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Fraternal Meetings

POLYNESIA ENCAMPMENT NO. 1, I. O. O. F. Meets every first and third Friday of the month, at 7:30 p. m., in Odd Fellows' Hall, Fort Street. Visiting brothers cordially invited to attend. R. W. FOSTER, C. P. L. L. LA PIERRE, Sec'y.

EXCELSIOR LODGE NO. 1, I. O. O. F. Meets every Tuesday evening, at 7:30, in Odd Fellows' Hall, Fort Street. Visiting brothers cordially invited to attend. C. A. BINDER, N. G. L. L. LA PIERRE, Sec'y.

HARMONY LODGE NO. 3, I. O. O. F. Meets every Monday evening, at 7:30, in Odd Fellows' Hall, Fort Street. Visiting brothers cordially invited to attend. F. D. WICKE, N. G. E. R. HENDRY, Sec'y.

PACIFIC REBEKAH LODGE NO. 1, I. O. O. F. Meets every second and fourth Thursday, at 7:30 p. m., in Odd Fellows' Hall. Visiting Rebekahs are cordially invited to attend. CHARLOTTE WICKE, N. G. ALICE NICHOLSON, Sec'y.

OLIVE BRANCH REBEKAH LODGE NO. 2, I. O. O. F. Meets every first and third Thursday, at 7:30 p. m., in Odd Fellows' Hall. Visiting Rebekahs are cordially invited to attend. ANNIE L. MACAULAY, N. G. SALLIE L. WILLIAMS, Sec'y.

OCEANIC LODGE NO. 371, F. & A. M. Meets on the last Monday of each month, at Masonic Temple, at 7:30 p. m. Visiting brethren are cordially invited to attend. R. H. BEMROSE, W. M. W. H. GOETZ, Sec'y.

LEAHY CHAPTER NO. 2, O. E. S. Meets every third Monday of each month, at 7:30 p. m., in the Masonic Temple. Visiting sisters and brothers are cordially invited to attend. ANNA S. WRIGHT, W. M. ADELAIDE M. WEBSTER, Secretary.

LEI ALOHA CHAPTER NO. 3, O. E. S. Meets at the Masonic Temple every second Saturday of each month, at 7:30 p. m. Visiting sisters and brothers are cordially invited to attend. MINNIE FEEZE, W. M. A. E. WELBOURN, Sec'y.

LADIES' AUXILIARY A. O. H. DIVISION NO. 1 Meets every first and third Tuesday, at 8 p. m., in O. B. U. Hall, Fort Street. Visiting sisters are cordially invited to attend. MRS. K. COWES, Pres. JOSEPHINE DILLON, Sec.

HONOLULU TEMPLE NO. 1, PYTHIAN SISTERS Meets every first and third Monday, at 7:30 p. m., at Knights of Pythias Hall, Fort and Beretania streets. All visitors cordially invited to attend. AIMEE BICKNELL, M. E. C. SALLIE L. WILLIAMS, K. E. S.

OHU LODGE NO. 1, K. of P. Meets every first and third Friday at 7:30 o'clock, Pythian Hall, corner Beretania and Fort streets. Visiting brothers cordially invited to attend. F. R. NUGENT, C. C. R. GOSLING, K. of R. & S.

WILLIAM MCKINLEY LODGE NO. 8, K. of P. Meets every second and fourth Saturday evening, at 7:30 o'clock, in Pythian Hall, corner Beretania and Fort streets. Visiting brothers cordially invited to attend. F. M. MCGREW, C. C. E. A. JACOBSON, K. R. S.

COURT CAMOES NO. 810, A. O. F. Meets every second and fourth Tuesday of each month, at 7:30 p. m., in San Antonio Hall, Vineyard street. Visiting brothers cordially invited to attend. GASPAR SILVA, C. R. M. C. PACHECO, F. S.

CAMOES CIRCLE NO. 246, C. O. F. Meets every second and fourth Thursday of each month, at 7:30 p. m., in San Antonio Hall, Vineyard street. Visiting companions are cordially invited to attend. MRS. H. L. PEREIRA, C. C. MR. L. A. PERRY, F. S.

COURT LUNALLO NO. 680, A. O. F. Meets every first and third Wednesday evening of each month, at 7:30 p. m., in Pythian Hall, corner Fort and Beretania streets. Visiting brothers are cordially invited to attend. W. KELLE, C. R. JAS. K. KAULIA, P. C., F. S.

HONOLULU ABBIE 140, F. O. E. Meets on second and fourth Wednesday evenings of each month, at 7:30 o'clock, in Pythian Hall, corner Beretania and Fort streets. Visiting Eagles are invited to attend. WM. C. MCCOY, W. P. H. T. MOORE, Sec'y.

HONOLULU HARBOR NO. 54, A. A. of M. M. & P. Meets on the first Sunday evening of each month, at 8 o'clock, at Odd Fellows' Hall. All sojourning brethren are cordially invited to attend. By order Worthy President, J. B. SEARLE; FRANK C. POOR, Sec'y.

THEODORE ROOSEVELT CAMP NO. 1, U.S.W.V. Meets every first and third Wednesday of each month in Waverley Hall, corner Bethel and Hotel streets, at 7:30 p. m. By order of the Camp Commander, J. K. BROWN, Adjt.

MARINE ENGINEERS BENEFICIAL ASSOCIATION Meets second and fourth Mondays of each month at the new K. of P. Hall, corner Fort and Beretania streets. E. HUGHES, Pres. H. G. WOOTEN, Sec'y.

HAWAIIAN TRIBE NO. 1, O. E. M. Meets every first and third Thursday of each month in P. Hall, corner Fort and Beretania streets. Visiting brothers cordially invited to attend. E. V. TODD, C. of R. GEO. SANDERSON, Sachem.

HONOLULU LODGE 516, B. P. O. E. Honolululodge No. 516, B. P. O. E., will meet in their hall, King street near Fort, every Friday evening. By order of the E. R. W. H. MCINERNEY, E. R. H. C. EASTON, Sec'y.

HONOLULU SCOTTISH THISTLE CLUB Meets on the first Friday in the month at 8 o'clock, in rooms in the Oregon Block, entrance on Union Street. J. R. M. MACLEAN, Chief. JAMES H. FIDDES, Sec'y.

HAWAII CHAPTER NO. 1, ORDER OF KAMAHAMEHA Meets every first and third Thursday evening of each month at 7:30 o'clock in Fraternity Hall, Odd Fellows' Building, on Fort Street. N. FERNANDEZ, Kahu.

MAYOR SCORES COURT VICTORY

The Supervisors' Appointments Are Held to Be Illegal.

In a clearly written opinion by Chief Justice Hartwell and concurred in by Associate Justices Ballou and Wilder, the Supreme Court yesterday decided that Charles Coster was not to be included in that "class of employees employed by a de facto officer holding a legal office with power of appointment and that his employment was without authority of law and that he has no legal claim to his wages."

In brief, the decision of the Supreme Court holds that the appointments made by the committees of the Board of Supervisors are not legal, but the decision does not declare specifically where the appointive power does lie under the proper interpretation of the charter.

Chief Justice Hartwell admitted that there is considerable difficulty in construing the charter, for he spoke as follows when the decision was handed down yesterday morning: "Whether the act requires that the Board of Supervisors, when organized and qualified to act, shall pass upon appointments made by the Mayor-elect is a question which can not be decided unless presented by some appropriate proceeding."

"The municipal act appears to consist of the San Francisco charter, after eliminating many of its important provisions which are connected with and explanatory of those which remain, changing the names and adding a few simple provisions. To construe such an act, it is evident, has presented no little difficulty."

Case Summed Up.

The case is summed up in the opinion of Chief Justice Hartwell, as follows: "This is an appeal by the defendant (City and County Treasurer R. H. Trent) from an order of the circuit judge for a peremptory writ of mandamus and from the writ commanding the defendant to pay to the plaintiff the sum of \$30.15 upon a warrant in his favor issued by the Auditor of the City and County of Honolulu... payable out of the appropriation made by the Board of Supervisors for maintenance of roads, Honolulu district payroll, and being plaintiff's wages at \$85 a month, fixed by the Board of Supervisors for his service as foreman of the Fourth District stables, maintained by the city in connection with the care of and maintenance of its public roads. The plaintiff was employed by Supervisors Quinn, Aylett and Kane, the board's committee on roads, bridges, garbage, parks and public improvements. The defendant's objection to paying the warrant was that the plaintiff was not lawfully employed by the committee of the board."

"The pleadings and briefs are voluminous," continues the decision, "repeating the proceedings of the board of supervisors, an opinion of the City Attorney and a letter or message to the board by the Mayor giving his version of the law, but when everything possible is written and said on the subject, the controversy comes down to the question whether, under the municipal act, the Board of Supervisors has power to select and engage employees, as well as to fix their wages, for public service in connection with the care and maintenance of the public highways, for if it has not this power it can not delegate it nor can the power be evolved from or based upon any legislative act, ordinance, rule of procedure or resolution of the board whatsoever."

Interprets Act.

The decision holds that under Section 138 of the municipal act the Treasurer was authorized to refuse payment of a warrant which in his opinion was unlawful, otherwise the Supreme Court believes the provision meant to restrain illegal use of municipal funds would be inoperative.

The decision further states that "Section 4 of the municipal act gives to the city all the powers of every description of the then existing county of Oahu and declares the municipality is the successor of the said county. Section 3 of the county act gave the County Supervisors power to open, construct, maintain and close up public streets, highways, roads, alleys, trails, bridges within its boundaries. Under this power, thus transferred to the city, the selection, engaging and employment of persons to perform the service required in maintaining public highways becomes necessary. The Board of Supervisors has express power under Section 23 of the municipal act 'To fix the hours of labor or service required of all employees and laborers in the service of the city and county, and to fix their compensation.' But who are to employ the laborers or employees—the Supervisors, whose general functions, as defined by the act, are legislative, or the Mayor, who is made by the act the chief executive officer?"

This portion of the decision is interpreted to mean that the Supreme Court thinks the Mayor has the appointive power, but whether the Supervisors must pass on his appointments is another disputed ailment of the municipal infant. Atcherley Trial. The trial of Dr. John Atcherley was resumed in Judge Lindsay's department of the Circuit Court yesterday, Drs. Sinclair and Camp giving their opinion on the mental responsibilities of Atcherley. Dr. Camp was called as an expert by Attorney Magoon for the defense, and he declared with positiveness that he did not consider Atcherley insane; merely subject to delirium caused by indulgence in drugs. Con-

siderable time was consumed in arguing over the admissibility of certain portions of a hypothetical question that City Attorney Cathcart propounded to Dr. Camp. There was a difference of opinion between the attorneys for defense and prosecution whether Dr. Atcherley said he heard "voices from the sewer" or had announced that the "voal manifestations were in the atmosphere. The trial will be continued today. Case of Horses. In an opinion written by Justice Ballou, the Supreme Court held yesterday that Harry T. Mills was entitled to his judgment of \$30 and costs which he secured in a suit brought against J. D. Mendonca. Mills was assignee of the claim of Sun Wah Kee, who alleged that his horse had been killed by being kicked by an animal belonging to the defendant Mendonca. It appeared from the testimony that Mendonca admitted his liability and had paid \$5 on account, but had refused to pay more. This was held to be an agreement of settlement. Court Notes. The case of Mary K. Kaleikini against Albert Waterhouse, as administrator of the estate of A. Kauh, was argued and submitted in the Supreme Court yesterday. Mrs. Kaleikini received a judgment in the Circuit Court for money that she alleged was received for her by Kauh before his death, and of which he left no accounting. Letters testamentary have been granted by Judge Robinson to Julia Augusta Dias and John K. Dias on the estate of Pedro Augusto Dias of Waipahu, who committed suicide in Switzerland last summer. Bond has been filed in the sum of \$2100. Deputy Attorney General E. W. Sutton has filed an answer to the petition of Theresa M. Louison, in which she asks her title to certain land in Manoa be registered and confirmed. It is claimed for the Territory that a portion of the land has been used as a public highway for thirty years and that as a consequence the Territory has acquired an easement therein. A SPRAINED ANKLE. As a rule a man will feel well satisfied if he can hobble around on crutches in two or three weeks after sprucing his ankle, and it is two or three months before he is fully recovered. This is an unnecessary loss of time, for in many cases in which Chamberlain's Pain Balm has been promptly and freely applied a complete cure has been effected in less than one week's time, and in some cases within three days. Pain Balm is most widely known, however, for its cure of rheumatism. For sale by all dealers. Benson, Smith & Co., Ltd., agents for Hawaii.

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