

BECKLEY'S REPORT

Disappointing to the Radical Squad.

The main portion of yesterday's session was taken up in considering the majority report on the items referring to the Board of Health. For nearly an hour the Senators "chewed the rag" on the advisability of having a Food Commissioner and analyst at \$4,200. The members of the party with the "long name" wanted to strike the item out entirely, with the exception of Senator Russel, who fought with might and main to pass the item as in the bill. Kalaauokalani led the fight in opposition to the item.

Senator Kalaauokalani's argument against the item was that as the food inspector did not go out in the city and inspect the poi that was being served out to the natives, the office should be abolished.

Senator Brown said it was impossible for the food analyst to inspect every article of food consumed in the city. If such action was required it would take five hundred inspectors to do the work; furthermore, it was the duty of every person, who, upon the purchase of any articles of food found any impurities in such foods, to report the fact to the analyst for examination, and if found impure, prosecution would follow.

Senator Kalaauokalani could not see the matter in that light, evidently having "poi" on the brain.

Up to the taking of the noon recess the discussion was still going on in regard to the item under dispute, and the matter was referred until the afternoon session.

Among other things considered at the morning session was the report of the Public Health Committee on the Charleston Exposition matter, a report from the Judiciary Committee on the matter of the loan of \$750,000, under the act passed by the Legislature of the Republic of Hawaii, and a report from the Committee on Agriculture and Forestry.

Under the suspension of rules Senator Russel introduced the report of the Public Health Committee on the Charleston Exposition matter, which was adopted. The sum of \$1,000 was appropriated and inserted in the bill. The following is the report:

The Public Health and Education Committee begs to report on petition No. 1 of the commissioner of the Charleston Exhibition, asking for an appropriation of \$2,500 for the removal of the Buffalo school exhibit to Charleston, that they recommend instead of \$2,500, \$1,000 for the purpose, as sufficient.

N. RUSSEL,
W. C. ACHI,
J. B. KAORI.

Cecil Brown then introduced the following report from the Committee on Judiciary on the message received from Acting Governor Cooper, in regard to the loan act, which was adopted by a unanimous vote:

Your Judiciary Committee to whom was referred the message of Acting Governor Cooper, dated May 21, 1901, in relation to the issue of bonds under an Act passed by the Legislature of the Republic of Hawaii, being Act 71 of the Session Laws of 1896, beg leave to report as follows:

The Attorney General courteously furnished the committee with a copy of his very able and almost convincing opinion on this matter, to the chairman of the Committee, on Finance of the House of Representatives. This committee agrees with the Attorney General that the Act in question (Act 71 above referred to) was not repealed expressly by the Organic Act, but do believe that it was repealed by implication, for the reason that it was an Act of an independent sovereign State and not that of the Territory under its Organic Act, and the power derived from such Act. This committee thinks that the Act in question is restricted and repealed by implication by section 55 of the Organic Act, as the provision there contained is direct that the Legislature of the Territory (not the past Legislature of the Republic) may authorize loans; the loan if made under Act 71 of the Republic would not have been authorized by the Legislature of the Territory of Hawaii.

Another ground upon which the Act 71 may be said to be repealed by implication is the direct provision of the Organic Act as the term of the bonds authorized under it, are: 5-20's years, those of the Organic Act, 5-15's. Act 71 would certainly require some amendment in this respect, we cannot interject the word fifteen in place of twenty, or, to be more correct, the Act should be re-enacted, in our opinion, with whatever changes are made necessary by the Organic Act, by the Legislature of the Territory of Hawaii; it would then be an authorized loan under the Organic Act. The fact that our Organic Act has provided for the necessary changes or substitutions in certain laws, or, as more correctly stated by the heading to section 9 of the Organic Act, amendment of official titles, does not in itself give the power to interject these official titles into Act 71, so that it may be made to comply with the provisions of the Organic Act.

Section 6 of the Organic Act says that laws of Hawaii not inconsistent, etc., shall continue in force subject to repeal or amendment by the Legislature of Hawaii or the Congress of the United States. What right under this provision have we to make or assume to make any amendments under this extra session of the Legislature to Act 71 of the Legislature of the Republic of Hawaii?

BECKLEY'S LEVEE.



THE HAND THAT SHOOK THE HAND OF THE PRESIDENT.

This committee cannot understand how any remaining bonds authorized to be issued under the provision of Act 63 of the Session Laws of 1898, and that never have been issued, can now be authorized to be issued by the Legislature of the Territory of Hawaii, when the only bonds so provided to be issued were for 5-20 years, and not as provided for by the Organic Act. The special limit of 5-20 would not, it is submitted, authorize a reducing of the term of the bond to 5-15 years without a special amendment or an authorization from the authorities provided by section 6 of the Organic Act. The reasoning of the Attorney General is forcible and the law may be as in his opinion contends for, but where an issue of bonds and the public is asked to subscribe and put up its money, there should be no ground for dispute or litigation; all such bonds should be like Caesar's wife—"above reproach." And as the loan in question is authorized by an Act of the Republic of Hawaii, and not by the Legislature of the Territory of Hawaii, we deem it to be unfair in order to save any questions as to the validity of the bonds, and prevent any subsequent litigation of any kind, to recommend that the appropriations set forth in the Acting Governor's message, be inserted in the Appropriation bill under consideration by the Senate and not as proposed in said message.

CECIL BROWN,
C. L. GRAHNS,
WM. WHITE.

As will be seen from the above, the report is directly opposed to the opinion of Attorney General Doie as submitted in a message from Acting Governor Cooper. Senator Baldwin then presented the following report from the Committee on Agriculture and Forestry, which was tabled, to be considered with the Appropriation bill:

Your Committee on Agriculture and Forestry, to whom was referred the item in the Appropriation bill under the heading "Commission of Agriculture and Forestry," from the bill to the bill in

clusive, beg leave to report that we have had same under careful consideration.

Item 518, which reads, "One-half expenses and freight, entomologist, \$1,000," is the same as the item in the last Appropriation bill entitled "Incidentals and traveling expenses entomologist, \$1,000."

All the other items referred to your committee, except item No. 520, are items which have been heretofore in the Appropriation bill lumped under the heading of "Forests and nurseries, general." Your committee consider it preferable to have everything under this general appropriation itemized, as has been done in the present bill.

Item 520, "Competitive exhibitions of fruit, vegetables, plants, etc., \$1,000." The plan is to get up a public exhibition here of fruits, vegetables and plants of the country, and we recommend the passage of the same, and also all the items referred to your committee. The sum total asked for is less than was asked for under the last appropriation.

It is the plan of the Commissioner of Forestry to extend the culture in Nounou valley, a plan that your committee heartily approve of.

Respectfully submitted,
H. F. BALDWIN,
J. D. PARK,
L. NAKAFAAMU.

Senator "Oily" William White reported verbally for the special committee of five, appointed by the president to consider various items under the head of Department of Public Works, recommending the same be considered by the Senate in their order. The committee was ordered to submit a written report of its recommendations. There being no further reports in sight the Senate took up the various items under the head of Board of Health, as follows:

Salary of president of Board of Health, \$1,500. Committee's recommendation to strike out, adopted.
Salary of executive officer, \$4,000.

committee's recommendation to make the item read "Salary of executive officer and purchasing agent, \$6,000, adopted.

Salary of secretary, \$4,000. Committee's recommendation to pass the item as in the bill, adopted.
Salary of city sanitary officer, \$4,200. On motion of Dr. Russel, this item was stricken out.

The salary of food commissioner and analyst, \$4,200, was then taken up, which caused an endless amount of wrangling.

Senator Kalaauokalani wanted to strike the item out. Senator Cecil Brown warmly defended the item, and urged that it pass. Senator Russel, who was the only member of the Independent party who advocated the passing of the item, urged the members to take affirmative action, as it was a necessary office, in regard to the public health. During his talk the whistler announced that the lunch hour was at hand, and Senator Russel moved to continue the discussion at 2 p. m.

AFTERNOON SESSION.

Upon the Senate convening at 2 o'clock, Senator Cecil Brown was recognized, and said he hoped the Senators would not strike out the item referring to the food analyst. The office, he said, was a very necessary one, for if there was any food in which impurities were found, it was the duty of every one to report such matters to the food inspectors, and prosecution would follow such exposure. As an example of the value of the office, he said, since the establishment of the food inspectorship, the practice of selling ground corn and barley for coffee had been suppressed, and in many other cases too numerous to mention, the office had proven its value. In conclusion, he hoped the

PEARL HARBOR PLANS

WASHINGTON, May 25.—The naval board having charge of the location of a naval station on Pearl Harbor, Hawaii, has completed its work. The board adheres to the view that Pearl is the only harbor in the Hawaiian group capable of complete naval defense. It is only five miles from Honolulu. Much of the surrounding land has been occupied for commercial purposes, and if possible to locate the naval station on the large islands lying in the middle of the harbor. As some of this land was raised to a high price since it was learned the Government might want it, the board is disposed to consider a much larger tract of island lands, so that the final selection may be made, with less restriction. The improvement of the harbor contemplates a deep water channel across the coral bar at the entrance and heavy batteries on each side of the entrance.

[The mainland tract referred to is probably a large piece of land upon which the Government is said to have an option from the Bishop estate. The tract is on the east side of the harbor, where the O. H. & L. Co.'s line first strikes the water.—Ed. Adv.]

The committee appointed by the Bar Association to prefer charges and specifications against Judge Humphreys held a meeting Saturday afternoon and laid out the work. The committee will proceed systematically to get the mass of evidence at hand into shape.

BLACK PACER SURPRISES

He Travels a Mile In Close to 2:16.

Steamploough, the black pacer gelding, recently owned by George Carter, is certainly the most sensational horse in the Islands today.

A year ago, almost to a day, Steamploough, a candidate for the gentlemen's driving race, was discovered to have a badly blistered leg. By whom the blister was applied remained a mystery, but rumors of foul play were very prevalent. Disgusted at the incident, Mr. Carter withdrew his horse from the race; the other entrants did the same, and the event fell through. Nothing was heard of Steamploough until a few weeks ago, when he came into the hands of C. H. Judd to train for the gentlemen's driving race.

The black pacer has always been reported to be a fair horse, but nothing wonderful was expected of him, as he is a green customer, never having won a race. Great was the surprise of the horsemen then, when a couple of weeks ago he stepped a mile in 2:35, and another in 2:19.

Yesterday, however, he fairly astounded those at the track by putting in heats in 2:21 and 2:16 1/2. The first half of the last heat was traversed in 1:07 1/2, and the horse could have worked a second and a half better had it been required of him. C. H. Judd held the reins.

It was stated by Mr. Carter last night that he had sold Steamploough to John Ouderkerk. Asked as to the reason for his action, he said:

"I have never been to the track to see my horse work, but I felt that he was too popular to win. I am firmly convinced that had I entered him in a race he would have been the hero of an incident similar to, or worse than, that which took place last year. Therefore I decided to dispose of him."

The price paid for Steamploough is said to have been \$750.

Steamploough now figures as having a very decided chance to beat Waldie J. in the free-for-all, especially if the "white ghost" be not himself next Tuesday. Anyway, he looks to be well worth the sum paid for him, for he should be able to run through the slow and 2:14 classes, and come near getting back the money expended on him, in purses alone.

In appearance he is anything but a beauty, but is one of the rough and ready customers whom work can't kill, and who will race until they drop.

Yesterday Mesquite worked heats in 2:25 1/2, 2:25, 2:27.

Edna G. worked miles in 2:32, 2:25.

Iola put in miles in 2:28, 2:25, 2:24 1/2. In the last heat she went dead lame in the stretch, and came near going down. A tendon was found to have given away.

Judd has had hard luck with his horses. He started with a goodly string, and with fair prospects of winning races. One by one they dropped out. Wayboy was turned over to Jim Quinn, Irish Lassie and Faro Bank proved useless for racing purposes, and now Iola has gone down. Violin and Steamploough are now all that are left. Octopus was opened up for her work today.

Vioria worked a half in 1:53 1/2, and pulled up very lame.

Watessa galloped six furlongs in 1:22 1/2.

Billy McCluskey ran a mile in 1:51 1/2.

The above trio worked together, and finished lengths apart.

Abby was sent a quarter in 25 1/2. General Cronje put in a half in 1:05 1/2. Socialist galloped five furlongs in 1:18.

Amethyst was introduced to the track.

L. C. Starr, now at the track, is a capable reinsman, and will drive several races next week. Starr has driven a good deal on the Coast tracks previous to the last four years, during which period he has been engaged in breaking horses.

Jim Cornwell brought a likely looking Hawaiian-bred pony to the track yesterday. The horse, which comes from Mike Robinson's ranch, is a black filly of Waterford stock, and demonstrated her quality by chasing a quarter in 35 flat.

Tom Leper, who last January fought a four-round draw with Young Remington in Hilo, is trying to arrange a match with "Buck" Burns, the jockey. Leper had all the best of the Hilo argument, but by previous agreement the bout was called a draw.

Socialist, in a race for gentleman riders on the Oakland track, once ran a mile in 1:44, with 175 pounds up. Amaranth, Amethyst, Defender and Lady O'Mandy, Colonel Spaulding's string of runners, have arrived from Kauai. The quartet are full brothers and sisters to Amaranth.

Amaranth is a bay mare, and once ran a half-mile on the local track in 49 1/2. Her speciality is short distances. She met with a trifling accident coming down, getting caught in the chain.

Amethyst is a bay mare, and a sprinter. Being of a nervous disposition, she shipped none too well.

Defender, a dark bay stallion, is a route horse, and will be entered in the Jockey Club handicap at a mile and a quarter.

Lady O'Mandy, a bay mare, is also a mile. Last Fourth of July she beat Albert, which horse is now being trained at the track by Garrison.

The above quartet are all by Kealia-Amaranth.

The best of the Kauai horses, Kenia Jr., did not come. Neither did the Jockey Club Last Call, which was badly kicked a couple of weeks ago. The Kauai horses commenced training in February, but owing to the rain, work was laid up on both a

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