

**LOCAL AND GENERAL NEWS.**

**THE INDEPENDENT** 50 cents per month.

Colin Campbell, Attorney at Law, 840 Kaahumanu street.

The Tacoma sailed this morning on her zig-zag cruise in search of De Greave's lost island.

The bark Albert is due to sail for San Francisco tomorrow. She is booking passengers for the trip.

The U S Training ship Mohican is at Naval wharf No 1, taking coal. She is on her way to a station in the Philippines.

The two Grand Jurors that were accused in the plea of abatement in the Testa case have been excused by court for the term.

On account of so many members being out of the city, no meeting of the Board of Agriculture was held yesterday afternoon.

The offices of THE INDEPENDENT is in the brick building next to the Hawaiian hotel grounds on Beretania street, Waikiki of Alakea. First floor.

Following the christening of the young son of Prince and Princess Kawanokoa next Sunday afternoon a reception to invited friends will be held at the residence.

Antone Fernandez was found not guilty in the Circuit Court yesterday afternoon of selling liquor without a license. The accused had been heavily fined in District court.

Anyone wishing to have a horse broken to harness, call up the "Kentucky Boy," who is well-known to be capable in that line. Wallace Jackson is the one referred to and he's to be found by ringing up Telephone 176.

J G Spencer, J H Soper, C Hedemann, E M Boyd, E A McInerney, J G Rothwell and J A Kennedy have been appointed a committee from the commercial bodies of Honolulu to entertain the Filipino commission.

A mint is the place where they make money. The Mint saloon, on Nuuanu street, at the head of Chaplain lane, is the place where they save money by getting the best of liquors of every kind at popular prices. Bonnie Lemon and "Bob" French, Proprietors.

The American barkentine Amazon arrived yesterday from Newcastle with a cargo of 2020 tons of coal consigned to W G Irwin & Co. The vessel was fifty days on the voyage. Five days ago one of the sailors was slightly hurt, incapacitating him for work. He was taken to the hospital yesterday.

During the rush incident to the visit of the transports and the American war ships here, the Suamrock on Nuuanu street, between Hotel and King, will be doubly prepared to entertain its new and old customers. The purest and best liquors will be served. P O'Sullivan, Proprietor.

**Eagles Have A Time.**

The local serie of Eagles had a real big time in their headquarters last evening. Among the features was the giving of wings to Dave Barry and Mike Patton, the two popular athletes and entertainers. Inasmuch as Barry is the champion light heavyweight of the Hawaiian Islands, was deemed proper to make his wings a little heavier than usual and put a few extra hinges on them. Everything passed off nicely. Altogether four candidates, out of a batch in hand, were put through. Some thirty or forty Eagles from the visiting fleet were in attendance. After business had been finished up there was a social session which lasted until about 1 o'clock this morning.

Kentucky's famous Jesse Moors Whiskey, unequalled for its purity and excellence. On sale at any of the saloons and at Lovejoy & Co distributing agents for the Hawaiian Islands.

**TESTA WINS THE CASE.**

Plea in Abatement Sustained On All Points.

F. J. Testa came out victorious in the libel suit against him in Judge De Bolt's court this morning. A history of the case appears in the editorial columns of this issue. When the case was called this morning, the prosecution admitted the facts related in the plea in abatement, and rested without argument. The court promptly sustained the plea and dismissed the action, setting the matter for good and all. The plea in abatement referred to is as follows:

F J Testa, being duly sworn, deposes and says: First. That he is called upon to answer to an alleged indictment for libel.

Second. That the following named persons are on the Grand Jury panel, and are serving as Grand Jurors at the present term of this court. J H Schnack, Winford H Babbitt, Fred Turrill, Henry Hickey, Joseph Andrade, H P Benson, Jas Nott, Jr, John Edwards, Alex Lyle, D J Styne, J C Axtell, F P McIntyre, Jno A Baker, Wm Muten Guy Owens.

Third. That certain of said persons are not qualified to serve as jurors, and were present at, and participated in the proceedings of the Grand Jury when said alleged indictment was found to the prejudice and injury of this defendant, namely:

John Edwards, who on the 23rd day of February, 1880, was arraigned in the Police Court of Honolulu on a charge of larceny, and on the 24th day of February, 1880, was convicted of said offense, and was sentenced to one year's imprisonment at hard labor, and to pay a fine of \$5 with costs taxed at \$3.40, as more fully appears from a certified copy of the record, annexed.

And said defendant further alleges that on the 28th day of April 1881, said John Edwards in the District Court of Honolulu plead guilty to a charge of larceny and was sentenced to one year's imprisonment at hard labor, and fined \$10 and costs taxed at \$3, as more fully appears from a certified copy of the record.

And deponent further alleges, that said John Edwards, on the 31st day of December 1903, was committed by the District Court of Honolulu to answer before this Court to a charge of assault and battery with a weapon, obviously and imminently dangerous to life, to wit: a loaded revolver, as more fully appears from the certified copy of the record hereto annexed.

Also Henry Hickey, who, on the 1st day of February, 1899, in the Police Court of Honolulu, plead guilty to the charge of having opium or a preparation thereof unlawfully in possession, and was sentenced therefor.

Fourth. That deponent verily believes, and upon such belief solemnly suggests, that said alleged indictment was not found by the number required by law to find an indictment.

Wherefore defendant submits his plea in abatement, and prays that the same may be sustained, and that said alleged indictment may be quashed, and he be discharged.

Plea in abatement is as appears below.

And now comes F J Testa and respectfully submits to this Court his plea in abatement to the alleged indictment herein, upon the affidavit annexed thereto and alleges:

First. That the indictment herein is illegal and invalid, in that certain persons are on the jury panel, and acted as jurors, and participated in the proceedings of the Grand Jury finding said indictment without being legally qualified to act as Grand Jurors in and for this Court.

Second. That said indictment is illegal and invalid, in that it was not found by the number of jurors required by the law to find an indictment.

Wherefore said defendant prays that this his plea in abatement may be sustained; that said alleged indictment may be quashed, and that he may be discharged from further attendance upon this Court.

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**F. J. TESTA**

Notary Public

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**THE INDEPENDENT**