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Is a Perfect Paint

And is unsurpassed for durability. Properly used it will retain its brilliant finish longer and wear infinitely better than Lead and Oil imperfectly mixed by hand.

The expense of applying is about twice the cost of the paint. It requires no argument to convince intelligent property owners that it is true economy to use the Purest Paint. Considering its ease of application and other superior qualities, it costs less to apply Pure Prepared Paint than it does to apply cheap, adulterated paint that will not cover and that will fade, lose its gloss and crumble off in a short time.

We Guarantee Pure Prepared Paint to be composed of Pure White Lead, Pure Oxide of Zinc and Pure Linseed Oil and Coloring Pigments, and to contain no adulterant.

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177 S. King Street.

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If she buys groceries of us. If she does she will tell you of reliable goods, honest prices and quick delivery—all of which you may not be getting.

A visit to our store will show its cleanliness, convenience and beauty.

An order by telephone will be promptly attended to.

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Greatly enlarged to accommodate our many patrons.
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The happiness of home is not complete without a good piano. We sell on the instalment plan or for cash.

Wm. Strom Music Co., Ltd.
Odd Fellows' Building.

VERY MILD CONVICTION

Guilty of Assault For Killing a Man.

Hayashida's Indictment Holds Though Not Regular.

No Secret File—A Burglar's Sentence—Many Appeals Filed. Court Notes.

Dan Kamal Kahili, indicted for manslaughter, was found guilty of "assault and battery, with a recommendation to the mercy of the court," by a jury at 5:22 yesterday afternoon. Shortly before the jury came out of their room they asked Judge Gear, through Bailiff W. S. Ellis, if they might add a recommendation of mercy to their verdict. The answer was in the affirmative.

The verdict is tantamount to an acquittal of the serious crime charged—clearly a compromise verdict—for if there was no reasonable doubt that the defendant did what was alleged the verdict should have been guilty according to the indictment and, if there was reasonable doubt, a verdict of clear acquittal should have been rendered.

Deputy Attorney General M. F. Prosser prosecuted, and Samuel F. Chillingworth defended the accused.

Kahili was indicted at the June term for the killing of Robert Limahana without malice aforethought, by cutting him in the abdomen on April 11, 1904, so that he died from the wound on April 13.

With two or three challenges for cause the following jury was accepted to try the case: G. D. Mahone, J. A. M. Johnson, J. F. Soper, E. Benner, J. H. Craig, H. P. Roth, J. J. 1'as, H. A. Parmelee, C. J. Fishel, James Brown, Harry Carl, E. P. Chapin.

The evidence for the prosecution went to show a convivial meeting of the defendant with Limahana in the latter's house, which began with embracing and kissing by the men in high-toned European style and ended in a rough and tumble fight, out of which the Goodman of the house was sent to the Queen's hospital with his abdomen cut open and two less serious wounds elsewhere on his person.

"Dr. N. B. Emerson, physician to the police station, and Dr. C. B. Wood, house surgeon to the Queen's Hospital,

were among the witnesses. Dr. Wood told of a short cut under the left arm which did not penetrate the chest cavity, a cut two or three inches long severing the biceps of the right arm and, lastly, an incision three or four inches long across the abdomen which exposed but did not penetrate the stomach. Death, the witness testified, was the direct result of this last wound. Under cross-examination Dr. Wood gave no support to either of the theories that the wounds might have been self-inflicted and might have been accidentally caused in a struggle between the men for possession of the knife.

C. F. Chillingworth, deputy sheriff, testified about the arrest of Kahili. He said the defendant was under the influence of liquor.

Kahili took the stand in his own defense. He said Limahana and he were returning from a party up Manoa valley, where the other man made a proposal, which he took in jest, that they exchange wives. They went to Limahana's house, where they alternately uttered endearing and opprobrious terms toward each other. It all ended in a fight, when Limahana drew a knife. Defendant tried to get the weapon away from him and in the struggle Limahana, holding the knife in his left hand, cut himself in the right arm and the left side. How the wound in the abdomen was inflicted Kahili was at a loss to explain.

HAYASHIDA MUST STAND TRIAL.
Judge Gear yesterday morning denied Attorney Cathcart's motion to quash the indictment of Hayashida for murder in the first degree. He quoted a Massachusetts decision where an indictment containing a similar error—describing the grand jury as that of the "Commonwealth" instead of the "judicial district"—had been sustained. The court also overruled a demurrer to the indictment.

BURGLAR SENTENCED.
Fujimoto, who pleaded guilty of burglary in the first degree, was sentenced by Judge Gear to imprisonment at hard labor for five years.

JOHNSON RELEASED.
Enoch Johnson is not going to be tried on the charge of gross cheat, for which he was indicted February 23, 1904. Having been convicted last term with Jonah Kumalae of conspiracy in connection with the Legislature graft, on the same facts as those of this indictment, Johnson has been released from prosecution for gross cheat.

EXECUT WRIGHT.
William Harrison Wright's name is no longer decorating the calendar of the First Circuit Court. An indictment was presented against him November 13, 1902, for "embezzlement by Treasurer of Territory of Hawaii of money belonging to said Territory." Wright's case forthwith was entered on the calendar and has since been carried over from one term to another. Judge Gear at the opening of the present term ordered the case stricken from the calendar. It is said it should never have been there, as the accused had not been arrested. The amount of alleged embezzlement was \$17,949.91.

NO SECRET FILE.
In a libel case yesterday, P. L. Weaver as attorney for the libellant filed a motion to place the case on the secret files. Judge Gear promptly denied the motion, saying that when people got into divorce proceedings they must expect publicity. The husband is the complainant in the case. He asks for divorce on the ground of extreme cruelty, alleging that his wife falsely accused him of criminal relations and uttered her accusations in the presence of others. Her conduct caused him great distress of mind, impairing his health and unfitting him for the proper discharge of duty in his employment. The wife is stated to have gone to California.

LITIGATION PILES UP.
Appeals have been sent up from District Court judgments as follows:
H. G. Middleitch, trustee, vs. John F. Colburn, \$69.92 for plaintiff; Middleitch vs. J. W. Cathcart, \$251.37 for plaintiff; Middleitch vs. H. T. Mills, \$36.05 for plaintiff; Middleitch vs. J. G. Henriques, \$32.13 for plaintiff.
Lau Ong vs. Lam Yau, \$53.75 for plaintiff, damages for assault.
L. B. Kerr & Co., Ltd., vs. Ernest Hutchison, suit for \$40.75, judgment for defendant.
Territory of Hawaii vs. Ah Quan and ten others, defendants each fined \$10 and costs for gambling.
Territory of Hawaii vs. Yoshida and Kagi, defendants each fined \$20 and costs for possession of lottery tickets.
Territory of Hawaii vs. M. Souza, defendant fined \$200 and costs for unlicensed liquor selling.
Territory of Hawaii vs. J. E. Fullerton, defendant fined \$10 and costs for assault and battery.
S. Tsuchitani vs. Mochihiro, \$32 for plaintiff.

COURT NOTES.
H. G. Middleitch, trustee in bankruptcy of the C. F. Herrick Carriage Co., has noted exceptions to Judge Robinson's decision and given notice of motion for a new trial in his suit against J. Kalaniana'ole.
Defendants in the suit of Pacific Hardware Co., Ltd. vs. the partners in the firm of Sing Chan Co. file a general denial to the complaint.
Judge Robinson has signed judgment for defendant in the suit of J. Hopp & Co. vs. Mike Harvey, with L. I. S. N. Co. as garnishee.
Return of summons has been made in the suit of T. Yoshihara to recover \$50 from Kei Hin Bank, a foreign corporation.

THE KEI HIN BANK SUED

Japanese Immigrants Seek to Recover Deposits.

Many claims of recent Japanese immigrants against the Kei Hin Bank, a Japanese corporation, have been placed in the hands of J. E. Fullerton for collection. One suit has been filed in the Circuit Court and three of the cases are set for trial today before District Magistrate Lindsay.

The claims are for \$50 in each case, the money representing deposits made by the immigrants to insure their return steamer passage to Japan in the event of their rejection by the immigration authorities. When the immigrant has passed he is entitled to receive his money back, and would have it promptly refunded if he dealt directly with the steamship agency.

According to Mr. Fullerton's statement of the matter to an Advertiser reporter, the bank undertakes to collect the deposit for the immigrant. It takes his receipt for the deposit with a power of collection and gives him in return a deposit receipt for the discounted claim. Whenever the immigrant is released from quarantine with permission to enter the country, the bank holding his claim can have it cashed at the steamship agency.

Mr. Fullerton states that the deposit receipts handed to him for collection, so far as those translated show, are made payable three years from date. Thus the bank has the use of the immigrant's money for three years. The collector is having recourse to the courts to test the legality of such detention of the money belonging to the poor immigrants.

The Kei Hin Bank has not yet complied with the law relating to the registration of foreign corporations, as inquiry at the office of the Treasurer yesterday revealed.

PACHECO HAS A LEGAL TRIUMPH

Frank Pacheco, barber at the Union Saloon, appeared in a new role yesterday in Police Court. He defended Manuel Antone, a bootblack in his employ, on a charge of vagrancy. Kent, a private detective, arrested Antone, whom he claims to have seen in the developing room of the Honolulu Photo-Supply Company without lawful excuse. The man whom Kent arrested escaped while he was turning in a police alarm and he afterwards arrested him again as the guilty party.

Pacheco made an impassioned appeal to the court in which he tore the flimsy chain of evidence weaved by the prosecution to shreds and exalted the character of the defendant. The eloquence was not lost on either spectators or court and Deputy Sheriff Chillingworth made no further argument. Judge Lindsay discharged the defendant because of lack of evidence to convict and Pacheco was immediately surrounded by a crowd of friends who congratulated him on his first legal triumph.



AT AUCTION

Auction Sale

SATURDAY, SEPT. 24, 1904.
AT 11 O'CLOCK A. M.

At my salesroom, 547 Kaahumanu St.,

One Driving Horse
Very gentle—a Lady's Driving Horse. One Set Harness.

JAS. F. MORGAN,
AUCTIONEER.

COMMISSIONER'S SALE

SATURDAY, SEPT. 24, 1904.
AT 12 O'CLOCK NOON.

Front entrance Judiciary Building, that very

Valuable Building Lot

Situate at Junction of Adams lane and Union street.

P. D. KELLETT, JR.,
Commissioner.
JAS. F. MORGAN,
AUCTIONEER.



Announcement of Auctions

THIS DAY

Auction Sale

FRIDAY, SEPT. 23
AT 10 O'CLOCK A. M.

One Large Library of

Medical Works

I will sell at my salesroom, above date at 10 o'clock prompt.

JAS. F. MORGAN,
AUCTIONEER.

THIS DAY

Auction Sale

FRIDAY, SEPT. 23
AT 10 O'CLOCK A. M.

Furniture, Etc.,
25 Chests Tea (fine blend),
Roller-top Desk,
Crockeryware,
12 gross small square Gin Bottles,
Elegant Plush Hangings, etc., etc.

JAS. F. MORGAN,
AUCTIONEER.

Sale of Lease

Land of Kawaihae 2d--Kohala, Hawaii

By direction of the Executive Committee of the Board of Trustees of the Queen's Hospital, I will offer at public auction a leasehold of the Land of Kawaihae 2nd, Kohala, Hawaii, on Saturday, September 24, 1904, at my salesroom, in Kaahumanu street, Honolulu, at 10 o'clock a. m.

This property comprises one of the most desirable grazing tracts of the District and the source of the Keawenui stream, an unfauling water supply, is located on the upper or mauka portion of the property which is considered the best fattening land in the neighborhood.

The property extends from a point near Kawaihae Landing to the mountain known as Kaumu o Kaleihoohe, a distance of about eight miles, varying in width from one to two miles.

At Kawaihae there is on the property, adjoining the Parker place, a very desirable House lot.

The area of this land is 10,500 Acres, more or less.

The purchaser will be required under the terms of the lease to fence the forest portion of the property in the vicinity of the water heads or source of the Keawenui stream, and otherwise provide for the exclusion of cattle from the forest portion by the erection of a five-mile fence so constructed to keep the cattle out.

Lessee must also keep down the lantana on the property. No live timber to be cut on the forest portion except for fence posts to be used on the ground, and the cutting of algaroba on the lower portion must be confined to thinning out and trimming.

Upset price for 10 year term, \$2500.00 per annum, payable quarterly in advance.

A map of the property is now posted at my salesroom.

For further particulars apply to the undersigned, or A. B. Loebenstein, Surveyor, Hilo.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale

MONDAY, SEPT. 26, 1904.
AT 10 O'CLOCK A. M.

At the MAILE SALOON, corner of King and Smith streets, mauka Ewe corner of King street, I will sell on above date at the premises—

Elegant Bar Fixtures,
Oak Chairs,
Oak Tables, Linoleum,
Glassware, Partitions,
Ice Box, Swing Doors, Etc., Etc.

JAMES F. MORGAN,
AUCTIONEER.

FOR SALE.

Very fine residence on Beretania street, known as the "Ross Residence." The house is a large and commodious dwelling containing 6 bedrooms, parlor, dining room, kitchen, store-room. There are also servants' quarters, chicken house, stable, wood shed, etc. The land has a frontage of 117 1/2 feet on Beretania street. Total area, 22,340 square feet.

Price very reasonable.
Apply
JAS. F. MORGAN,
547 Kaahumanu Street.

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The Fulton Iron Works, St. Louis.
The Standard Oil Co.
The George F. Blake Steam Pump.
Weston's Centrifugals.
The New England Mutual Life Insurance Co., of Boston.
The Aetna Fire Insurance Co., of Hartford, Conn.
The Alliance Assurance Co., of London.

M. S. Grinbaum & Co.

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135 Merchant Street.

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Machinery, Black Pipe, Galvanized Pipe, Boiler Tubes, Iron and Steel, Engineers' Supplies.
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Works—Kakaako.

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All kinds of HOME BAKING made from only the BEST MATERIALS.
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Plans and Estimates furnished for all classes of Contracting Work.
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