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Answers the Charge of Fraud Against Him.

THE NEWS OF THE COURTS

Queen Liliuokalani Appears in a Suit Brought Against Her by Chinese.

MALICIOUSLY false and untrue statements," are the words with which J. A. Magoon, administrator of the estate of Alina, deceased, characterizes the bill of complaint brought by Attorney Wade Warren Thayer for the heirs of the decedent. Ah Su Alina, Nellie Pahaku and Loke Pahaku, the heirs of Alina, declared in their complaint, which is brought for the cancellation of a deed, that Magoon was guilty of fraud in transferring property belonging to them to himself while acting as administrator.

The administrator denies the allegations in the bill and in defense of his position says that at the time of Alina's death the decedent owed a large sum of money and his estate consisted only of a leasehold on Smith street of the value of about \$1,000, on which the defendant paid rents and leased out stores and rooms under arrangement with the creditors. Two of the plaintiffs, he says, were girls of a tender age and the defendant thought it would be for their best interests to put them in Kawaiahaeo Seminary, where they would at all times be subject to proper influence and restraint. He declares he was able to make satisfactory arrangements whereby this could be accomplished and in addition to paying the debts of Alina, defendant, was enabled to get enough from the estate to keep the girls at school, all of which was done with the consent and approval of their mother, said Meleana, which arrangements continued until the mother withdrew them from the seminary against the strenuous protest of the administrator.

The books and accounts, he alleges, were at all times open to the inspection of the mother or her agent. When he made up his account of the estate he found he had paid more money to the devisees than they were entitled to and that he had not sufficient funds of the estate to recover the costs of obtaining his discharge. In fact, coupled with the fact that the matter was not pressing, is due the delay in filing said account. (This was nine years ago and the administrator delayed filing it until a few weeks since). He was ready at all times, he says, and had there been a request on the part of the devisees, or any of them, said account would have been immediately filed. The first intimation he had that the plaintiffs, or any of them, were dissatisfied with his action in the premises was when a motion was filed in court to compel him to file said account, and that said account was filed within a few hours after the filing of said motion.

"On the first day of November, 1893," says Magoon, "said Meleana came to this defendant and asked him to buy the property described in deed set forth in plaintiff's bill, but that not at that time, nor at any other time, did any relations exist between this defendant and said Meleana; that the said Meleana fully understood the nature of the instrument that she signed and it was done with her own free will and at her request, and not by reason of any request on the part of this defendant; that this defendant did not have any knowledge of the land described in said deed; had not then, and has never since, been on the land; and did not then, and does not now, know where the said land is, other than from the description contained in said deed and said royal patent.

"That this defendant was then informed that the said land had been vacant and had not for a long time been cultivated, and that the same was largely covered with rocks and overgrown with weeds and bushes and practically worthless; that this defendant did not care to buy the same, and was only induced to do so by importunities on the part of said Meleana that needed the money, and that defendant never attached any value to the said land over and above what he paid for it; that after the execution of the said deed defendant tried to locate the said land but was unable to do so; that the said land has produced no income of any kind.

"That the statement in the bill of complaint that defendant falsely and fraudulently deceived, deluded and persuaded said Meleana, against her will, into signing said deed, is a maliciously false and untrue statement. "And further answering plaintiff alleges that he is informed and believes, and upon such information avers that the said land was not at the date of said deed of the value of \$700, or of any other or greater value than \$40."

He declares he is ready to prove his allegation and asks to be dismissed with his costs in the suit, which he says are "most wrongfully sustained." ESTATE OF WM. H. CUMMINGS. Cecil Brown, administrator of the estate of William H. Cummings, deceased, intestate, has filed an inventory of all the property, real, personal and mixed, and of every kind whatsoever, of the said estate. The personal property consists of cash, \$3,782.21, and Japanese goods in the hands of Jas. F. Morgan. Real property, land at Kaupo, Maui, taxed at \$1,075; land at Makawao, Maui, 50 acres, \$50; Lahaina, three pieces, \$49; Kapalama, Oahu, \$50; Kalihi, \$1,000; Kaimoilihi, \$5,545. The entire estate is valued at \$17,394.71.

ESTATE OF K. KANOA. The annual account of Cecil Brown, trustee under the last will and testament of Kalepua Kanoa, late of Honolulu, has been filed. The account covers the period from January 1, 1900, to December 31, 1900. He states that there is not, nor was there at any time, money (principal) in his hands; all of the income goes to the devisees under the will, namely: W. W. Kaupiko, annuitant, \$50 a

month, and the balance of the net income being divided equally among Mrs. Hoomali Kreuter, Eva Kapualanilehua, E. M. Kanchiwa, Lukela Kaupiko, and Kalepua-Hilli Kaupiko. The gross income for the year 1900 was \$3,078.85. The expense and disbursements, \$744.60. The five devisees above named received \$307 and a few odd cents each. One annuitant, the father of the deceased, died in the middle of January and had received, on account, \$10, his annuity being at the rate of \$30 a month.

EXPECTS GOVERNMENT AID. Trustee's annual account in the estate of Godfrey Rhodes, deceased, was filed yesterday by Cecil Brown. The total income of the estate has been \$2,726 and the expenses, including repairs and commissions, \$1,083.01. Of this amount \$265.35 was an expense on the Nuuanu street property, being repairs made necessary after the destruction of the adjoining premises by fire under order of the Board of Health for a case of plague, which fire caused considerable damage to the roofs of the buildings by water being played thereon to prevent the same from taking fire. This sum of \$265.35 and whatever other sum that may be needed to put the house in the same condition as it was before the fire spoken of is expected to be obtained from or to be refunded by the Government. The balance of the income, some \$1,539.56, has been paid to Mrs. Nancy Rhodes, the person entitled to it under the will.

ROTH ANNUAL ACCOUNTS. Annual and semi-annual accounts of the estate of S. C. Roth, trustee of the estate of S. C. Roth, were filed yesterday, covering a period of eighteen months. The accounts are two, that of income, and the other showing the trustee's dealings with the principal. The total gross amount of income for the eighteen months was \$15,108.35, and the gross expenses, \$2,451.94. The widow, Mrs. Margaret Roth, is, under the terms of the will, entitled to the net income for the term of her natural life, and the trustee has paid her since June 17, 1899, the sum of \$13,670.04.

ROYALTY IN COURT. Royalty of the once Hawaiian monarchy was well represented in the First Circuit Court yesterday during the trial of the action brought by Wong Kwai against former Queen Liliuokalani, or Mrs. Lydia Dominis, as she is termed in the official court papers. Liliuokalani was present in person, accompanied by Prince David and Mr. and Mrs. J. O. Carter.

The former sovereign was in court both morning and afternoon, and followed the examination of the witnesses with interest. A large easy chair was procured for her, and she sat most of the time facing in the direction of the judge. She was dressed soberly and with as little ostentation as possible. She toyed with a black fan, and at her ease throughout the examination. Prince David took a deep interest in the affairs of his royal aunt, and throughout the day there was every appearance on the part of those accompanying the Queen that royal etiquette still obtained. The action was brought by Wong Kwai to compel the Queen to live up to a written agreement entered into by him with Joseph Heleluhe, the Queen's agent, now deceased. The Queen denies that the agreement entered into by Heleluhe was of any force, and Wong Kwai brought the Queen into court to secure an opinion as to his rights.

COURT NOTES. Mrs. Lily Josephine Manson of this City has been appointed administrator of the estate of George Manson, deceased, under a \$300 bond, with Frederick Lincoln Waldron as surety. The estate is valued at \$4,000.

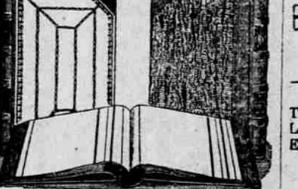
William R. Sims has filed an inventory of the estate of Kate E. Sims, deceased, consisting of a house and lot at Kaloopapa, Kalihi, valued at \$5,100. A stipulation between Kinney, Ballou & McClanahan, for plaintiff, and Lyle A. Dickey, for defendants in the case of the Kapiolani Estate vs. Mary H. Atcherly et al. has been filed, agreeing that the demurrer to plaintiff's amended bill may be heard and argued on Wednesday, January 30, at 10 a. m.

Remittitur in the ejectment suit of Henry Smith vs. Hamakua Mill Co. has been filed, declaring the decision of the Supreme Court has been filed, sustaining plaintiff's bill of exceptions and overruling the defendant's plea in bar, and the cause is remanded to the First Circuit Court for further proceedings conformable with the opinion of said Supreme Court.

Defendant in the assumpsit action brought by Sing Chan Company against New Zealand Insurance Company, by its attorneys, L. A. Thurston and Robertson & Wilder, has filed a withdrawal of its demurrer and has filed an answer to the complaint, denying each and every allegation.

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