

LATE NEWS FROM ABROAD.

The Troubles in the Spreckels Family is Ended.

WAR AND YELLOW JACK IN BRAZIL.

Latest Foreign News Received From Our Special Correspondent by Saturday's Steamer—Happenings of the World up to January Thirteenth.

NEW YORK, January 13.—Cuban centrifugal 96 degrees 2 15-16 cents. Granulated 4 1/2 cents.

The San Francisco market is steady and featureless.

A despatch from Philadelphia dated January 3, says: A cut in granulated sugar, placing it nominally at 4 cents per pound but really at 3.74 cents to favored rebate dealers, the lowest price on record, has been made by the sugar trust. The object of the reduction is to influence Congress. There are, however, several other causes, such as the general trade depression, which has limited buying. Another element is the increase in the Cuban crop, which for the present season is estimated at 1,000,000 tons, against 840,000 tons last year.

Political.

The relations in President Cleveland's Cabinet are reported to be not very cordial on account of the miserable mess into what the administration has placed itself with reference to Hawaiian affairs. For some reason Attorney-General Olney is to resign and will be succeeded by Postmaster-General Bissell, Josiah Quinlan to the position.

Secretary Carlisle has been before Senate Committee on Finance urging the issue of 3 per cent. bonds running three, four, or five years. He stated that the deficit was increasing and now amounted to \$10,000,000. No action was taken and it is said the committee do not want to take responsibility of reporting such a bill, as Western Democrats are opposed to the bond measure.

The Brazilian War.

The expected battle between the fleets of President Peixoto and the rebel Mello has not taken place and the latter is again in Rio with his flagship. Peixoto's fleet is waiting for a reinforcement of torpedo boats and upon their arrival will proceed to Rio and engage in a struggle which will undoubtedly be decisive. The President is confident he will be victorious as his navy is stronger than that of the rebels. Mello is also reported to be on his way to Montevideo for treatment of his wound. It is announced that President Peixoto had twelve naval cadets shot for an alleged conspiracy to turn the Government guard ship to Admiral Mello. The young men were arrested in the evening and shot at sunrise. Seven were killed at the first volley and the others had to be shot the second time. Rio's troubles are not single. The horrors of yellow fever have been added to those of war and there is an average of six deaths a day.

The war between Honduras and Nicaragua is on and some lively preliminary fighting has been done. The Nicaraguans are marching on the Honduran capital and a hot battle is soon to ensue. It is not thought that the war will interfere with the Nicaragua canal.

The Spreckels Trouble Ended.

The wings of peace hover tenderly over the members of the Spreckels family, among whom there was so lately every promise of a discord which would have been felt across the continent and even in the far distant isles of the sea which Father Grover is so anxious to restore to the sway of the dusky ex-queen Liliuokalani. At all events, the suit for an accounting and damages which was instituted on November 23 by C. A. Spreckels against his father and brothers and the Hawaiian Commercial and Sugar Company generally, no longer has a place on the file of the Superior Court. The settlement was arrived at and carried through very quietly, and all that appears on the records in regard to it is a brief entry made on the register of Judge Slack's court. This stipulation sets forth that in the case of H. M. Woolley et al. Woolley being associated in the litigation with young Spreckels, whose name the "et al." conceals—against the Hawaiian and Commercial and Sugar Company had been dismissed by mutual consent of all concerned, each party to the litigation paying its own costs. The dismissal was agreed to by Attorneys Wilson & Wilson and Garber, Boat & Bishop, representing the plaintiffs; also by E. R. Taylor and W. S. Goodfellow, attorney for Claus Spreckels; by S. M. Shortridge and Delmas & Shortridge, representing the Hawaiian Commercial and Sugar Company, J. D. Spreckels, A. B. Spreckels, W. D. K. Gibson and M. H. Weed, directors of the corporation, and finally by Chickering, Thomas & Gregory attorney for Philip N. Lillenthal and Meyer Ehrman. The suit in question, it will be remembered, was instituted by young Spreckels on the plea that he had been unjustly deprived of the share which he should have had in the management of the Hawaiian and Commercial Sugar Company

by virtue of a quantity of stock which he claimed to own therein, a large portion of which, however, had been, according to his statement, illegally taken out of his control. He, therefore, sued, together with his fellow-plaintiff, H. M. Woolley, for an accounting, making his father and brothers and all the other directors of the company defendants, on the theory that they had conspired together to defraud him of his rights in the premises.

Philip N. Lillenthal and Meyer Ehrman were also made defendants, this being done, however, merely to comply with the formal necessities of the case, their connection with the matter being merely that of trustees to whom a quantity of stock was temporarily deeded at the time certain bonds were issued by the company as a means of raising money.

The attorneys in the case positively refused to give the reason for the compromise or the agreement by which the settlement was made. When so many persons hold a secret, however, leaks are sure to occur, and many facts in regard to the case were brought to light. C. A. Spreckels had 990 shares of stock of the Hawaiian Commercial and Sugar Company. By a \$5 assessment and other means most of the stock of the company had been wiped out. Of these the 990 shares only remained. Of these the 990 shares of C. A. Spreckels and sixty-one shares in other hands formed two-fifths of the whole. C. A. Spreckels failed to pay the \$5 assessment on his stock, but it is alleged to have been paid by mistake by his brothers.

When Gus Spreckels wanted the stock transferred on the books to his name his brothers refused to comply with his request. Of the 990 shares C. A. Spreckels had but forty in his own name. The name of Claus Spreckels was on 700 and that of Henry L. Dodge on 250, but they were indorsed and owned by C. A. or E. Spreckels. He made another demand to have the stock transferred to his name, offering to reimburse his brothers for the money paid on the assessment. When they refused he commenced suit as above stated.

The suit dragged along for six weeks, until a compromise which is said to be thoroughly satisfactory to all parties concerned was arranged.

By the terms of the compromise C. A. Spreckels will obtain full control of \$2,000,000 worth of property belonging to the Hawaiian Commercial and Sugar Company. This company will be immediately reorganized. The offices will be removed from their present location on Market street to 119 Bush street. In a few days a new board of directors will be elected. They will be as follows: Rudolph Spreckels, Mountford Wilson, Russell Wilson, C. A. Wheeler and W. E. Bond. The above names are those given to a commercial agency. Although the name of C. A. Spreckels does not appear he will be the power behind the throne. Thus ended the suit which was expected to occupy the attention of the courts for many months. By the compromise C. A. Spreckels severs himself forever in a business sense from his father and his brothers. He has secured a fortune and an immense business, the success or failure of which will be due to his own exertions, as he has full control of it.

J. D. Spreckels and A. B. Spreckels both absolutely refused to say anything when interviewed on the subject of the compromise.

San Francisco News.

A new smuggling ring has been uncovered and G. N. J. Wichman a prominent candy merchant, Lorris Greenwald, and Fred Miller have been arrested, others have been under surveillance and twenty-nine customs officers are being watched.

School Director C. W. Decker has resigned his office in consequence of the disclosure that he sold himself to A. F. Johns before the last election.

Harry Padle, a man about town was shot and killed recently by Mrs. Jane Shattuck because he refused to marry Miss Estrana Shattuck, daughter of the murderer, and a chorus girl at the Tivoli. Mrs. Shattuck is believed to be crazy.

The Six Companies have issued a circular to the Chinese advising them to register under the McCreary law. The highlanders, however, have declared against the law.

Subscriptions are being received for the employment of the thousands of idle men in the Park. They are being given employment at \$1 per day.

American News.

Another train of the Southern Pacific has been stopped by bandits, about ten miles north of Los Angeles. There were four men and the work was done at a small station. The car was blown open by dynamite and the messenger wounded. It is not known how much they secured but they escaped.

Col. J. H. Hoge of Virginia, who was appointed Consul to Amoy and got too drunk to depart has been dropped from the service.

A suit has been filed in Wisconsin against President Oakes and the directors of the Northern Pacific in which they are charged with looting the road of \$60,000,000 and placing it on the verge of bankruptcy. The charges are very explicit.

Jos. H. Louis, the defaulting book-keeper of A. J. Sloss & Co., New York, has been arrested. He is charged with having stolen over \$200,000.

On January 3 the bank at Franklin Grove, Ill., was robbed of \$40,000. The safe crackers got away.

It is stated that there are nearly 6000 male and female clerks in Chicago who are destitute. Since the fair closed they have been thrown out of work and they will have to depend on charity to live through the winter.

A cheap hotel in Buffalo, New York, burned on the night of January 2. There was a great panic and two persons perished. Five were so badly burned that they will die.

Governor Waite, the cranky executive of Colorado, has called an extra session of the Legislature to deal with the business and industrial matters, and proposes that Colorado make its own silver coin in defiance of the Government. The Senate Committee has declared there was no necessity for the call, and the Legislature will probably adjourn without any further action.

A large portion of the manufactures building at Chicago's Fair was burned on January 9th, and a large number of valuable exhibits destroyed. Those intended for the San Francisco Fair were fortunately not injured.

Near St. Joseph, Mo., five train

robbers stopped a Burlington train and looted the express car, but got only \$50.

A bold young robber went into the little town of Fowler, Fresno Co., Cal., and stood up nearly the entire population. He finally carolled them in a store, shot the Marshal and escaped.

John L. Sullivan has been knocked out again. This time it was his wife, and she did it with an Indian club.

Lillian Russell, the opera singer, is to wed again. She will become the wife of Signor Perugini, a tenor robusto.

A despatch from Washington states that the Government is satisfied that the Chinese will register, as the Six Companies promise to not oppose the law.

L. L. Kann, president of the Buckley Bank, at Buckley, Washington, and who stole \$30,000 from his depositors, has been captured in Baltimore and will doubtless go to prison for a good term.

In the Supreme Court of the Hawaiian Islands.

DECEMBER TERM, 1893.

PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS VS. WILLIAM L. MOSSMAN.

BEFORE JUDD, C. J., BICKERTON AND FEAR, JJ.

It is not an abuse of discretion for a Circuit Court to grant a motion for change of venue from Maui to Honolulu in a criminal case, for the reason that it may be necessary to produce in evidence the records and books of the General Post Office in Honolulu, and that it would be detrimental to the public service and contrary to public policy to remove such books and records to another island.

OPINION OF THE COURT BY BICKERTON, J.

The defendant was employed in the branch post office at Makawao, Island of Maui, as an officer of the Hawaiian Government, in the postal department of said Government, the said office being a branch of the Department of Finance, the Postal Savings Bank and the Money Order Office. At the June Term, 1893, of the Circuit Court of the Second Circuit, an indictment was presented charging the defendant with the embezzlement of \$55, the property of the Hawaiian Government; the plea was reserved and the case continued until the December Term, 1893, at which term two other indictments were found and presented, one charging the defendant with the embezzlement of Fifty Dollars, and the other charging him with the embezzlement of Three Hundred and Ninety nine and 48-100 Dollars, both sums being money, the property of the Hawaiian Government, the plea to both these indictments being reserved. The Attorney General moved the Court for a change of venue to Honolulu, in all three cases, giving as reasons therefor that material and necessary evidence on behalf of the prosecution in the said cases is contained in the records and books of the Postal Savings Bank and in the Money Order Department of the General Post Office, in Honolulu, without which evidence a fair and impartial trial of said cases could not be had, and which said books and records could not be produced at the trial of these cases before the said Circuit Court, for that it would be detrimental to the public service and contrary to public policy that said books and records should be removed from said Honolulu. The Court granted the motion, and ordered that the place of trial of these cases be changed from the Second Judicial Circuit to the First Judicial Circuit, and that the records of the said case be transferred to said Circuit. To this ruling and order the defendant, by his counsel, excepted, and the matter now comes here on a bill of exceptions, allowed by the Circuit Judge of the Second Judicial Circuit.

Under the statute, the Act of 1876, to Regulate the Practice and Procedure in Criminal Cases, Section 13, page 341, Compiled Laws, Circuit Courts are authorized in their discretion to order that the place of trial of any criminal case pending before the Court be changed to some other Circuit. The Judiciary Act, Laws of 1892 and 1893, page 105, provides that the discretion may be exercised upon satisfactory proof that a fair and impartial trial cannot be had * * * and after parties shall have had opportunity to be heard.

A full hearing was had and the defendant filed an affidavit setting forth *inter alia* "that to the best of his knowledge and belief the accounts between the said central office and said country office are based upon and taken from the reports sent to the central office from said country offices, and especially so in reference to accounts connected with the Money Order and Savings Bank branches of the Post Office Department; that all accounts in the books of the Postmaster General, regarding the transactions in the Money Order and Savings Bank departments of the Post Office at Makawao, Maui, are based upon the reports from said Makawao Post Office, the original entries of which were entered and appeared in the books of the Postmaster at said Makawao." This may all be perfectly true and yet it might be necessary to produce the books from the Central Office. The Makawao books might show that all the money received there had been forwarded to the Honolulu office and might on their face appear perfectly straight, but on their being compared with the books of the Central Office it might appear that such

remittances had never been received. In fact, all the business of these branch offices centers in the Central Office and on no account should these books be allowed to be out of the reach of the Central Office at any time. Naturally they are required constantly for reference, not only as regards matters at Makawao, but all over the islands, and business with the public in general. Another and most important reason why the records should not be taken to the island of Maui is the risk of loss, destruction, or damage. We are most decidedly of the opinion that the moving of these records and books to Maui would be detrimental to the public service and contrary to public policy.

This was a matter in the discretion of the Circuit Court, and the only question for us, did the Court abuse its discretion in granting the motion. We are of the opinion that there was no abuse of discretion and that the motion was properly granted.

The exceptions are overruled. Attorney-General W. O. Smith for prosecution; V. V. Ashford for defendant.

Honolulu, January 15, 1894.



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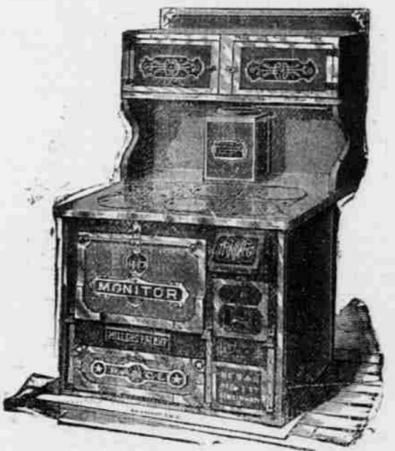
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