

Hawaiian Gazette.

1 VOL. XXXVI, No. 58. HONOLULU, H. T., FRIDAY JULY 19, 1901. 1-WEEKLY. WHOLE No. 2299.

BOTH THE APPROPRIATION BILLS ARE NOW LAW.

Only One Veto and That is Quickly Sustained.

FOUR VOTES TO PASS OVER EXECUTIVE

Messages Extending Session and Calling Attention to Unpaid Bills.

Believing it to be for the best interests of the people that further appropriation bills should be passed at the present session of the Legislature, I, Henry E. Cooper, Acting Governor of the Territory of Hawaii, by virtue of the authority in me vested by law, do hereby extend such session for the period of fourteen days up to and including the 31 day of August, A. D. 1901, for the purpose of such appropriation bills.

In testimony whereof I have hereunto subscribed my name and caused the seal of the Territory of Hawaii to be affixed.

HENRY E. COOPER.

Thus did the Acting Governor serve notice upon the members of the Legislature that responsibility for public service during the biennial period would not be assumed by the Executive.

The proclamation was one of the several sent to the two Houses yesterday. The session was held with the expectation on the part of the members that they would hear of the disposition of the appropriation measures, and there was no disappointment. The Executive sent in the following messages in that relation:

I have the honor to inform you that I have this day signed Act 3, entitled "An Act Making Special Appropriations for Salaries and Pay Rolls During the Two Years Which Will End with the Thirtieth Day of June, A. D. 1903."

I have the honor to inform you that I have this day signed Act 4, entitled "An Act making special appropriations for the departmental use of the Territory during the two years which will end with the thirtieth day of June, A. D. 1903," with the exception of the item for the purchase of land for a site for a hospital for incurables, \$30,000, which I do not approve. The reasons for my disapproval will be found in a message upon this subject.

The Acting Governor's message vetoing the \$30,000 item was as follows:

I am unable to approve of the item "For the purchase of land for a site for a Hospital for Incurables, \$30,000," inserted in Act 4 entitled "An Act Making Special Appropriation for the Departmental Use of the Territory during the Two Years which will End with the Thirtieth Day of June, A. D. 1903."

My reasons for disapproval of this item, although I approve of the object sought to be obtained by the Legislature, are that the clause incident to such item reading "Such transfer and conveyance of public land is hereby authorized without further consideration, upon condition that whenever such parcel of land shall cease to be used for such purpose for three consecutive years the same shall revert to the Government is practically a grant of land without consideration, which is contrary to the Land Laws of the Territory.

Section 73 of the Organic Act provides that the laws of Hawaii relating to public lands and settlement of boundaries, and the issuance of patents on land-commission awards, except as changed by this act, shall continue in force until Congress shall otherwise provide. It is not therefore in the power of the Legislature to change in existing laws governing the disposition of public lands; consequently I believe this item is without lawful authority.

I return herewith the Act above referred to for your reconsideration upon this item.

This did not conclude the communications of the Acting Governor to the Legislature. Accompanying these was the following message:

A consideration of Act 4, entitled "An Act Making Special Appropriations for the Departmental Use of the Territory During the Two Years Which Will End With the Thirtieth Day of June, A. D. 1903," fails to show items for the "Payment of Unpaid Bills" submitted by the message of June 7th, with the exception of the bills incurred on account of tubercular plague and unpaid bills of the Board of Health.

I therefore submit for your consideration "Estimates for the Payment of Unpaid Bills," with the recommendation that they be inserted in an appropriation bill to be paid from current receipts.

I also recommend the insertion of the items contained in the "Estimates of Appropriations, Current Receipts," which appear to be necessary for the proper conduct of the affairs of the respective departments.

I also recommend a further appropriation of \$2 to enable the Fire District Commission to continue its labors for such time as it may see necessary to reach a satisfactory conclusion.



Treasurer Wright to the cupboard one night, On a trip of discovery went, And of all the pelf which should be on the shelf, Found scarcely a single cent.

Where was the money? oh isn't it funny The way that the oof-bird files? It was frightened away so the people say By the law-makers' goo-goo eyes.

H. M. A.

Many Members Want to Go Home.

THINK THEY CAN HAVE EXTRA SESSION

Bills Ready for Introduction But a Speedy Adjournment May Be Taken.

It will be a badly disorganized majority which will meet in the Legislature this morning for the first day of the extended session. There will be little of harmony either between the two Houses or the members of either branch who owe allegiance to the majority organization. There was to have been a caucus of the Home Rulers last night at Foster's Hall, but the caucus was not held. The members of the Legislature did not appear up to 10 o'clock, and at that hour Senator Kalauokalani and Representative Prendergast, who held up the dignity of the two branches of the Legislature, decided that they would desert, so the sergeant-at-arms turned out the lights and all was off.

The caucus was not one of the members primarily but was to be a party gathering. There were at different times during the evening as many as seven members of the party outside of the officials in the room, but there was nothing but the most informal talk about what was going on. In no way was there any consideration of the plan to be followed, and the discussions could not be held to be action on the matter which is uppermost in the minds of the people who watch the doings of the Executive building. Great things were promised but there was no accomplishment.

This leaves the action today entirely in the air. No one may predict what is to be the result of the meeting of the two houses, for the opinions of the individual members are as widely separated as their districts. During the general discussions on the lawn, in the third house yesterday, the dominant note was one of discontent with the position in which the majority is placed. The majority of the members, irrespective of party, want to go home. They do not think that they should be held here, now that the two appropriation bills have been passed, and they also think there is a limitation on their power to pass any bill with the word "loan" in it.

As to the unpaid bills, there is a feeling among the Independents that this matter has had enough consideration in the Houses and the fact that a message from the Governor was laid over, the items not being put into the general bill, is to be taken as their expression upon the advisability of the putting of these matters in the bills. There seems to be a feeling that there will be no success attending the attempt to make a second bill to cover these matters. Some members of the House say they would not vote upon these bills until they had been put through the committees in regular form, so as to establish the liability of the Government, ascertain that the bills were incurred in the regular form, and that there is some chance that they will be paid.

This is the way they talk, but in reality the entire matter is one of extra session. The majority party seems to believe that by adjourning at once without delay they will have the Governor on the hip and compel him to call them together for another sixty days for general legislation. This was openly said yesterday by some of those members who have always been howling "special." They hold that the very importance of these bills to the amount of some \$34,999 is sufficient to have the Legislature brought back. They believe that the business interests will either behind them and ask that they be given more time for general legislation. Those approached in the matter and asked if they would agree to pass nothing but revenue and appropriation bills, said emphatically that they would make no pledges, that they must be called in special session, and that they would use the time in making such laws as they saw fit.

The bill which would provide for the unpaid bills is drawn and ready to be introduced this morning, so is that which makes the appropriations which would be taken care of in any loan bill that may be made law during the period. These bills will be put in and unless there is an adjournment sin die they promise to arouse some comment at this.

<p>I also recommend the passage of an appropriation bill making special appropriations for the use of the Territory during the succeeding biennial period out of any moneys which may be received by the Treasury from the Loan authorized by Act 71 of the Session Laws of 1896. The unissued bonds authorized by said act amount to \$799,000. I submit the following estimates for your consideration:</p> <p>Executive Chamber, July 18, 1901.</p> <p>The new items proposed by the Acting Governor in addition to those on the list of unpaid bills, are the following:</p> <p>CURRENT RECEIPTS - ATTORNEY GENERAL'S DEPARTMENT.</p> <p>Salary Physician, Receiving Station and Prison \$ 1.90</p> <p>Coroner's Inquests 2.90</p> <p>PUBLIC WORKS.</p> <p>Public Grounds, general 6.00</p> <p>Loan Funds appropriations were recommended as follows:</p> <p>DEPARTMENT OF PUBLIC WORKS.</p> <p>Sewerage Honolulu..... \$ 23.00</p> <p>Suwamui Stream District 2.00</p> <p>Material 2.99</p> <p>Materials 17.00</p> <p>House Connections 11.00</p> <p>Outfall Sewer Honolulu 11.00</p> <p>Sewerage Hills 2.00</p> <p>Market Improvements Honolulu.</p> <p>Yamama's Hill 2.00</p> <p>Lea'a Hill 2.00</p> <p>Yamama's Wharf 2.00</p> <p>Kawa Wharf 2.00</p> <p>Wai'anae Wharf 2.00</p> <p>Honolulu Wharf 2.00</p> <p>Moanaloa Hill 2.00</p>	<p>Filtration System Honolulu 60,000</p> <p>New Building Insane Asylum 30,000</p> <p>Garbage Crematory 15,000</p> <p>Palama Reservoir and Waterpipe 25,000</p> <p>Addition Honolulu Pipe System 120,000</p> <p>Fire Hydrants, Honolulu 6,000</p> <p>Waiuku and Kahului Water Works 3,000</p> <p>PUBLIC INSTRUCTION.</p> <p>District of Hilo 8,500</p> <p>Kohala 2,400</p> <p>Kona 2,000</p> <p>Puna 2,900</p> <p>Lahaina 600</p> <p>Waiuku 700</p> <p>Hana 4,000</p> <p>Oahu 13,000</p> <p>Honolulu 39,000</p> <p>Total loan appropriations \$ 414,900</p> <p>The reading of the messages produced rather peculiar results in the Houses. In the Upper House there was a rather long discussion on the proceedings which should follow, Senator Brown showing the disposition which should be made, and the feeling of the Independents being set forth by Senator White. In the Lower House there was some waver talk, this time the opponent being Hoogs; the leader in the controversy being, of course, Emmeluth.</p> <p>The first thing after the reading of the messages was the motion of Emmeluth to sustain the veto. Emmeluth objected. He said that the disposition of</p>
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the Acting Governor were not sufficient, that the operation of the Hawaiian land laws could not be made to apply, as they had been suspended by resolution during the regular session. He made some animadversions upon this phase of the question, until he was interrupted by Hoogs.

"Let us stop this wasting of the time of this House," said Hoogs. "What's the use of spending our time with talk? If the gentleman has a spite against Mr. Cooper or Mr. Dole, let him go to his office and have it out right away, and not take up the time of the House with his grievances."

"Mr. Speaker," burst out the leader of one branch of the Independents, "I consider the remark an insult. Twice has the gentleman used such language, and was it used any place but on the floor of the House, I would hit him on the jaw for it."

"That's all right," returned Hoogs, "but let us not waste time harping over old scores. If Mr. Emmeluth has a score to settle with the Governor, let him take it there to settle. The member was sent here to represent the people, and he seems to have forgotten that and is continually making a fool of the House."

Emmeluth retorted that he was responsible to the people for his action, and that he did not want the House to be asked to the district of the Acting Governor. He said he could not see why there should be any such action as was proposed.

"It is just to show the confidence of the House in the ability of the Acting Governor," remarked Hoogs.

"It is to put the Home Rule party on record," replied Emmeluth. "The Republicans want to have the record of a vote in favor of the Governor which will show how the party stands."

Kumai called for his motion, and when the news were asked the Fifth District statesman found that he had only three of his fellows with him—one of the number, Prendergast, explaining that he voted in that way as he would not vote in favor of any bill with the solitary in it. This once accomplished, a motion was made to take up the unpaid bills, and the letter of the Superintendent of Public Works on the subject was read. On motion, with little debate, the House decided to lay the matter on the table. There was no motion of adjournment in the majority party and consequently there was a motion to take a recess until the afternoon, which carried.

During the recess there was some informal talk and there was not so much as Speaker Akia decided that it was best to adjourn for the day. This was done at once when the House met, Emmeluth was not in his seat when the vote was taken, but entered the hall within a moment after the result was declared. He had in his hand a paper, the bill which is to carry into effect the recommendations of the Governor, and