

Hawaiian Gazette

EST MODS IN REBUS. TUESDAY, MAY 24, 1887.

Supreme Court of Hawaii. HYMAN BROTHERS V. COLLECTOR GENERAL.

OPINION OF THE COURT. This case comes before the Supreme Court of Hawaii...

What does it mean? The gates of the palace yard have been pierced...

Public opinion, or at least adequate expression of public opinion, is slowly roused here in this tropical paradise...

We have striven in the GAZETTE for years past to prevent abuses of government and to avoid scandal.

It is hardly necessary to call public attention to the Kaimiloa fracas. The affair was the legitimate outcome of one of the most egregious follies that has disgraced the present Hawaiian Administration.

Why does the Road-Supervisor patch up, and roll down a street that the Water-Supervisor may pick it up three days afterwards?

Why are mutinies in "the Navy" summarily passed over, by mere dismissal, contrary to law, of the mutineers, the very object which they sought for?

Why are we saddled with the Madras debt and its disreputable details? These questions might be multiplied, indeed have been and are multiplied ad nauseam.

The chief, a mere renegade of as many nationalities as religions professions, his henchmen, greedy for themselves so long as subservient to him, the understrappers corrupt and incapable, or insecure!

The streets and roads of this city and its suburbs would disgrace Panama. We have a Road-Supervisor whose granddaddy was possibly a respectable hydraulic engineer, inasmuch as he could construct a tarp-patch and regulate the inflow and outflow of water, while to-day within a mile of the King's Palace, we have roads, the approaches to our principal schools, actually causeways several feet higher than the grounds on either side of them, yet so ill-constructed, or ill-kept, that they cannot shed a drop of rain water, and are turned into almost impassable mud by every shower.

The first attempt at a man-of-war, after filling the police reports with larcenies, desertions, mutinies, is hustled off to sea without any probability of discipline, unless it be enforced by heaviest fist or the readiest handspike on board. This greatest scandal "except the opium bribe" has yet to bear its fruit.

The financial position of the country has yet to be explored and made known, by trustworthy, i. e. non government men!

And who is responsible for this state of affairs and for the machinery which rendered it possible. Foreign Offices in different parts of the world are enquiring—the answer is, the King.

The case of the opium bribe has now been fully laid before the public. What are the honest men and the taxpayers of the country going to do about it? The story was brief, but it was eminently to the point. Are we to regard it as one of the most brilliant pieces of financing in modern political history? If so it would have been in order for all loyal citizens to join in a torchlight procession and attend at the Palace en masse to congratulate his Royal Majesty upon his eminent fitness for the position to which he was elected and, to express to him their gratitude at being allowed

to contribute a few paltry dollars towards the support of a poor but honest sovereign who is trying to make both ends meet under adverse circumstances.

If it is not so regarded, but is considered as one of the most rascally and outrageous transactions that has ever been exposed, a transaction the more infamous because of the position of the chief delinquent, then a meeting should be held en masse, certainly, but not for the purpose of congratulation. It must be held for the purpose of very serious deliberation. The fact of the opium bribe has been clearly detailed, every man, woman and child in the Kingdom is aware of it, and there has not been found one solitary individual to come forward and deny, or even attempt to palliate the crime that has been committed.

Public opinion must show itself, must express itself. An outrage like this cannot be passed by with a shrug of the shoulders and the remark that such a thing can be expected from the material of which our governing power is composed. If such is all that can be expected, and it is the logical result of the facts that are before the people, then it is high time that a radical change be made, and the government of the country put into hands that can conduct it with honesty, ability and decency. We need agitation, constant agitation until we obtain what we desire. We now stand a nation that has been publicly disgraced, and to pocket our disgrace will only be to become partners in it.

If any unfortunate clerk in the Interior Department had been guilty of mixing himself up in any such transaction, he would have been punished long ere this, and because a person high in office commits so glaring an offence, are we to sit around and admire the cool cheek, the brazen impudence of those who have disgraced themselves? Are we to punish a poor devil for stealing half a dozen articles, and talk of meting out justice, when so great a fraud as this goes unpunished? Are we, who strive to live honestly by the labor of our hands and brains, to pay taxes out of our hard earned gains for the purpose of supporting corruption and fraud?

Consider for a moment the effect of such an example upon the civil service of the country. If the sovereign accepts a bribe, why should not every man who is serving in the government building do likewise? The example has been set by the highest officer in the land. Think of the demoralization of Hawaiian youths, just starting out on life's career, with the opportunity of leading honest and useful lives, when this infamous piece of rascality is put before them, as the calm and deliberate act of those who ought to be an example to them. Looked at in any way we may choose, regarded from any standpoint, the fact remains, black and damning, with its evil effects spreading out in ever widening circles.

Article 25 of the Constitution says: "No person shall ever sit upon the throne, who has been convicted of an infamous crime, or who is insane or an idiot."

Of course there can be no misunderstanding this article. It applies to the claim of any criminal to occupy the throne in the future; but the principle there involved is: that the throne shall be occupied by one who is clean and uncontaminated. The governed have the right to ask whether at any time the governor is such a pure, clean, and upright person as contemplated by the Constitution.

These are questions and considerations which have presented themselves to most minds during the past week, and there seems a remarkable unanimity as to the answers.

The matter lies in a nutshell. The charge has been distinctly formulated as any of those made in the Forum of old Rome, against the corrupt consuls and pro-consuls of that Republic. The people have had time to weigh the full effect of the accusation. The accused stand silent. What is to be the result? Vigorous protest should be made and representations formally laid before the Diplomatic Representatives of the Great Treaty Powers. In the words of Shylock:

We stand for judgment! Answer, shall we have it?

THE FLANEUR.

"On doit toujours flaner!" says Bliff, to me on the quiet, "Don't you forget to be on hand at the Concert Saturday night. I had a talk with some of the boys, and I hear there will be lots of good local hits and jokes, besides some really songs. Don't forget to be there, and I want."

I saw old Nobsig last week, and he looked as though he had encountered a cyclone or something of that sort, or that some mighty matter rested on the old man's mind. I asked Bliff what was the old rooster? He does not seem to have the gay and festive air about him that he formerly had. He looks to me like a fellow who had been struck by a heavy squall on the St. Clair Flats, and had recovered from the effects of it. Bliff said "You bet, and the horsepoe he had cast 'divvy' would fall to the gallant Admiral, who told Mac that was customary with all bills which he approved. This astonished McNiffster, and he said he would think the matter over when the bill was paid. "Oh," says the Admiral, "I shall be at sea to-night, but you can hand the 'divvy' over to — at Palama. It will be all right—this thing is usual in all well regulated dockyards. Good bye, old boy, shan't see you again. Don't forget the 'divvy.'"

I saw my friend Foolscap the other day, and he gave me a piece of his mind about the same thing. He was very low-spirited, and said that they were all "blin' drunk." Foolscap says Foolscap, "It was the policeman who

was drunk, and not us at all. We had only eight or ten drinks, 'made light,' which would not affect a child—so you see you were mistaken. I explained the whole thing to the little chap who published the news, and he took water, and the next morning he made the anecdote honorable, like a gentleman. Now I want you to say in the next issue of your boobie journal that you were entirely mistaken in the facts—that the policeman was a sadly demoralized policeman, who upon discovering the great mistake he had made in capturing the highest legal luminary in the land, and his boss as well, wanted to commit suicide on the spot. Now you see to this, or I will make it warm for you." I said all right Tony, we'll fix you up in good shape.

I met Muggins on Saturday, and he told me that he was a shaver that will let Lot Morry of the "dandy Broadway squad," and asked him when he intended to hand in on the chap who gave away the Grand Duke and the opium racket. "Oh," says Lot, assuming a lofty air, "no sensible person takes notice of the Grand Duke, and don't you forget it. Grand Duke would stoop so low as to beat a Chinaman out of a party \$71,000—not much, he is not that kind of a Duke, oh, no! I know him well, have drank with him frequently, and he is above any low-down dodge like that. He won't think a little of himself as to attempt to take a small sum like \$71,000—if it was out of his reach. That's the kind of a man he is and don't you forget it. Rest assured this trumped-up yarn is intended to injure the reputation of an honorable and upright Duke, but it will, like the boomerang, recoil on the heads of those who concocted this infamous slander; and then it will die a natural death, you bet." Poor Muggins felt cheap after Lot had fired off his blunders, and slunk off.

I had a short chat with my old friend Holy Moses during the week. The old chap is looking uncommonly well, and his whiskers neatly tarred down, and had assumed the appearance of a spring chicken, but his walk gives the old man dead away. Most told me he was having a lively time now casting horoscopes for the Grand Duke and appearing in the Grand Duke's household. He said, was a soft thing, with \$150 per month at the end of it. He also told me that the Grand Duke had soared on the kahunnas; they required too many pigs for the amana biz, and pigs are scarce, besides they were wanted by the Board of Genealogy for rooting up the bones of Chiefs. The haole horoscopes, as long as they promised lots of shekels and other good luck in the future, would do for him, "you bet," says the old man, "but the horoscope Duke is high. I will tell him only ze grand things vat will make him tink he will be de Grand Emperor de Pacific, but I don't tink he will live so long; does you?" The old man rattled on, but I am sure that he had not a good time since before he escaped going to San Quentin for selling lottery tickets in Frisco. Holy Moses excused himself, as he had an appointment with the Grand Duke, and must be moving. He made me promise to come to the Grand Duke's house, and the Grand Duke had fitted up for him; lots of nice things, and some good "stuff" for to treat the boys with. I said, all right, Bliff, and I will be around.

Bliff came rushing into the office yesterday and wailed down in a chair and began to fan himself vigorously. Says I, "Bliff what is the matter? Is it hot in the wind now, eh?" Bliff, after getting his second wind, told me that Holy Moses had cast a horoscope for the Grand Duke, which indicated wars and rumors of wars—in fact that sheel was going to break loose for a holiday, and that the Grand Duke was a little "galloped" over this red hot horoscope, and removed all the powder and the salting battery up into the Ducal yard to be handy in case a stray goat or a case of gin should be let loose, and that he had a good closure. Bliff says the Grand Duke thinks You Lie is at the bottom of this trouble, and that if he comes fooling around the Ducal camp he will make it hot for him. The Grand Duke has also had his eye on that old fellow, so has the Grand Duke, and it won't be healthy for the Grand Duke to run the well racket twice, you know, Bliff, says I suggested that the Grand Duke take off his spurs and climb a tree—wouldn't you think of looking aloft for better game? The Grand Duke is cursing his luck and swearing at Nobsig for being in such haste in sending off the Commandr. Were she here he could sneak down the back way, get aboard and start for Honolulu, making the old grand with him, and start at once for Honolulu, says I, Bliff: "What would become of Hawaii if this should come to pass?" Sure enough.

Bliff, and I went down on board of the Commandr the Monday night before she sailed. Bliff, you know, is well acquainted with Lieutenant Kaluwahine, and I wanted to have a friendly chat with McBuster, the Chief Engineer. Well, on dropping ourself on the rail, I saw a young fellow, lovely and the Admiral at home—a perfect lion, all whisker and gin, with a few "sea cakes" thrown in. I tell you that Kaluwahine is a brick, and can clean out more than most lieutenants in the navy, and the sergeant-major of the marines ain't much behind. The regular "rules" had been suspended for the evening, and later on the Marquis of Queensbury rules substituted, which made things very lively, and the Admiral, who was in a way was to be had, were at a premium. The fun commenced when some young middy made complaint that the gallant Kaluwahine—who had cleaned out all the small stores, in his section—would not give him a "boy's forward" a lift in disposing of his things, and was doing nicely—was degrading himself by drinking with the common sailors. Now, Kaluwahine is not proud or stuck up, and through pure goodness of heart was only looking for a chance to get a remark, and was so much for the brave fellow, and he jumped up on deck, buckled on his sword, called out the live marines, and proceeded to straighten things out. The First Luff, who with McBuster and others was enjoying a "little lunch" on the cabin deck, seeing the uproar, came out, and after a little scuffling succeeded in placing the gallant Kaluwahine under arrest, and then resumed the "lunch."

Soon after the sergeant released the valiant Kaluwahine, and then proceeded to the cabin and ordered the lights out. This last order brought on a general free fight, in which anything handy was brought into play, and resulted in poor Kaluwahine getting a clip, and losing his balance, he fell over his sword and down the companion way, and fortunately for him, being drunk, he sustained no serious damage. One of the officers seized a heaver and another a small pistol, and endeavored to beat back the infuriated boys, without success. The boys, who were in a way, were "in" it was impossible to see which would win. Finally, those who had enough of the fight, lowered a couple of boats and pulled for the foot of Fort Street. Bliff, and I, having had all the fun we cared for, slid in one of the boats, and on landing made tracks for home, not waiting until the Admiral or "any other man" arrived to see what the trumps. "Oh," says Bliff, "No man-of-war in mind, if you please."

Bliff, who you know, rotates a good deal between the Ducal mansion and old Nobsig's, says he heard these two worthies having a little game over your paper, the GAZETTE. Nobsig, after saying "H-r-r-m," thought that he understood the matter, and said "if the 'national' party only had the spirit of an uku it would soon be wiped out. 'You bet,' says the Grand Duke, "these chaps know that I am of a weak and lowly spirit, and that I am trying every constitutional method to run the country for ever better, and yet they don't seem to be satisfied; finding fault because I played a good joke on You Lie and those Celestials. Why, they ought to clap me on the back and say 'bunly boy,' but they don't. They have just got a new rule, and slosh round, making a big hoodoo. I expect I will yank them up before the Court and sue them for damages, and all that. Nobody except a few fanatics believes You Lie, and if they get into Court with this affair it would lower my Ducal dignity, and give me dead away before them all, besides, I stand solely in need of these same Celestial shekels to buy a few more getting gins and such like things, to enable me to work out the undersigned with my money from which they are howling. Oh, I will let them know,

with the help of the constitution, that their Grand Duke is not make loss.

Nobsig replied, saying: "H-r-r-m, your Highness, these fanatics are howling at your heels about the roads, the Esplanade and other minor affairs, while they fail to appreciate the more important matters of statecraft, such as the Samoan mission, the staying and fitting out of the Commandr, the Royal Regatta, the sending of Sir Sitire and Col. I. B. B. on a mission to the Court of St. James, and the great Pacific Empire, with your Highness as the boss, which go far towards building up a great and powerful empire in the Pacific which in 5,000,000 years hence will make your Highness's name a household word with the nations of the earth, and my great-great-grandchildren will reverse mine for having been the master mind which produced all these great results which are to benefit posterity, and—"

The Grand Duke broke in with "Stop that guff, you old fraud, you always want to play the big yaller dog in everything I do—always trying to walk off with all the honors. I am the Grand Duke, and don't you forget it, or I may settle your haub in a way that will make your old head swim." Nobsig essayed a reply, saying, "H-r-r-m," but the Grand Duke ordered him to shut up.

Says Bliff: "The Grand Duke was wild, and when he got on his hind legs he is a holy terror, but Nobsig knows how to work him." After a turn at the Esplanade the Grand Duke returned, just as Nobsig expected, as pleasant as a summer's morn, and commenced chatting with the Esplanade, saying that he would not take any proceedings against that vile sheet, the GAZETTE, but would leave all in the hands of Providence, which never fails to punish the unjust, and he would not be troubled with any more of his funeral and dancing a hula on its grave; right and the constitution will win every time. Bliff said this was the liveliest little confab he had yet heard between these two worthies, and he don't forget it, or I will boot him out of the Ducal mansion. Nobsig was as cool as a piece of ice during the discussion. FLANEUR.

Death of Mrs. Hardee.

On Friday last, Mrs. Lucy Hardee, wife of Mr. C. J. Hardee, of the Enterprise Printing Mill, expired at the residence of her sister, Mrs. Crews, corner of Alapai and Kinnu streets. She had been ill for some time, and her health for the past two weeks, and succumbed to her sad fate on Friday, at the early age of 30 years, leaving a husband and many sorrowing friends to mourn their loss. Her remains were interred on Sunday afternoon.

Legal Advertisements.

SECOND CIRCUIT COURT OF THE HAWAIIAN ISLANDS.

In the matter of the Estate of J. W. WATTS, late of Makawao, Maui, deceased. At Chambers, before the Hon. J. G. RICHARDSON, Judge of the 2d Judicial Circuit Court, H. I. (1167 31)

On reading and filing the petition and accounts of Thos. W. Everett, Administrator with the will annexed of the Estate of J. W. WATTS, late of Makawao, Maui, deceased, wherein he asks to be allowed \$75,100.00, and charges himself with \$346.45-10, 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 his hands to the persons thereto entitled, and that he be discharged from all further responsibility as such administrator.

It is ordered, that MONDAY, the 29th day of June, A. D. 1887, at 10 o'clock A. M., before the said Justice, at Chambers in the Court House, at Honolulu, Hawaii, the 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. And that this order, in the English language, be published in the HAWAIIAN GAZETTE newspaper printed and published in Honolulu, for three successive weeks previous to the time therein appointed for said hearing.

Dated at Honolulu, H. I., this 19th day of May, A. D. 1887. J. G. RICHARDSON, Judge of the 2d Judicial Circuit Court, H. I. (1167 31)

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New Advertisements.

Notice of Dissolution!

THE CO-PARTNERSHIP heretofore existing between G. D. Freetz and W. C. Peacock is dissolved by mutual consent. The accounts of the said partnership, as of Peacock under the firm name of W. C. Peacock & Co., and he will discharge all liabilities and receive all moneys due to the firm of Freetz & Peacock. G. D. FREETZ, W. C. PEACOCK. Honolulu, April 27, 1887. 1164 31

Election of Officers.

AT THE ANNUAL MEETING of the UNION MILL COMPANY, held at the office of the Company in Kohala, May 25th, 1887, the following officers were elected for the ensuing year, viz:

- James Walton, President; Robert Wallace, Vice-President; W. H. Walker, Secretary; F. M. Swanzy, Treasurer; J. H. Ralph, Sneyd Kynerley, Auditor.

Honolulu, May 25, 1887. F. M. SWANZY, Secretary. 1165 31

Administrator's Notice!

HAVING been duly appointed temporary administrator of the estate of WONG KIM, late of Honolulu, deceased, all persons having claims against the said estate are notified that they must present the same duly verified, and with proper vouchers, to the undersigned within six months from date of this notice, or they will be forever barred, and all persons indebted to said estate are required to make immediate payment to me at my office, Kaahumanu street, Honolulu. W. C. PARKE, Temporary Administrator of the estate of Wong Kim, deceased. Honolulu, May 5, 1887. 1161 21

Administrator's Notice!

HAVING been duly appointed administrator of the estate of T. D. LANE, late of Honolulu, deceased, all persons having claims against said estate are notified that they must present the same duly verified, and with proper vouchers, to the undersigned within six months from date of this notice, or they will be forever barred, and all persons indebted to said estate are requested to make immediate payment to me at my office, Kaahumanu street, Honolulu. W. C. PARKE, Administrator of the estate of T. D. Lane, deceased. Honolulu, May 5, 1887. 1161 21

Notice to Creditors!

THE UNDERSIGNED GIVES notice that he has been appointed Administrator of the estate of T. D. LANE, late of Honolulu, deceased. All persons having claims against said estate are notified that they must present the same duly verified, and with proper vouchers, to the undersigned within six months from date of this notice, or they will be forever barred, and all persons indebted to said estate are requested to make immediate payment to the undersigned. W. C. PARKE, Administrator of the estate of T. D. Lane, deceased. Honolulu, May 5, 1887. 1161 21

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SECOND CIRCUIT COURT OF THE HAWAIIAN ISLANDS.

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On reading and filing the petition and accounts of Thos. W. Everett, Administrator with the will annexed of the Estate of J. W. WATTS, late of Makawao, Maui, deceased, wherein he asks to be allowed \$75,100.00, and charges himself with \$346.45-10, 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 his hands to the persons thereto entitled, and that he be discharged from all further responsibility as such administrator.

It is ordered, that MONDAY, the 29th day of June, A. D. 1887, at 10 o'clock A. M., before the said Justice, at Chambers in the Court House, at Honolulu, Hawaii, the 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. And that this order, in the English language, be published in the HAWAIIAN GAZETTE newspaper printed and published in Honolulu, for three successive weeks previous to the time therein appointed for said hearing.

Dated at Honolulu, H. I., this 19th day of May, A. D. 1887. J. G. RICHARDSON, Judge of the 2d Judicial Circuit Court, H. I. (1167 31)

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New Advertisements.

Notice of Dissolution!

THE CO-PARTNERSHIP heretofore existing between G. D. Freetz and W. C. Peacock is dissolved by mutual consent. The accounts of the said partnership, as of Peacock under the firm name of W. C. Peacock & Co., and he will discharge all liabilities and receive all moneys due to the firm of Freetz & Peacock. G. D. FREETZ, W. C. PEACOCK. Honolulu, April 27, 1887. 116