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HOUSE HAS HORSE PLAY

(Continued from Page 3.)

made in the spelling, making the word appear "fourty," caused it to become a new bill.

The clerk read the communication from the Senate in which that body stated it had amended the House Bill by eliminating the letter "u" from the word "fourty," as it appeared in the House bill, making it read "forty."

Kumalae favored changing the spelling in accordance with the request of the Senate. Keikelau said the error probably occurred in the typewriting of the bill before being finally printed.

Emmeluth said as there was no mistake in the original, and inasmuch as the House passed the original, the Senate could be informed to that effect.

Hoogs, at this juncture, appeared in the House bearing a volume of Webster's Dictionary, opened it at "f," and proceeded to show the word "forty" as officially spelled. Dickey said the House couldn't tell when the bill was read. The legislators could not tell whether it was "forty" or "fourty," but the "wise men of the Senate" had found it out, and dumped it back on the House. He thought the Senators were foolish to pick up "such a small matter" as the spelling of a word.

Emmeluth asked how the word "forty" was spelled in the bill introduced by Representative Mossman. The latter said it was correctly spelled. He offered a motion that the bill be made to conform with the original bill as introduced. His contention was that the original bill was the one introduced—not the one sent to the upper House.

Emmeluth's motion carried, and was made the order of the day on Friday. Kekaula was of the opinion that not only should the secretary sign each bill, but the speaker as well, should sign each bill before the same was sent to the Senate. Prendergast's motion that the bill be typewritten and made the order of the day for Friday, was carried.

Dickey inquired why a conference committee of the House was not appointed to confer with a similar committee from the Senate, according to the rules. The chair did not find anything in the rules giving him power to appoint such a committee. Emmeluth suggested that the chair inform himself as to whether there was any provision to that effect from the upper House.

Kekaula moved the communication be sent back to Caysses, as the latter had not appended his official title as clerk of the Senate. Carried.

Kumalae presented the following petition, signed by thirty-six Kewalo residents, as follows: "We, the undersigned residents of the district of Kewalo, in Honolulu, respectfully petition this honorable body that a bill be passed accepting the roads in the said district, and that the said bill provide the improvement of the roads." The reason of this petition is that the Board of Health by its arbitrary action is compelling the residents of the said district to do impossibilities.

Upon motion of Kumalae the petition was referred to the committee on public lands.

Emmeluth presented a petition from Miss Holt, in part, as follows: "The undersigned represents that she is the owner of a certain piece of land in Honolulu, situate on Maunakea street, that the government has taken a portion of this property, in area one-tenth of an acre, for the use of a road, refusing to pay your petitioner more than \$200 for the same, measuring by the square feet, which is grossly an inadequate price for the land taken. Petitioner has no remedy at law against the government, and that the same is unfair and unjust, and will deprive your petitioner of her right to her property without just compensation, and prays this honorable body to investigate this matter and see that an adequate price is paid your petitioner."

Emmeluth moved it be referred to the committee on public lands. Makekai then began to steam up, and gave vent to several jets of oratory in support of his contention that the matter be referred to the committee on public expenditures. Emmeluth said that in a few days the House would find that the committee on public expenditures would have enough to do in finding out what had become of the public money, that was gone, without having new matters thrust upon it. The bill was referred to the committee on public lands.

Beckley, for the public health committee, asked for more time to report on Petition 3, as they were waiting for the report of the special Molokai committee. He understood the latter report would be in next week. Request granted.

Emmeluth, chairman of the committee on judiciary, asked for further time to report on Bill 4, relating to claims commission. Granted.

Makinal, for the committee on public lands, presented a report on House Resolution 26, praying for the appropriation of \$3,000 for repairing the government road at Kawaihae. The committee suggested \$2,000, instead of \$3,000.

In a second report from the same committee, on House Resolution 21, praying for an appropriation of \$124,350, the committee on public lands asked that the bill be referred back to the introducer, to be properly framed.

The first report was accepted, and will be taken up with the appropriation bill. The second was returned to the introducer of the resolution for correction.

Under the head of resolutions Emmeluth presented the election law, of which he had given previous notice, entitled, "An Act; rules and regulations for administering oaths and holding elections." The bill passed its first reading.

Kauai introduced a bill entitled, "An Act relating to the teaching of English and Hawaiian languages in the public schools."

Kaniho gave notice of his intention to introduce a bill to abolish the government band.

Kaniho also gave notice of his intention to introduce a bill entitled, "An Act providing for the honoring of the English and Hawaiian languages in all the courts of the Territory."

Nailima introduced a bill of which he had given notice entitled, "An Act relating to the opening or widening of streets." Passed first reading.

Monsarrat presented a resolution for road building as follows: "Be it resolved that the following amount be inserted in the appropriation bill: \$50,000 to complete road from Pohala to the Volcano, district of Kau; \$15,000 for repairs and maintenance of all roads and bridges within the district of Kau; \$500 to complete Waiohinu water works; \$2,500 for rock crusher; \$2,000 for Nihoa road."

The resolution will be considered with the appropriation bill.

House Bill 1, under the order of the day, was called up. This calls for the appropriation of \$45,000 to defray the expenses of the Legislature. The trick word "forty" was correctly spelled this time.

The presumption was that the members were getting short of money, and wanted the bill pushed through. The ayes and noes were called. The ayes passed with the amendment suggested by the Senate, and the same order returned to the Senate.

Third reading on House Bill 13, re-

lating to the repeal of certain obsolete laws, was called. Kaniho, as usual, wanted information. Robertson referred him to the committee report on the matter, and further stated they were out of date and absolutely useless. The ayes and noes were called, resulting in a unanimous vote of the twenty-six members present.

Motion to adjourn lost. House Bill 34, relating to the great seal of the Territory, was read for the third time. The bill was amended by the addition of the words, "of Hawaii" after the words "The Territory" in the title of the bill, and was made the order of the day for the afternoon.

Recess until 1:30 p. m.

AFTERNOON SESSION

WHEN the House assembled for the afternoon session Speaker Akina asked whether he had the right to appoint a special committee to carry passed bills to the Governor for signature. Prendergast thought, by the rules, the House had the power to do so.

Makekai took a contrary view. He said the House committee on rules had endeavored to call a joint meeting with the Senate committee, but was always unsuccessful. He thought the bill should be held until the joint committee got together.

Robertson did not believe that any joint rules had been adopted as yet. The rules of the former House of Representatives had been adopted for use, and the House had drafted such other rules as were necessary. He thought the best policy was to hold on to the bill and bring the Senate to its senses.

The speaker inquired whether the joint committee would have to carry the bill to the Governor for signature. Robertson replied that he was strongly of that opinion.

Beckley inquired if the certificate of the speaker of the House and president of the Senate were not sufficient guarantees to carry the bill up to the Governor. Receiving a partial affirmative reply he said that bill should be sent by a messenger to the Governor. The latter had seen fit to ignore the Legislature by refusing to send nominations to the Senate, and he did not believe in being too courteous to the executive.

Kekaula said that according to the Organic Act, the only requirements were that the speaker and president, as well as the clerks of the House and Senate, respectively, should certify to bills to have them referred to the Governor. Makekai said the rules did not specify what messenger could carry such an important document to the Governor. The Governor might say, in case the House messenger did not deliver it to him, he had not received the passed bills, and there would be no record of it.

Robertson said delivery by a messenger of the House to Governor Dole's messenger was a very slovenly method of handling important documents of this kind. He also favored the appointment of a "passed bills committee" to go over the final typewritten drafts to see that the words are properly spelled, and not put the House to the trouble which had arisen at the morning session.

Paele was of the opinion that the quickest way for the chair to send a request to the president of the Senate what had been done with the bill, and ask that body to appoint a committee to join one from the House, to place the bill in the Governor's hands.

Makekai thought the best way would be to have the joint committee on rules come together and draft a special rule covering Paele's suggestion. Paele's motion was reduced to writing, incorporating Makekai's suggestion as an amendment. The motion carried.

The House then took up the consideration of House Bill 37, relating to Sunday laws. It was moved to refer the bill to the committee of the whole. Dickey opposed. He said the House did not have the proper law books to carry on proceedings in this manner. Dickey said Dickey was out of order on the law book proposition. Kekaula then sprung the fact that the bill had been referred to the judiciary committee on March 12. A rising vote on the matter referred the bill to the committee of the whole.

Representative Beckley was called to the chair by the speaker. The bill was read section by section. Aylett, the author of the bill, said he could see the bill had created a sensation in the House. His principal reason for repealing the laws was because the rich people were the ones who broke them oftenest, but were not arrested. The poor man, however, was arrested for the slightest infraction of the law. According to section 338 of the Penal Laws, the breaking of the Sabbath is prohibited. He made the foolish contention that the government broke the Sabbath by allowing the band to play on that day. The government was breaking the law of Moses, but the poor man could not do so. The law was a good one for those who wanted to go to church, but what about those who didn't want to go? Would they have to sleep all day Sabbath? Before the band was allowed to play on Sunday the minister of the interior asked them whether they wanted to play on Sunday. The boys demurred, but finally acquiesced. Since then, instead of having Sunday as their day of rest, the band boys had to play on their Sundays. The speaker thought the law of God still held good. He wanted the rich and the poor to do as they liked on Sunday. Now that Hawaii is a part of America, he himself, wanted to be a whole American, and not half one. He had traveled all over the United States, and knew they had circuses and all kinds of sports, and those who wanted to go to church could do so, and those who wanted to attend the circus could do so. He wanted things done in Hawaii as they were in the United States. He wanted to go ahead and do exactly as they did on the Mainland. That was his idea of progress.

The train that traveled from Honolulu to Kahuku made poor people work while the rich owners could go to church, with one pocket in the train and the other in the church. On Mondays the owners go to their offices and receive the money taken in the day before. Seeing the rich can do this, why couldn't the poor man do the same? Aylett made about the most ridiculous speech ever perpetrated upon the House members, not even barring Makekai and Kaniho. He descended into horse-play which even a circus clown would have blushed to use.

He thought that barber shops had to close at 9 o'clock. He went to one one day, and the police caught him in the middle of a shave, and he had to leave half shaved. He had seen by personal observation on the plantations, laborers working on Sunday. He did not think a law of this kind was right, as the rich man can have his mills go on grinding on Sunday, and the poor man has to go on working. Such a one-sided law ought to be repealed. Complaint was filed with the Hawaiian government, but nothing came of it.

He thought a great many things could be said on both sides of the subject, for hours, without exhausting the points. There was one point he desired to bring out. When the band boys arrived in San Francisco on Sunday, he was surprised to see the cars going, prisoners working on the streets, and saloons open. He thought there

was some mistake, but a policeman said that that was the way they did in America. Now the people in Hawaii had become Americans, and would become thoroughly Americanized. The Hawaiians did not, at first want to become Americans, but now that Hawaii had become a part of the United States, all should be Americans, and not try to hang on to our old laws. The people should adopt the laws of the United States, and repeal all old laws which interfered. They should not adhere to the obsolete laws which will prevail on the statute books of the Territory.

The average mechanic works long hours all week, and he ought to have at least one day for rest and recreation without any undue legal restrictions.

Kumalae said he was gratified to hear Aylett evince such interest in the subject. He said there was more actual happiness in the little monarchy of Hawaii under the people and customs than there is today under the great laws of the United States.

Beckley, chairman of the committee of the whole, at this juncture, called Makekai to the chair saying that he was one to attend the meeting at the Board of Health.

Kumalae continued by stating that the Organic Act has specified that Sundays and holidays of the Legislature should not be counted, thereby showing that it respects the old rule. Rest was one of the rules of life, and without it life was short. If the legislators wanted to shorten life they could do it, but he thought it should not be done.

Kaniho took the floor and made a motion that the bill be tabled. Paele got up and said that he was still on the side of rejecting this law. That God had made the laws, and not man, and that there were no mistakes in the Territorial laws.

It was only when men got so wise as to change the laws of God that it was allowed for men to do other than charitable things on Sundays. On the islands of Kauai the plantations grind away on Sundays, though it was the fault of the officials who did not arrest the managers and prevent it. He thought the only proper thing to do for the House to question the different officers as to why they do not arrest the managers.

"I think we have a remedy for officials who do not attend to their business," said he. "If a man goes out fishing on Sunday he will get arrested, but it seems that boiling sugar and working in the mills is a different thing, and he is let alone. This is not right. The Bible distinctly states that the fear of God is the beginning of wisdom, and I think if we keep the Sunday laws we are doing a wise thing."

Emmeluth said it was very interesting to hear such discussion. The greed for the almighty dollar is apt to take men away from the spirit of God.

He was emphatic, however, in the statement that there was only one thing for this Legislature to do, and that was to stop discussion and get down to passing laws for the benefit of the Islands of the Territory. The quicker the representative from Kauai could get into his hamlet, and when he hears the whistle of a plantation mill toot, and the quicker he can send officers to arrest the manager of that mill, the better.

"We must not look to those who have the handling of the laws, but to the laws themselves," continued Emmeluth, "and by their fruits shall ye know them." There is a time coming when these Islands will be governed by Christianity, and this law has got to go.

Robertson stated that sometimes the legislative branch of the government would run ahead of the thoughts of the people, and that again it would be backward, and not up to the standard of the people's idea of government. The Legislature has at this time been dragged behind the more advanced ideas of the public. Under what is termed as the "Blue Laws," the people were afraid to venture out of doors. Laws of this kind were somewhat in advance of those previously passed. In them were set forth such things as were prohibited on Sunday previously.

As years passed by it was found that many of the laws had become dead letters. The laws made in the statement that the law was all wrong. He differed with him. It was the lack of enforcement that caused the trouble. Everyone knew that the law was flagrantly violated, and no one seemed to care enough to see that the laws are properly carried out.

Relative to the Sunday sacred concerts, he said that public sentiment largely controlled the playing of music. If the present Sunday law was left unenforced, it being a Territorial law, becomes binding upon the people, even under a county or municipal government.

The entire matter of a Sunday law should be left in the hands of the municipality. The discussion of the old Sunday law bill, repealing it arbitrarily and entirely, should be carried on so as to meet with public sentiment. I therefore offer the following resolution:

Resolved, That it is the sense of this committee that the Sunday law may very properly be made more liberal; that a special committee of five members be appointed to recommend amendments, and that House Bill 37 be referred to such committee.

Upon motion made by Robertson, which was seconded, the resolution was adopted.

The speaker thought that it was the American people who introduced these laws here, and had been leading the Hawaiians blindly by a direct violation of the laws they were desirous of now forcing upon them.

Kauai said that in framing the Organic Act it was thought best not to interfere with the present Sunday laws, but as the Hawaiians were still bent on repealing these old laws, he could not say that they were still Christians.

Makekai, who was occupying the chair, called the secretary to the chair so that he could make a speech upon the Sunday bill under discussion.

He said that it was the American people who have introduced the present laws here and have "led us blindly" by a direct violation of the laws they are desirous of repealing upon us. If this is the cry of the Christian people of the land to repeal a law of this kind, I think that if we repeal these old laws we are doing things contrary to the action of God.

The violation of the present laws by the rich people was not sufficient reason for repealing them. The only reason that our country was taken from us was by superior force of numbers, and we can well understand that the object of taking our country from us was for the purpose of taking affairs out of our hands, and as we had no firearms to fight back with, and as the only reason it was done, and as the average Hawaiian went down on his knees, he prayed for relief from the conditions in which he had been placed. It is the very people who took the country away from them who think now getting it in the neck, and that it was God who made the Sunday laws for our self-protection, and in order to back up my views against the repealing of these Sunday laws, I feel that it is the presence of God which kept them together. And if the officials of this Territory, let the man with the red skin stand by the present laws and hope for relief with the aid of God.

Edna Wallace, the actress, may race Miss Richtie, another actress, on the New York speedway. Both are fine horsewomen.