

# A DAY IN HAWAII'S LEGISLATURE

## J. Emmeluth Is Called Down.

### HE ATTACKS THE NATIVES

#### Running Fire of Debate in the House Yesterday.

(From Thursday's daily.)

REPRESENTATIVE BECKLEY of Molokai administered a stinging rebuke to Representative Emmeluth of Oahu in the House yesterday morning. The member from Molokai called the plumber statesman to task for his criticism of the Kamehameha schools during the discussion of the "Desertion of Husbands or Wives" bill. The Molokai statesman did not mince his words. They were delivered with a directness that almost staggered the solons and caused something of a commotion as soon as the speaker had finished and as the Oahu member was about to rise to reply. Several members jumped to their feet, calling for order, and some raised their voices shrilly demanding that the regular business of the day be resumed, and the speaker had to call loudly to bring the House to its proper dignity. Mr. Emmeluth said the Hawaiians and the native members of the House are clinging to the old law relating to husbands and wives' desertion and to the methods of education which had been carried on in Hawaii for the past forty years. He said the Hawaiians were educated to aspire to certain ideals which they could not realize when they went out into the world after leaving the schools, as nearly all the places where good salaries are paid were closed to the natives. He cited the Kamehameha schools as a glaring instance of the truth of his remarks and said they retarded Hawaiian development instead of assisting it.

The Molokai member later on in the discussion asked for the privilege of replying to Emmeluth's attack. He called the chair's attention to the attack and as one of Kamehameha school's first sons and one of its graduates he denied absolutely that there was any truth in Emmeluth's statement. He said he would protect the name and interests of the institution and strongly intimated that Emmeluth did not tell the truth. Emmeluth, when he could get another hearing, reiterated his statement, closing it by saying that the graduates of Kamehameha were more numerous on the police force and as back drivers than in any other vocation. Beckley did not hear this portion of the reply, and stated later if he had he would have demanded of Emmeluth a retraction. Interpreter Wise, however, heard the words and after saying softly under his breath that it was a lie, he returned to his task of interpreting. Wise is also a Kamehameha school graduate. The bill which caused the trouble was killed at its second reading by the adoption of an adverse committee report.

### THE LIVELY HOUSE DEBATE

SOLONS of the House were a broad smile yesterday morning when Sergeant-at-Arms Nakookoo distributed on the desk of each a \$1 sheet of 2-cent stamps. Perquisites of this character were totally unexpected, although Representative Kekaula soberly introduced a motion in the House last week asking for \$2 worth of Uncle Sam's 2-cent posters. That the request was cut in half did not disturb the legislators to any extent, for they were as pleased as children. Some of them commenced letter-writing at once.

Immediately after the adoption of the clerk's minutes of the previous day Kekaula asked for the consideration of the report of the Superintendent of Public Works on the Hookana, South Kona, Hawaii, wharf and shed resolution introduced by himself. The matter was taken up at once.

Kekaula moved the report be placed in the hands of the Committee on Public Improvements. Mahoe was of the opinion that matters could be expedited by referring the matter. He did not favor its consideration in the committee of the whole under any circumstances. The House ordered it to the Public Improvements Committee.

Under the call for petitions and memorials, Ewaliko presented a petition from twenty-six voters of the Island of Hawaii. Some of the requests contained in the petition were unique. They wanted the legislature to provide for the education of Hawaiian youths abroad. Fifth, to provide an Act for the granting of licenses to Hawaiians to practice medicine. Sixth, to provide an Act that the Hawaiian language may be taught in the public schools.

The fifth provision is believed to refer to the tolerance of the practice of kahunaimua. Dickey, in his reference to the Committee on Miscellaneous Matters. So ordered.

Robertson presented the following petition from the Inter-Island Steam Navigation Company, asking reimbursement in part as follows: That on October 15, 1899, the petitioner paid to the Collector General of Customs of the Republic of Hawaii the sum of \$153.50 for the following purposes: Coasting license steamer Kihohani, \$122.50; lights, \$5; blanks and stamps, \$5. The amount was paid to cover the expenses of a coasting license for the Kihohani for one year from October 15, 1899, to October 15, 1900. The steamer was wrecked and became a total loss at Lahaina, Maui, on December 12, 1899. The petitioner requested the return of \$136.25, being about the expense of said coasting license from December 12, 1899, to October 15, 1900, but was informed by him that he had no power to return any portion of the \$136.25. Wherefore petitioner prays relief in the sum of \$136.25 from the Legislature. Emmeluth objected to the petition being referred to the Judiciary Committee. It properly belonged to the Finance Committee. He registered a kick at having everything and anything shoved upon the Judiciary Committee members. He intimated that several of the members had little or no conception of the duties and powers of the various committees.



HAWAIIAN LEGISLATOR--Sam, it's no use; we're going to abolish you.

Robertson thought it strange the Hawaiians should stick to this old law so tenaciously. It had been repealed before. The statute, he thought, had been enforced too long. The Hawaiians had begun to believe that it was necessary in order to have the husband or wife spend a little time in jail. If a wife was not faithful, and desired to leave a husband, the latter should let her go, and not put her in jail and make scandal. The statute is not used by white people or Chinese, but only by Hawaiians and Japanese. The former usually resort to the divorce courts.

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Mossman said that according to the contract laborers entirely opposite to the report of the committee. The report was signed by the whole committee, and if the bill was passed he was certain that in future there would be disagreements between husbands and wives. It would enable all Chinese who had married native wives to desert the latter and go back to China. This will bring hardship when their husbands desert them. The bill would create domestic infelicity without end and he moved to adopt the report.

Emmeluth said the remarks had brought to his mind an interesting state of affairs in this community and he favored the report being laid on the table for a few days. He was not personally familiar with the law, and no vote should be called until every member was fully cognizant of the law on the subject. The motion was lost.

Mahoe said the law on desertion was made in 1869, with a few minor changes made since. Everybody was familiar with it, and if the bill was passed, the husband could not get his wife back if she deserted him and vice versa. He would have thought it better if Dickey had brought in a bill to do away with marrying. Mahoe continued to offer ridiculous suggestions. He said a marriage contract was made before the Almighty and should, of course, be strictly adhered to.

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to Hawaiians by reason of the agricultural development of the country being done by a cheap class of labor.

It is no wonder that the Hawaiians have clung to laws that would seem to give them protection in their home life. He wanted the law wiped off the statute books. He inquired how the balance between a wife who is educated to \$15 a week, and the husband or wife, but the fault of the institutions of the country. He thought that the crime has been on the part of the interloper and not to the persons whose affections have been alienated.

Kanlio, "the wise man of Kohala," moved to adopt the report. As to the contention of the former speaker that only disagreements occurred in Hawaiian families, he said that all nationalities were involved in domestic imbroglios. With the usual native method of argument, Kanlio said he read the newspapers and knew whereof he spoke. He referred to the haole who were killed, hanged and pursued all for love of husbands or wives. As the law was not repealed by Congress, it must be a good one, and not being repealed was not unconstitutional. The former speakers were like fishermen that cast their hooks in the sea covered with bait. The speaker drifted into Biblical history and compared Emmeluth to so many important personages of the past that the plunger's countenance flushed. The Legislature was trying to compare the Hawaiians to people to bulls and heifers in introducing a bill like Dickey's.

Makekau naturally had to say something. "To whom are you speaking?" inquired the Speaker. "Oh, I beg pardon, I forgot to give you your title," said the member apologetically.

Makekau said a law of this kind, whereby the male is allowed to maintain the dignity of his home life, was proper. The new law would cause many crimes in the country. It is a check whereby a husband is refrained from doing unlawful acts. He advocated the use of the saying, "When in anger count ten." As to being Americans, he was proud that the Hawaiian girls were not becoming Americans too fast.

Dickey, the author of the bill, made a final reply to the adverse report of the committee. He said if he thought the law really protected the family, he would not ask to see it repealed. He was not aware of an instance where it helped the family. As to being termed "bulls and heifers," he said if the report was adopted, the solons should be termed "solives."

Chair to Emmeluth's attacks upon the Kamehameha Schools and instructors. He was one of the first sons of the Kamehameha Schools; he intended to protect his interests. As to teaching the young people in such a way that their wants could not be supplied, he denied the imputation. He said that Emmeluth had made no mention of the fact that the means of satisfying wants are furnished by that institution. The principle of the school was to teach handicraft. Whatever desires have been taught him, the means of satisfying his desires had also been taught him. He roared Emmeluth as he went along.

Emmeluth testily arose to reply to Beckley. He admitted that Beckley was right in some ways. Punki and Makekau entered objections to Emmeluth talking further on the subject, but he was privileged to continue by the Chair.

Emmeluth said that the records will show that the graduates of Kamehameha found more employment on the police force and as backdrivers. He said that the greatest excitement of the day. Interpreter Wise, who is also a Kamehameha graduate, said sotto voce that Emmeluth did not tell the truth. A stormy debate began in many quarters, points of order were called, and for a few minutes a wordy scrap seemed imminent.

Robertson arose to state that the motion to adopt the report was out of order, as if the report was adopted, the bill would be killed. The rules did not allow an adverse report to be adopted at the second reading of the bill. Dickey said the point was well taken.

The Speaker ruled the point of order was not well taken. Robertson asked whether or not if the report was adopted the bill would be rejected. The Speaker said it would be. Then Robertson said that under the rules a bill could not be rejected or "killed" at its second reading. Overruled by the Speaker.

Emmeluth asked to be excused from voting, not being sufficiently versed as to the bill or report. The Chair granted the request.

The Chair was, without doubt, wrong in his ruling, but was determined, as a Home Ruler, to stand with the majority, and force the measure through, rules or no rules. The vote on ayes and noes was as follows: Ayes, 19; noes, 5; and the report was adopted.

Prendergast made a report for the Printing Committee of bills printed and ready for the House, as follows: House Bill 28, An Act to Adopt a Flag for the Territory of Hawaii; 29, Relating to Cart and Dray Tax; 30, Relating to Education of Hawaiian Youths Abroad; 31, Suspension of Vice, and Immoral and Lewd Practices; 32, To Establish and Maintain School Libraries.

Upon motion of Beckley, the House took a recess until 1:30 p. m.

THE AFTERNOON SESSION.

Dilatory House members caused that branch of the Legislature to be delayed twenty minutes in assembling for the afternoon session. The Miscellaneous Committee reported favorably on Bill 34, for a Great Seal. The bill was considered under suspension of rules. The bill, which contains a myriad of heraldic phrases, upset the clerk when he was called upon to read the bill through. The report of the committee to which was referred the bill recommended its passage. Prendergast moved the report be adopted and the bill read for the second time. Dickey said the Hawaiian translation of the bill was not perfect and objected to its being placed before the members in its present form. Amendments were made and adopted and the bill passed at the second reading. It will be made the order of the day "for tomorrow."

Makekau objected to the word "tomorrow," as "tomorrow" would never come, and moved that instead of being made the order of the day for "tomorrow" the words "Thursday, March 14," the House took Makekau's joke in earnest and adopted his motion.

Emmeluth presented a report from the Judiciary Committee on House Bill 18, relating to felonies and misdemeanors. The report recommended minor changes and the adoption of the bill. Robertson moved it be laid on the table and taken up with the bill.

Ahuli, "the silent member," suddenly awoke and asked to have the report read over again. His request was ignored, and the Robertson motion was adopted.

Beckley, for Committee on Public Health, read a report favoring the passage of House Bill 20, relating to cemeteries. Tabled.

Beckley read a communication from the Board of Health relating to a regulation preventing persons afflicted with or suspected of having leprosy and tuberculosis from entering the Territory from other countries, and he introduced a bill relating to the diseases. Beckley said the Board of Health deemed it necessary to have such a law enacted, and under the rules a standing committee could introduce bills without first giving notice, and Makekau objected. The proposed bill met with a stormy reception. The most serious objection was the manner of introduction, and Chairman Beckley was charged with having introduced the measure without consulting the other members of the committee. Kanlio at once repudiated the statement, as he had sanctioned it. Gillilan came to the rescue of the chairman. He did not want Hawaii to become the dumping-ground of pulmonary troubles and other incurable diseases. Protection was the watchword of every country. Instead of being blamed, Beckley should be praised. He might be premature, but it showed what a good chairman Beckley was. He was no laggard. The members should not be governed by petty personal interests, but by the interest of the country at large. Makekau and Punki kicked vigorously.

After all the discussion, the vote resulted in a victory for Beckley, and the bill was passed at its first reading. The Speaker said affairs were getting into a hopeless muddle; that he did not know where he was "at," and called for a motion.

Upon motion of Monsarrat the order of the day was taken up.

The Act to repeal certain obsolete laws was referred back to the committee to be corrected.

House Bill 16, relating to jurisdiction of District Magistrates, was read for the second time, section by section, together with the committee report.

Kumalae moved the word "on," in the section which says that "An Act shall take effect on the day of publication," be changed to "from," which was done.

The bill passed its second reading, and will be read for the third time tomorrow.

House Bill 17, governing procedure in criminal cases, was read for the second time by sections, and passed.

The House adjourned at 4 o'clock.

REPORTS of committees and action upon bills marked the day in the Senate and it was not until the afternoon session that anything of particular interest turned up. While not entirely unexpected, the action of Senator Cecil Brown in resigning from further duty on the Judiciary Committee took the Senate by surprise, as did also the immediate acceptance of his resignation by the chair and the appointment of Senator Achi to fill the vacancy thus created.

The first work in the morning to come before the body was the report of the ways and means committee by Senator Kanuha, relative to Senate bill No. 5, concerning the biennial fiscal period of the Territory of Hawaii. Cecil Brown moved that it be adopted and the same was ordered typewritten and will be read for the third time today.

Senator White rendered a report for the Judiciary committee as follows: "The majority of the Judiciary committee, to whom Senate bill No. 1 was referred, beg to report that they have carefully examined same and recommend that the bill do not pass. The bill presents many bad features, the main one being the fact that five of the majority party of the Senate would be appointed to terms of only two years, while only two of the minority party would receive appointments for a like period. The Organic Act provides that 'the details of appointments shall be provided by the Legislature,' and the majority of the committee think that it would be best to follow the plan which prevailed in the Legislatures of the several States in regard to the election of United States Senators.

"We do therefore recommend a concurrent resolution providing for a joint session of the two Houses of this Legislature and the election by the members thereof in such joint session of eight Senators who shall hold their offices for the term of four years."

Considerable discussion followed the reading of this report and Senator Baldwin moved to lay the report on the table. Cecil Brown, the minority member of the committee, thought that the proceedings were irregular, as he had not even been informed that there was to be a meeting of the Judiciary committee, and had therefore had no opportunity to have his say in the matter.

Baldwin's motion was lost and a motion by Kanuha to adopt the report was carried. A recess was then taken until 1:30 o'clock.

The committee on printing reported progress, stating that several more bills had been received from the printers and were ready for distribution.

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White explained that he wanted this report to be laid on the table for some future time and taken up with the minority report at some later date. A motion was made to this effect and was carried.

The resignation of Senator Brown was accepted by the chair on the ground that the delay in meeting by this committee was a sufficient excuse for the resignation of C. Brown and he appointed Senator Achi in his stead.

White offered report of Judiciary committee on bill No. 26 and recommended the passage of the same. This bill will make exempt certain properties from attachment or execution.

Senator Paris asked that the bill introduced by him several days ago be read by its title and same was done.

Cecil Brown introduced a bill providing for the use of typewriters in the recording office and same was passed to the printing committee.

Senator J. Brown desired to read the bill introduced by him on Monday prohibiting capital punishment and was granted permission by the chair. The balance of the session was taken up in arguments concerning several bills introduced and adjournment taken until this morning.

WASHINGTON, March 6.—Morgan of Alabama, who yesterday offered a resolution declaring the abrogation of the Clayton-Bulwer treaty between the United States and Great Britain, addressed the Senate for nearly two hours upon his propositions. His admissions to Great Britain were particularly sharp. He declared that if Great Britain should endeavor to enforce the terms of the treaty the effort would result in a war in which the great empire, which had controlled for scores of years the commerce of the world, would be swept from power and her King would be left with sovereignty only over his own island.

LONDON, March 7.—The afternoon papers here today make little comment on the statements of Senator Morgan of Alabama yesterday in the United States Senate in his plea for the Nicaragua canal, following his resolution declaring the Clayton-Bulwer treaty abrogated. The Pall Mall Gazette says: "Mr. Morgan cannot help making his friends and relatives exquisitely uncomfortable. Every time he opens his mouth he must give any show away with which he has the presumption to middle."

The Westminster Gazette says: "Mr. Morgan is having a great time. His warnings are all very alarming but we are reassured by the knowledge that the route of the canal is not definitely determined."

At the conclusion of Mr. Morgan's speech the Senate, without taking any action upon the resolution, on motion of Mr. Dodge of Massachusetts, at 12:10 went into executive session.

California Harbor No. 15 of the Masters and Pilots Association has adopted resolutions tending to indorse the actions of Captain Ward of the ill-fated Rio de Janeiro, and censuring the action of Pilot Jordan in his alleged criticism of Captain Ward relative to the wrecking of the steamer.

## CLAYTON-BULWER TREATY ASSAILED

### War, He Declares, Would be the Downfall of the Empire.

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## BROWN SPRINGS A SENSATION

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