is hereby appointed as the time and place for hearing said Petition, and that all persons interested may then and there appear and show cause, if any they have, why the said claims should not be approved by the Court. And that this order be published in the English and Hawaiian languages, in the *Hawaiian Gazette* and *Ke Au Okoa* newspapers printed and published in Honolulu, for three successive weeks previous to the time therein appointed for said hearing.

Dated at Honolulu, H. I., this 1st day of Feb., A. D. 1873.

ELISHA H. ALLEN,
Attest: Chief Justice of the Supreme Court.
JOHN E. BANNARD, Dep. Clerk Sup. Court. 4-3t

SUPREME COURT OF THE HAWAIIAN ISLANDS.—In Probate. In the matter of the Estate of VICTOR CHANCERAL, deceased. Order to show cause on application of Guardian for Order of Sale of Real Estate.

On reading and filing the petition of W. C. Parke, Administrator of the Estate of said Victor Chanceral, deceased, praying for an order of sale of certain real estate belonging to said deceased and setting forth certain legal reasons why such real estate should be sold;

It is hereby ordered, that the next of kin of the said deceased and all persons interested in the said estate, appear before this Court on SATURDAY, the 22nd day of February, A. D. 1873, at 10 o'clock A. M., at the Court Room of this Court, in Honolulu, then and there to show cause why an order should not be granted for the sale of such estate;

And it is further ordered, that a copy of this order be published at least three successive weeks before the said day of hearing, in the *Hawaiian Gazette* and *Ke Au Okoa* newspapers published in said Honolulu.

Dated Honolulu, *H. I.*, February 4th, 1873.

ELISA H. ALLEN,
Attest: Chief Justice of the Supreme Court.
WALTER R. SEAL, Clerk. 4-3t

SUPREME COURT OF THE HAWAIIAN ISlands. In Probate. In the matter of the Estate of WILLIAM HUMPHREYS, late of Honolulu, Island of Oahu, deceased. Order of Notice of Petition for Approval of Claims, at Chambers, before Chief Justice Allen.

On reading and filing the petition of S. B. Dole, Executor of the Will of William Humphreys, late of Honolulu, aforesaid, deceased, showing that certain claims against the said Estate, set forth in a schedule annexed to said petition, were presented to the petitioner, duly authenticated with necessary vouchers, and by him approved, and praying that upon a day to be appointed the same may be examined and approved by the Court.

It is ordered, that Wednesday, the 26th day of February, A.D. 1873, at 10 o'clock A.M., before said Justice, at his Chambers, in the Court House at Honolulu, be and the same is hereby appointed as the time and place for hearing said petition, and that all persons interested may then and there show cause, if any they have, why the said claims should not be approved by the Court. And that this order be published in the "Hawaiin Gazette" and "Ke Au Okoa" newspapers printed and published in Honolulu, for three successive weeks previous to the time therein appointed for said hearing.

Dated at Honolulu, H.I., this 4th day of February A. D. 1873. ELISHA H. ALLEN.
Attest: Justice of the Supreme Court
W. R. SEAL, Clerk Supreme Court. 4 3t

SUPREME COURT of the Hawaiian Islands, January Term, A. D. 1873 KAILAKANOA (w) vs. ISRAEL FISHER, before Hartwell J., Widemann J. Libel for Divorce. In the above entitled Libel for Divorce, now,

It is ordered, that a Decree of Divorce from the Bond of Matrimony be entered in favor of the said Kailakanoa (w) of the cause of the desertion and adultery of the said Israel Fisher to be made absolute after the expiration of six months from the date of this decree upon compliance with the terms thereof—unless sufficient cause shall appear to the contrary;

And the Libellant is ordered to publish an attested copy of this order in the Government *Gazette* and *Ke Au Okoa* for six successive weeks, the first publication to be within one month from the date of this order; that all persons interested may within six months, show cause why said Decree should not be made absolute. By order of the Court,

WALTER R. SEAL, Clerk.
Honolulu, Oahu, s.s., January 17, A. D. 1873.

I hereby certify the foregoing to be a true and correct copy of the original order in the above entitled cause, now on the files of this Court.

Witness my hand and the seal of the Supreme Court, this 17th day of January, A. D. 1873.

4-6t WALTER R. SEAL, Clerk.

SUPREME COURT of the Hawaiian Islands, January Term, A. D. 1873, Honolulu, Feb. 1, 1873. ALEXANDER McDUFF vs. LOUISA McDUFF. Before Hartwell, J., and Widemann, J., In the above entitled Libel for Divorce,

It is now ordered that a Decree of Divorce from the Bond of Matrimony be entered in favor of the said Alexander McDuff, for the cause of the desertion and adultery of the said Louisa McDuff, to be made absolute after the expiration of six months from the date of the decree, upon compliance with the terms thereof, unless sufficient cause shall appear to the contrary;

And the libellant is ordered to publish an attested copy of this order in the Government *Gazette* and *Ke Au Okoa*, for six successive weeks, the first publication to be within one month from the date of this order, that all persons interested may within six months show cause why the said decree should not be made absolute. By order of the Court.

WALTER R. SEAL,
Clerk Supreme Court.

I hereby certify the foregoing to be a true and correct copy of the original order in the above entitled cause, now on the files in this Court.

Witness my hand and the seal of the Supreme Court, this 1st day of February, A. D. 1873.

4-6t WALTER R. SEAL, Clerk.

SUPREME COURT OF THE HAWAIIAN ISLANDS, In Probate. In the matter of the Estate of His late Highness MATAIO KEKUANAOA, deceased. At Chambers, in the Court House in Honolulu, before the Honorable Elisha H. Allen, Chief Justice of the Supreme Court, sitting in Probate.

On reading and filing the petition of Their Excellencies Charles R. Bishop and John O. Dominis, Administrators of His late Majesty Kamehameha V., deceased, setting forth that the Real Estate belonging to His late Highness Mataio Kekuanaoa, deceased, remains undistributed and that the one equal undivided half part vested in His late Majesty Kamehameha V, and the other half part thereof vested in Her Excellency Ruth Keelikolani and praying that an order be made apportioning the one equal undivided half part thereof to Her Excellency Ruth Keelikolani, and that the other one equal undivided half part thereof be taken possession of by the Petitioners as administrators as aforesaid, and held by them until the final distribution of the Estate of His late Majesty Kamehameha V., deceased.

It is ordered, that all persons interested in the Estate of His late Highness Mataio Kekuanaoa, deceased, be and appear before the Honorable Elisha H. Allen, Chief Justice of the Supreme Court, sitting in Probate at the Court Room in the Court House in Honolulu, on Saturday the 22d day of February, A. D. 1873, at 11 o'clock in the forenoon of that day, then and there to show cause why such order should not be made of the Residue of said Estate.

It is further ordered that a copy of this order be personally served upon Her Excellency Ruth Keelikolani, and also that a copy of said order be published for 3 successive weeks in the "Hawaiin Gazette" and "Ke Aukoa" newspapers printed and published in the City of Honolulu.

Dated Honolulu, H. I., January 27th, A. D. 1873.

ELISHA H. ALLEN,
Attest: Chief Justice of the Supreme Court.
JOHN E. BANNARD, Dep. Clerk Sup. Court.
R. H. STANLEY, Solicitor for Petitioner. 3-3t

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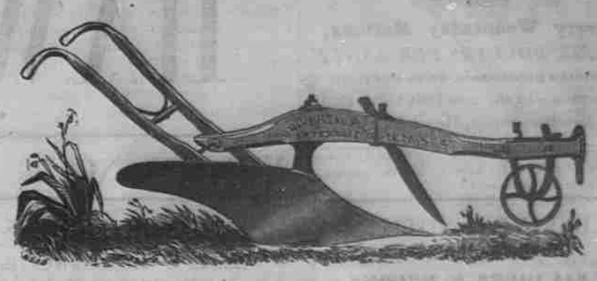

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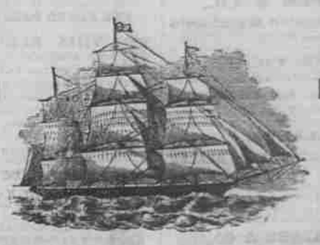
Established 1851.  **Established 1851.**

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