

BIG PLANTATIONS LOCK HORNS AT LAW

Two Injunction Suits Cause a Little Confusion.

SENTENCE OF WEAPON-WIELDER

PROBATE OF ARCH. C. STEELE'S WILL MADE IN MASONIC CEREMONIAL.

Habeas Corpus for Opium Possessor— Appeals from Hilo—New Lawyer Enrolled—Documents on the Court Files.

Waikuku Sugar Co. by its attorneys, Kinney, Ballou & McClanahan, has filed a replication to the answer of Hawaiian Commercial & Sugar Co., saying it is untrue, uncertain and insufficient.

Letters from W. R. Castle, an attorney for H. C. & S. Co., are filed by Mr. Ballou. They give assurances that defendant company has no objection in building a certain wall but to confine the Waikuku stream to its natural or usual bed. As defendant is the konohiki, or water landlord, of the plaintiff, Mr. Castle says, "We would rather suffer injury in our own rights than to do anything which would inconvenience or injure your people."

A reply from Kinney, Ballou & McClanahan to Mr. Castle's first letter is also filed, giving under date of February 15 the following ultimatum: "We beg to repeat that unless this matter is stopped forthwith and the bed of the stream restored to its former condition we shall proceed at once against the Hawaiian Commercial & Sugar Co. by way of injunction, and shall hold the Hawaiian Commercial & Sugar Co. responsible in damages for its trespass."

Mr. Ballou files an affidavit of his own, having reference to a personal examination he made on the ground. He points out that there are two bills for injunction pending which have the same title. One is to prevent the digging of a tunnel, being the present case, and the other to prevent the defendant's throwing debris into the bed of Waikuku stream. Having made this distinction he states that a conversation between himself and Alfred S. Hartwell, set out in the affidavit of H. P. Baldwin, had no relation to the subject matter of this suit or of said affidavit. He also endeavors to show that the localities in controversy in the two suits are separate and distinct. His inspection of the kuleanas mentioned in the bill of complaint now under discussion was made on a subsequent day, after Baldwin and Hartwell had left the island of Maui. His opinion had not been asked regarding the course of the tunnel during the conversation.

Yesterday morning the tunnel case was argued before Judge Humphreys, who reserved his decision. The debris case was begun at 4:15 p. m. Marked photographs of the bridge are among the exhibits.

Conviction and Sentence. Charles Kaeha was tried yesterday afternoon for assault and battery with a weapon on his wife Kaiatani. The trouble took place last September at Puahia, near Moiliili. J. W. Cathcart, Deputy Attorney General, prosecuted and Chas. F. Chillingworth defended the accused. The jury were J. W. Smithies, D. F. Bailey, W. F. Dillonham, T. F. McEliehe, C. R. Collins, A. A. Montano, P. H. Burnette, Q. H. Berry, D. G. Camarinos, J. Spencer, G. Markham and Jas. Brown. The jury retired to consider their verdict about 3:30 o'clock. They returned a verdict of guilty.

In passing sentence Judge Humphreys told the prisoner that it was not his fault that his wife was not more seriously injured than proved. As he had been in prison for want of bail since September 25 and the jury recommended him to mercy, these circumstances were taken into consideration and the sentence was four months at hard labor from date and payment of costs. The Court thanked Mr. Chillingworth for accepting the assignment of the prisoner's defense. Masonic Lodge Will.

Judge Gilbert F. Little's order of probate of the will of the late Archibald C. Steele has been filed in the Judiciary office. The will was made in a Masonic lodge, while decedent was taking a degree. With the question bringing it into execution the document reads as follows: "Write now, in good faith, your last will and testament, precisely as if you were about immediately to be engaged in battle, and expected to fall in the action."

"In the name of God, Amen! I, Archibald Cooper Steele, being of sound mind and memory, but knowing the uncertainty of human life, do now make and publish this my last will and testament, that is to say: "I devise all my real and personal property to Miss Helen Willis, my future wife.

"ARCH. COOPER STEELE. "Signed, sealed, published and declared by the said Arch. Cooper Steele the testator, and read for his last will and testament; and we, at his request and in his presence, and in the presence of each other, have hereto subscribed our name as witnesses thereto, this 16th day of September, A. D. 1901.

"P. ECK, "J. SOUZA, "JNO. T. MOIR." It was ordered that letters testamentary issue to Mrs. Helen W. Steele under \$500 bond.

Appeals from Hilo. Wise & Nickens have given notice to place cause on the Supreme Court calendar, in each of the following appeals from the Fourth Circuit Court: Volcano Stables & Transportation Co., Ltd. vs. Hayashi and T. Kawai; Chas. M. Le Houd vs. Solomon Konia, guardian; F. Erickson vs. Volcano Stables & Transportation Co., Ltd.; and Robert Gillespie vs. Robert McBride.

Habeas Corpus. Kamuela, the last man serving a term in prison for opium in possession, will be brought before Judge Humphreys this morning on a writ of habeas corpus procured by C. F. Chillingworth.

Noticed on Seventh Page.

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Why puzzle your wits and tire your limbs in an effort to supply your wants when The Republican can accomplish the business at 1 cent per word? The Republican is eagle-eyed and reaches every nook and corner of Honolulu and the Hawaiian Islands, and while you talk and see half a dozen people, The Republican makes your wants and wishes known to thousands every day.

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or anything, drop your hook in our want pond and see the cork bob.

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No advertisement accepted for less than 15 cents.

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CONTRACTORS to get estimates from Pacific Mill Co., Ltd., Alakea near Queen Streets.

BOARD AND ROOMS WANTED.

YOUNG man requires board and lodging with private family. State terms. W. F. C., Republican office.

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EASY riding surrey. First-class condition. Can be seen at Hawaiian Carriage Co., Queen street, opposite Judiciary building. J. J. Beiser, P. O. Box, 192.

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Not Ponce de Leon's, but H. A. Juon's, King and Beretania, Palama.

2 Large Mugs Beer and a nice plate of beans for 25c

All kinds of liquors, from Senator Russell's Vodka to Japanese Sake.

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ANNUAL MEETING.

The regular annual meeting of the Stockholders of the Inter-Island Steam Navigation Co., Ltd., will be held at the Office of the Company, Queen Street, on Tuesday, March 12, 1901, at 10 o'clock a. m.

C. H. CLAPP, Secretary.

Honolulu, February 25, 1901.

COTTAGE AT WAIKIKI.

A roomy cottage adjoining premises of the late James Campbell is to let. For terms apply to Mrs. Abbie K. Campbell on the premises or to

CECIL BROWN, or J. O. CARTER.

WANTED.

Licensed Mates and Second Mates for local steamers. Apply to INTER-ISLAND STEAM NAVIGATION COMPANY, Queen Street.

NOTICE.

During my temporary absence from this Territory Dr. Kobayashi will take charge of my practice.

DR. I. MORI.

BY AUTHORITY

EASTER VACATION NOTICE.

The Government Schools throughout the Territory will close for the Easter Vacation on Thursday, April 4th, and will reopen for the next term on Monday, April 15th.

By Order of the Department of Public Instruction. C. T. RODGERS, Secretary.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT.

ISLAND OF OAHU, TERRITORY OF HAWAII.

AT CHAMBERS.

ORDER FOR A SPECIAL TERM.

Deeming it essential to the promotion of justice, I do order that a special term of the Circuit Court of the First Circuit be held in the Judiciary Building in Honolulu, commencing Tuesday, March 19th, A. D. 1901, at 10 o'clock in the forenoon of said day and continuing for the period provided by law.

Done at Chambers this 1st day of March, A. D. 1901.

(Sig.) A. S. HUMPHREYS, First Judge.

The foregoing order is hereby approved.

(Sig.) W. F. FREAR, Chief Justice of the Supreme Court of the Territory of Hawaii.

Dated March 1, 1901.

Inter-Island Telegraph

On and After the 2nd of March

messages in plain language will be accepted for transmission between the places mentioned below:

HONOLULU, OAHU, KA LAU, MOLOKAI, MAUNALEI, LANAI, and LAHAINA, MAUI.

The charge for such messages will be at the rate of 20 cents per word of 15 letters until further notice. When telephone connections are available messages may be handed to the telephone company to be forwarded to destinations other than those mentioned above.

In other cases special messengers may be employed. The cost of special delivery is not included in the charge at 20 cents per word. If the cost is known it must be paid by the sender when the message is handed in. If unknown, it must be paid by the addressee when the message is delivered.

Honolulu Office, Magoon Block UPSTAIRS.

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Notice.

Notice is hereby given that the Pearl City cemetery will be open for interments on and after Monday, November 5, 1900. A special funeral train will leave the railroad station at 2:15 p. m. daily, remaining at the cemetery until after all interments.

The rates for transportation are on dollar for the corpse and fifty cents for the roula trip for mourners. Lots are now on sale at the office of the company, ranging in price from \$10 up, according to location and size. No other charges of any nature.

HAWAIIAN CEMETERY ASSOCIATION, LTD.

February 4, 1901.

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For Sale!

THE KAPIOLANI TRACT extends from King street to the beach. A road of 60 feet width will be opened on the east side of the property adjoining the Kamehameha Girls' School; said road will extend to the sea.

CROSS ROADS will be opened between blocks. Every lot will have a frontage on a road. The elevation varies from 40 feet high to 10 feet high above sea level.

THERE IS AN OFFER to buy a part of the property by a great manufacturing company. The chances are the offer may be accepted. There is every reason to believe the price of lots will increase in a short time. The owner of the property will give all chances to purchasers to make money on their investments.

THE GROUND IS SUPERIOR to any tract in the market.

THE PREMISES are situated within one mile and a half from the post-office.

THE GOVERNMENT water pipes are laid along the upper portion of the property.

THE PRICES are the cheapest of any tract within two miles from the center of the city.

THE TERMS which will be given to purchasers will be the best ever given by any Real Estate Dealer or Broker during the last twenty years in Honolulu.

FOR TERMS or more particulars, apply to

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February 4, 1901.



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