

DECISION WILL BE FAR REACHING IN EFFECT

Governor Pleased at the Outcome of Test Land Suit.

GOOD FOR HAWAII Plantations Should Also Be Pleased, Thinks Mr. Frear.

(From Saturday's Advertiser.)

The supreme court homestead decision will be a valuable one. The area suitable to homesteading is very limited and there are enough people who want it in good faith to occupy it all and they are the ones who should get it. People who wish to acquire land merely to lease or sell . . . should not get it in justice to the public. . . .

The decision also ought to bring more satisfactory relations between homesteaders and the plantations for it will tend to relieve the plantations from attempts to get highly cultivated cane land for the purpose of holding them up. They can have no objection to letting their cane lands be divided for people who really intend to make good use of them by cultivating them themselves.—GOVERNOR FREAR.

Better relations between the plantations and homesteaders, the safeguarding of the public, the increase of the much desired landholding settlers and the protection of the bona fide homesteader are what Governor Frear sees in the supreme court decision sustaining his administration of the land laws of the Territory.

The case finally decided by the court last Thursday effects part of fifty-eight homesteading cases, the final papers in which have been held up by the government pending decision in the suits. The other test case is now before Judge Parsons of Hilo, whose first decision is now reversed, and who has been deferring the hearing of the second test until the supreme court has spoken in the first.

The case decided affected a homesteading agreement under the cash freehold plan while the one pending is under right of purchase. The laws governing each are slightly different and the two cases are therefore necessary.

Good Faith Will Tell.

"In some of these cases," said Governor Frear, yesterday, in discussing the effect of the decision on present homesteading "the government can give an extension of time where the homesteader was acting in good faith and give him a chance to live up to the requirements."

"The decision will be a very valuable one," he continued, "from the standpoint of both the government and the homesteader and still more so from the standpoint of the public. The area suitable to homesteading is very limited and there are enough people who want it in good faith to occupy it all and they are the ones who should get it."

"People who wish to acquire land to lease or sell should not be permitted to acquire it under the guise of homesteading. They do not deserve it as other homesteaders do and should not get it in justice to the public."

A Plain Decision.

"At the same time the decision shows clearly what may and may not be done under the homestead laws. It does not cover all points but covers numbers of the most important points and is set forth in language that every one can understand—that is, not based on what are sometimes called technicalities."

"The government has been exceedingly lenient to homesteaders ever since the enactment of the land act seventeen years ago. If I remember rightly only one test case has been brought previously to these two while I suppose thousands come up every year on the mainland."

"Everything possible should be done to encourage real homesteading and that includes protecting both the public and the real homesteader from the speculators who desire public lands for speculation or investment."

Good for Plantations.

"The decision also ought to bring about more satisfactory relations between homesteaders and the plantations for it will tend to relieve the plantations from attempts at getting their highly developed cane lands merely for the purpose of holding them up and the plantations can have no objection to letting their cane lands be divided for people who really intend to make good use of them by cultivating them themselves. In other words, the relations between the homesteaders and plantations will be apt to have a more certain and sound basis."

CONFIDENTIAL IN 10 TO 14 DAYS.

CONFIDENTIAL is guaranteed in any case of fishing, blind, bonding or procuring fines in 5 to 7 days or money refunded.—Made by FARM MEDICINE CO., Saint Louis U. S. of A.

KINDERGARTEN MAY-DAY MADE A MERRY MORNING



"This is the greatest thing in the show line that Honolulu has to offer," declared an interested kamaaina yesterday at Thomas Square, watching over five hundred kindergarten children in fancy costumes and an equal number in everyday clothes—in many instances as fancy as the costumes—skipping, jumping, running and dancing to the music of Berger's band. The remark, extravagant as it may sound, was repeated in a hundred forms yesterday morning by those fortunate enough to be witnessing the May-day gathering of Honolulu's forty varieties of kindergarten kids, tremendously enjoying themselves and totally unconscious that they themselves were affording a spectacle worth going miles to watch.

In the first place there was a Floral Parade Junior to open the fete, velocipedes, go-carts, express wagons and soap boxes on wooden wheels that squeaked deliciously, all decorated up to the queen's taste and pushed, pulled, pedaled or scraped along by earnest little figures in gay attire, the whole extending around two sides of the square. Marching by twos, chubby hands firmly clasped, came then squad after squad of youngsters, cowboys, squaws, elves, fairies, rabbits, soldiers, little sprites that impersonated flowers, miniature mandarins and mandarineses, diminutive milkmaids and milkadoesses, sturdy generals and dainty Boyers, all on hand by the dozens, each one intent upon gathering as much as possible of the joys that were fleeting.

The children started gathering in by street car from the various schools shortly after nine o'clock and the



A few of the thousand children who made Thomas Square merry yesterday.

Floral Parade Junior and grand march was started on its way around the square by ten o'clock, by which time, too, the square was well filled with grown-ups, each countenance shining a reflection of the happy little faces of the children, each adult having his or his—particular pet expression of frank approval to bestow as ear load after ear load of young humanity was discharged or as school after school marched into line, cheered and wikkified by a corps of teachers.

To attempt any description of the

fete in detail would be to attempt a practical impossibility, a task almost as hopeless as would have been that of counting the children that rolled about underfoot, rambled here and there, squirmed in and out among their elders, romped in ring games in the shade of every tree and hippity-hopped, hippity-hopped, round and round the bandstand from the moment the first note of every

piece was sounded until the last echo of the selection had died away. In the Floral Parade, to particularize a trifle, was a replica on a small scale of the first prize-winner of February 22, the squirmed in and out among their elders, romped in ring games in the shade of every tree and hippity-hopped, hippity-hopped, round and round the bandstand from the moment the first note of every

After the ardor of the parade, luncheon was served, cookies and pop being handed around. Then there were games and dance and tag and always, when the band played, that fascinating hippity-hoppity around the stand, while scores of photographers snapped right and left and ran out of plates long before the possibilities of the morning were exhausted.

It was a great day for the kids, young and old, the one pity being that there were not twenty thousand tourists in the city to have seen and gone away to spread the tidings that Kindergarten Day in the Crossroads of the Pacific is the one event none should ever miss.



IS IT INSOLENCE, OR STUPIDITY?

BELT ROAD COMMISSION REFUSES AGAIN TO DISPLAY ANY COMMON SENSE.

Secret meetings of the belt road commission are still conducted and will be conducted, according to statements made by Secretary Petrie, in defiance of the decisions of both Judge Whitney of the circuit court and another by the supreme court.

A meeting of the commission was held Thursday afternoon. No notification of the meeting was sent out to the press or public and after the meeting no intimation of the proceedings was made public, the results only leaking out yesterday morning when contractors interested in a decision of the commission were made aware that they had lost a \$100,000 contract for work on the road to Lilehua.

"Is the secretary of the commission going to send out notices of meetings to the press?" was asked of Mr. Petrie, a member of the commission, and his secretary.

"He will not," was the reply.

"Is the press to be notified at all when the commission is to hold meetings?"

"Not that I know of."

"Will you notify the press or the public of meetings to be held," was the next question.

"No!"

The commission is adopting the same methods it employed prior to the court decisions, and will refuse to let the public into its confidence or meetings. It is stated by those who attend the meetings as commissioners that the meetings are not secret, that the door is not locked to the commission's headquarters, but care is taken that no news of approaching meetings gets to the public.

Even Fern Knows Better.

Mayor Fern, a member of the commission, is unqualifiedly opposed to secret meetings and cannot understand why the secretary or chairman do not give notice of meetings to the press. He is in favor of public meetings, and claims he always has been. He believes that had all previous meetings been publicly held the commission would not have become the laughing stock of the community, and would not have wasted so much public money. Every road contract the commission has worked up has been thrown out by the courts or by the commission after the courts had had a turn at the commission's activities, and all expense and labor had gone to naught.

Lord Young Lays Out.

On Thursday the commission decided that the belt road contract between Ala and Lilehua, which was awarded to the Lord Young Construction Co., would have to be annulled because of the supreme court's decision relative to setting a time limit in the specifications. The contractor was stripped of

DAVIES & CO. TAKE OVER KUKAIAU PLANTATION OWNERSHIP THIS MORNING

With the purchase of 1138 shares of Kukaiau plantation, owned by Albert Horner, T. H. Davies & Co. will, this morning, come into full possession of the entire plantation. The deal was closed yesterday and the papers will be filed this morning, the negotiations covering about a quarter of a million dollars.

After a month's contest in the circuit courts over the shares owned by Albert Horner, who, with his brother Robert Horner, controlled the big sugar producing estate, a deal was effected out of court by which the Horner brothers are now entirely out of the plantation. Robert Horner's shares, numbered 1262 and these were disposed

YOUNG LOCHINVAR OF MAUI GOT FALSE START AND LANGUISHES IN PRISON CELL

(Mail Special to The Advertiser.)

WAILUKU, Maui, May 2.—The Lochinvar method of dealing with obdurate parents and of consummating romances is splendid ballad-making material and has its picturesque element but it does not appeal to the guardians of the peace in this community. Anieto Malyanes, now serving a term of thirty days, discovered this when he tried to shoot up a wedding ceremony at Waiehu last Friday night at which the cruel parents of the lady of his heart were carrying her off to an undesirable hill-dweller from Haunapo.

Just at the dramatic moment when Father Maximin was preparing to unite the sorrowing maid to the undesirable

his \$100,000 contract, and new bids will be advertised for.

Judge Whitney of the circuit court scoured the belt road commission for holding secret meetings and taking no means to acquaint the public of the workings of the organization. The supreme court explicitly aimed a blow at the commission's secretiveness when it stated that the decision against John Wilson, a bidder on the first belt road section, by the commission, was unfair "because" its decision was reached in a secret session.

The crux of both decisions against the belt road commission was in the fact that no effort had been made to let the public know what was going on behind the commission's closed doors, and because the commission stood opposed to public meetings.

SIBERIA IN EARLY.

The Pacific Mail steamer Siberia will arrive early Monday morning instead of in the afternoon as was expected. Late last night a wireless was received from the master that he would be off port at an early hour Monday.

SUPERVISORS GET VERY NASTY JOLT

NOTIFIED THAT PROPERTY CITY IS AFTER IS GOING UP IN PRICE RAPIDLY.

(From Saturday's Advertiser.)

The activity of Treasurer Conkling in boosting assessment valuations in and around the city proved to be very popular at the time with the supervisors, who saw in increased taxes where the Honolulu government was to have more money to spend, but a different face was put on things yesterday, when, as a result of assessment increases, the price of the property wanted by the city for Hotel street widening purposes jumped nearly seven thousand dollars. This jump will probably be followed immediately by others, which is the worst of it.

The fact that the public will now have to either pay many thousands more for the property or leave Hotel street in its present most unsatisfactory and almost impossible state, is due to the "know everything" attitude assumed by certain of the supervisors when the land was offered at the original quotation. The new figures were submitted at yesterday's meeting of the board of supervisors in a letter from the Campbell Estate, which stated that the tax assessor had raised the figure on the first seventy-seven feet along Hotel street, from the Damon building, to a value of \$10.30 per square foot. The balance of thirty-three feet was raised to a value of \$6.70 per foot. The estate executors stated that they were originally ready to sell the 1534 square feet at the rate of \$5 per square foot.

"We now beg to advise you," concluded the epistle, "that that part of our offer referred to is hereby withdrawn, and in place thereof we have to advise you that for the 1534 square feet required we will have to ask for the same at its present assessed rate amounting to \$14,180, or an increase over our former figures of \$6510. The rest of our offer stands as originally given."

Supervisors Gasped When They Heard of the Increase.

The matter was referred to the ways and means committee. The county appropriated \$30,000 toward acquiring the frontage necessary to widen Hotel street. A few weeks ago it was understood that the figures would be closer to \$15,000 than to \$30,000 and the indications now are that they will go over \$50,000. The Pentecost block owners are awaiting a decision on the part of the Campbell Estate, Frank W. Damon and the county authorities over the proposed widening scheme before starting work on the Hotel street addition to the Pentecost block. If simultaneous building operations were under way on both sides of the narrow street, which is bottle shaped at that point, it would be almost impossible.

Supervisors Gasped When They Heard of the Increase.

The matter was referred to the ways and means committee. The county appropriated \$30,000 toward acquiring the frontage necessary to widen Hotel street. A few weeks ago it was understood that the figures would be closer to \$15,000 than to \$30,000 and the indications now are that they will go over \$50,000. The Pentecost block owners are awaiting a decision on the part of the Campbell Estate, Frank W. Damon and the county authorities over the proposed widening scheme before starting work on the Hotel street addition to the Pentecost block. If simultaneous building operations were under way on both sides of the narrow street, which is bottle shaped at that point, it would be almost impossible.

ORDER TROOPS TO PREPARE FOR BUSINESS

Artillery and Infantry Hear From the War Department.

BAD MEXICAN NEWS

Madero Almost Ready to Listen to the Rebel Peace Terms.

WASHINGTON, May 4.—Reports from Mexico grow graver and yesterday a number of significant orders were issued from the war department. One order was sent to the commanding officer at Fort Sill, Oklahoma, to hold the Fifth Field Artillery, a thousand strong, in readiness to move at a moment's notice. Another order was sent to the Presidio, Monterey, ordering the Twelfth Infantry to hold itself ready to move on rash orders.

Magdalena Bay Again.

In the house yesterday, Representative Baker introduced a resolution directing the state department to discover if any effort is being made by any foreign government to acquire concessions on the west coast of Mexico.

Another Battle Near.

JIMINEZ, Mexico, May 4.—Seven thousand rebels marched yesterday in an advance against Torreón, where it is reported another battle is being fought.

EL PASO, Texas, May 4.—General Gomez arrived here yesterday and it is thought that he will cross the line into Juarez.

Intervention Only Hope.

GALVESTON, Texas, May 3.—United States Marshal Brewster, returning from the Mexican border, says that intervention is the only hope for Mexico.

The Mexican congress has appointed a peace commission to deal directly with the rebels but Brewster expects little from this.

It is reported here that the British cruiser Algerine is bound for the west coast in search of refugees.

METHODISTS TIE OVER CARDS AND DANCING RULES

MINNEAPOLIS, May 4.—A recommendation was made yesterday before the international conference of Methodists that that paragraph of the church law forbidding dancing, card playing, horse racing and theater-going to church members be repealed. A lengthy debate upon the recommendations was held and a vote taken. The division found the ministers equally divided.

EXPECT PEACE IN NEXT THIRTY DAYS.

NEW YORK, May 4.—The mine workers look forward to the signing of a satisfactory agreement with the operators within thirty days, a conference, to be held at Wilkesbarre, Pennsylvania, having been arranged and tentative articles of agreement drawn up.

ALL CLASSES AT WORK ON LEVEES

BATON ROUGE, Louisiana, May 4.—A desperate effort is being made to hold the Mississippi within her channel at this point. All day yesterday and last night, citizens of all ranks were at work upon the levees, every man taking upon himself a share in the struggle to prevent the inundation of the country. The levee at North Morganza went out yesterday afternoon, the waters overflowing a large stretch of country and drowning eight persons.

CARL MORRIS GETS K. O. AT HANDS OF MCCARTY.

SPRINGFIELD, Illinois, May 4.—Luther McCarty knocked out Carl Morris in the sixth round of a bout fought here last night. Morris' poor showing was a surprise. He was outboxed at nearly all points in the game.

FEDERAL EMPLOYER TO STICK TO WORK

WASHINGTON, May 3.—Representative Cardell Hull of Tennessee today introduced a bill to prevent government employees from participating in presidential campaigns.

GRAPING CHIEF GOES TO THE PEN.

SEATTLE, May 4.—Former Chief of Police Wapenstin, convicted of graft and of protecting vice in this city, was taken to the penitentiary yesterday to begin serving out his sentence, which is from two to ten years.