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THE COUNTY BILL HAS PASSED BOTH HOUSES

Has a Close Call in the Senate but That Seems to Have Been Rather on Account of a Technicality.

By a very narrow margin in the Senate and by a vote in the House that was almost unanimous, the legislature yesterday passed the County Act by the acceptance of the report of the joint conference committee of the two Houses. It was, perhaps, because the vote came as it did that the majority in the Senate was so narrow.

It was openly charged on the floor that the conference committee had exceeded its powers, going outside of the matters submitted for its consideration by the two Houses, and that this action of the committee had endangered the validity of the bill, if it had not actually invalidated it. From the committee, Chairman Dowsett made a strong contention for the right of the conference committee to do as it had done, even to the extent of setting salaries higher than they had been set by either House. But there can be no question, nevertheless, that the point raised grave doubts in the minds of many Senators, leaving them in the frame of mind that they deemed it safer to vote against the adoption of the report than to vote to carry through the act with a doubt upon its validity. Achi, Paris and McCandless all expressed this view on the floor, and although Senator Dickey at first voted for the adoption of the report and the passage of the bill, he expressed the same doubt, and changed his vote from the affirmative to the negative before the announcement of the result, apparently with a view of moving a reconsideration at a future time.

The question of the invalidating of the act on a point of parliamentary law apparently was not considered at all in the House. There were four members of the House who did not vote for the bill, but not one of these four has so far shown any disposition to stand in the way of county government. Kaniho and Carl Smith, two of the men who voted against the adoption of the conference report, said openly that they opposed it because of provision in the final bill making Hawaii into one county.

"I am not opposed to county government," said Carl Smith. "I have voted for it, and am for it. But I speak for the voters who elected me when I rise to protest against making the island of Hawaii into one county. Those people know what they want, and what is best for them. And this House is guilty of bad faith in putting them into one county with people with whom they have little or nothing in common."

But the House passed the conference report, for all that, and the county bill now goes up to the Governor. Whether he will veto it or not is the next matter for speculation of the capitol gossips.

LEGISLATURE--FORTY-THIRD DAY.

THE SENATE.

On the adoption of the report of the County Act conferees, the Senate yesterday morning passed the County Act, by a vote of eight to seven. And, at that, the seven were not voting against county government as exemplified in the bill under consideration. That is to say, it cannot be said that they were under the circumstances as they arose. At least one man who voted opposition, Senator Dickey, namely, at first cast his vote for the adoption of the report, and then changed before the announcement of the result, unquestionably for the purpose of moving a reconsideration. Whether he will move a reconsideration remains to be seen. He has at all events reserved the power to do so.

The County Act came into the Senate late in the morning session yesterday on a report from the joint conference committee made by Dowsett. The report recommended that a district to be called Lahaina District and another to be called Maui, and that Oahu have seven supervisors, and Hawaii seven. There were divers amendments also with reference to salaries of county officers. The report was signed by the entire conference committee, save Gandall, McCandless and Paris. Dickey moved that the conference report be adopted and the bill passed on third reading.

WOULD INVALIDATE ACT.

Achi argued that the passage of the report would invalidate the County Act as the conferees had gone beyond their powers in changing the number of supervisors in the counties, and in changing salaries of officers. He moved that the report be tabled, which motion Kalamas seconded. Being pleaded with, however, Achi changed his motion to one to refer back to the conferees. Paris argued that parliamentary law had been violated in the meeting of the conference committee, which made the whole thing irregular.

McCandless followed along the same lines, arguing that the Senate conferees had not been able to protect themselves, one of their number voting with the House conferees. He pleaded that the action of the conference committee would throw the County Act into the courts, and he believed would seriously jeopardize the legality of the County Act.

Dowsett defended his report, saying that he believed it was perfectly in order, and would stand the tests of the courts.

Achi once more argued that the conference committee had appropriated more money than either House for salaries, and had gone beyond its powers. He believed that in signing this report, Dickey had gone beyond his convictions.

"He is too much of a compromiser," said Achi. At this point Dowsett arose to say that he had just got word that the House had adopted the report 28 to 4, though suit had been commenced against the Union Oil Company and

Senate," snapped Isenberg. "That remark will not appear in the minutes."

THE BILL PASSES.

Dickey good naturedly denied that he was too much of a compromiser, or that he was a compromiser at all. He then explained why he had signed the report, and quoted a precedent from the Congress of the United States where a conference committee had raised the amount of an appropriation. Still he did not advise the following of the precedent. It would be better to take no chances with the County Act.

The motion to refer back to the conference committee was then lost, as was a motion by Achi to table.

Dowsett then moved to adopt the report, and on call of the roll this passed 8 to 7. This passed the County Act. The vote on Dowsett's motion stood: Ayes—Bishop, Brown, Dowsett, Hayselden, Hewitt, Lane, Wilcox, Woods—8.

THE IWILEI COMMITTEE REPORTS

At the opening of the Senate yesterday morning there was the usual batch of communications from the House, the only one of particular moment relating to the passage of the resolution to call the Capitol "Iolani Hale" hereafter. This resolution the Senators agreed to. And then came the Iwilei special committee, with a long minority report, and a shorter one from the majority of the committee signed by Hayselden, Hewitt and Gandall. The minority report was signed by McCandless, Chairman of the Committee, and Lane.

At the conclusion of the reading, both reports were received and placed on file, and so no present storm grew out of Iwilei.

Achi introduced a bill appropriating money to defray the expense of the county election. Passed first reading.

Then the order of the day came on the third reading of Senate Bill 104, the liverman's lien, and it passed without dissent.

Senate Bill 107, repealing certain sections of the Revised Laws, passed third reading.

Senate Bill 108, also amendatory of the Revised Laws, passed third reading.

Senate Bill 109, amendatory of the Revised Laws, passed third reading.

House Bill 125 was read for the second time and referred to the Ways and Means committee.

House Bill 126, relating to terms of Circuit Courts, passed second reading. It will be read for the third time on Saturday.

Senate Bill 111, the girls' high school bill, passed second reading. It will be read for the third time on Saturday.

Senate Bill 77, making licenses payable on July 1, passed third reading, the Senate agreeing to the House amendments.

Senate Resolution No. 40, calling for information relative to the claims of British subjects against the Republic of Hawaii, was passed.



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other concerns. The letter was referred to the Ways and Means Committee. Achi moved that the Iwilei evidence be not made a part of Senate record. This carried, and the Senate adjourned.

THE HOUSE.

Slightly disfigured—or improved, for it all depends on the point of view—the County Bill passed the House of Representatives yesterday morning by the substantial vote of 25 to 4. Then the House rested after its labors and adjourned until tomorrow in order to give the clerk time to typewrite the bill in its entirety for transmission to the Senate and to Governor Carter.

The bill did not pass without opposition of a decided nature. Kaniho objected to it on the ground that the conference committee had increased one of the amounts in the bill and also because Hawaii was not divided into two counties. He may have objected on other grounds, but in the flow of his oratory the interpreter had no chance to interpret, and so no record can be made of his remarks.

Smith also objected to Hawaii being made into only one county, and refused his support to the bill on that ground. He declared that nine-tenths of the people of Hawaii were in favor of two counties and he solemnly accused the House of bad faith in not giving Hawaii what she wanted. Pulaa and Lewis were the others who opposed the bill.

ANDRADE, WHERE WAS HE?

When the vote was taken Andrade was the only absentee, but he came in immediately afterward and asked the indulgence of the House in being allowed to record his vote. The House was apparently willing that he should, but Speaker Knudsen was inexorable. He drew a bead on Andrade with Cushing's manual, and the member from the Fourth had to throw up his hands. The remainder of the morning's work was routine.

PUBLIC LANDS.

The Committee on Public Lands and Internal Improvements reported on the following matters:

For the road from Maino to the main road and bridge over Wailea stream, \$450; for road from Ulaino to Honomale, \$350. (Haia.) Recommended.

For repairing Molokai Board of Health telephone system \$250. (Nakuina.) Recommended.

For new road to school house at Honanau, S. Kona \$500. (Pulaa.) Recommended.

For five hours to constitute a day's work on Saturday for government laborers. (Broad.) Recommended.

To convert Coconut Island, Hilo, into a public recreation ground. (Lewis.)

Recommended that 2.4 acres be set aside on Coconut Island. On bill relating to private lands used for public parks. (Cox.) Recommended indefinitely postponed.

For salary of keeper of Moohau Park \$4000. (Kaniho.) Recommended tabled, provision for the park having been made.

For repairs to road from Moanalua to Puuloa railroad station \$500. (Mahe-lona.) Recommended.

For road from Paia depot through Paia plantation \$7,500; for regrading Kapahulu road, \$3,500; for regrading Makawao road, \$5,900. (Kallio.) Recommended. For water cart and mules, Paia, \$1,000. (Kallio.) Disallowed.

For road roller, Puna, \$5,000. (Lewis.) Recommended.

For Ponahawai street, Hilo, \$1,000. (Lewis.) Recommended.

Petition for reduction of 75 per cent on Olaa holdings. (Smith.) Recommended refused.

For extension of Pukoo landing, Molokai, \$5,000. (Nakuina.) Recommended.

HEALTH REPORTS.

The Health Committee reported favorably on House Bill 68, relating to penalties to be imposed for unauthorized cremation of human remains; on the resolution for the construction of a building at Kalihi station for the use of the friends of leper suspects and also on the resolution calling for increased pay for leper laborers at the Settlement.

Lane's Senate Bill for the licensing of pawnshops passed third reading. Harris's House Bill to facilitate the collection of open accounts passed third reading.

A number of bills reported printed were rushed through second reading and were sent on to the different standing committees.

The House adjourned at 12:45.

HALEIWA.

The Haleiwa Hotel, Honolulu's famous country resort, on the line of the Oahu Railway, contains every modern improvement and affords its guests an opportunity to enjoy all amusements—golf, tennis, billiards, fresh and salt water bathing, shooting, fishing, riding and driving. Tickets, including railway fare and one full day's room and board, are sold at the Honolulu station and Trent & Company for \$5.00. For departure of trains consult time table.

On Sundays, the Haleiwa Limited, a two-hour train, leaves at 8:22 a. m.; returning, arrives i. Honolulu at 10:10 p. m.

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