

cognize them then; saw flash of their guns; did not lose sight of them; ran to boat house to catch them; one man ran out from side of boat house toward Diamond Head; couldn't tell who he was; believe two shots fired by Lanes killed Carter; ten or fifteen seconds after firing arrested both Lane boys; others were arrested; all had arms; can't tell how many shots were fired; somewhere between one and one hundred; Holi was shot at first firing; these shots came from in front of Bertelmann's house; saw Carter fall; he fell close to entrance of boat house on Diamond Head side. At this stage of the proceedings Judge-Advocate Captain Kinney announced to the Court a conversation between himself and Counsel Rosa, which, however, Mr. Rosa strenuously objected to as a breach of professional courtesy. Judge-Advocate Kinney stated that he and his associates, after careful and searching examination the night before, were convinced that the Lane boys did not fire the shots that caused the death of C. L. Carter, but they had the man outside who did the shooting. This caused somewhat of a sensation, and Counsel Neumann announced that further cross-examination of Parker would cease.

Hakola was the next witness called: Was at Bertelmann's on Sunday, January 6th; myself and Pus were in the boat house; saw two persons come around Bertelmann's house from Waialae side; could not see their faces; they had on uniforms; heard woman cry out, "Here comes the police;" we rose up and ran;



CAPTAIN C. W. ZIEGLER, COMPANY F, N. G. H.

as they came near the boat house and saw us running, they called out for us to stop; on our refusing one man fired a shot upward; when I saw police coming, got frightened; Tom Poole and two Lane boys were in boat house with me; Poole was on Waialae side near door; witness was about six feet from Poole, near the Lanes; when firing began, two Lanes ran out of shed toward Honolulu; witness went toward Kahala; afterward Poole told me he had shot a white man at the entrance of boat house; some white man reached out to take hold of him; he shot him and he fell in sand right at entrance of canoe shed, toward Diamond Head, on solid ground.

Poole was brought into Court and identified by witness, who said Poole was married to one of his cousins. On re-direct examination, Hakola stated Charles Bartow was leader of his party; some six or seven in party; he said he was our captain; we were going to Bertelmann's to surround police; witness went there on Sunday afternoon to clean guns; they had sand in them; saw Wilcox there same afternoon; Wilcox was at Antonio Rosa's house when Bartow organized our squad.

Kauahe: Wilcox sent three squads to Bertelmann's house; Pau, Jr., commanded first one; they had revolvers and guns; eight men in first squad; witness in second, led by Pukia; he is dead; they had long guns; third squad, under command of Mahuka, was composed of twelve or thirteen men armed with long guns; was told to go to Bertelmann's and arrest anyone found there; if they resisted, we were to shoot them; we obeyed orders and fired; not certain who fired at us; after firing, Wilcox's forces retreated towards town; some went as far as Campbell's place; afterwards they came back to Bertelmann's; know Tom Poole; Poole said, when he came back, he was in the canoe-house; white man came along and stood just outside; had his gun fired up and shot him; Poole said he was squatting down, and when the white man came along he fired at him.

On cross-examination, Kauahele stated, he with a number of others, were arrested near old telegraph station on Monday; the party had no arms when arrested.

On re-direct examination, Kauahele admitted having seen Lane boys at Bertelmann's cleaning guns; there had been a fight between our men and the white soldiers; this was kept up until we surrendered; witness did not know how to use a gun and laid down; others done the shooting; had no leader; when tug was seen coming out near Diamond Head we ran away; did not see Widemann, Greig or Nowlin out there.

Collector-General J. B. Castle was next called. He recited the events of Sunday evening, January 6th. Was with Charles L. Carter when that gentleman received wounds from which he died; Carter was standing near door of canoe house when shot; think he fell inside shed; at opening of canoe house there is a drop of eighteen inches to sandy floor of shed; there was one canoe in house; Carter fell simultaneously with first volley; saw flash first volley; it came from Waialae side; Carter fell near Waialae side shed; think three shots were fired; Carter was shot twice; witness fired at man running along beach; saw two men inside boat house; called out to Carter, "Look out Charlie;" man was running eastward when witness fired two shots at him; Carter fell along side mauka end of canoe very near entrance; Carter raised from beaded canoe; Carter and witness came from back of Bertelmann's residence to canoe shed; was within three feet of entrance when firing commenced.

On cross-examination Mr. Castle stated three shots were fired in first volley; in that one Carter was wounded; first shots witness heard on place were those fired at himself and Carter while at entrance of canoe house; no one was with Carter and witness; heard shots fired few hours before while at home; don't know anything of shooting of Holi; was within two or three feet of Carter when he fell. To Colonel Whiting: Carter laid where he fell for a brief space of time; after witness fired shots he ran back to see Carter; didn't remember hearing any shooting after Carter was shot; witness shot after that; Alfred Carter was firing

also: perhaps eight or ten shots were fired between interval when Carter was shot and taken into house. Mr. Castle was visibly affected while giving his testimony, owing, no doubt, to the vivid remembrance of the dangerous position in which he was situated and the tragic ending of his comrade and friend on the evening in question. At 4 p. m. Judge-Advocate Kinney asked for an adjournment until 10 o'clock this morning, which was granted and announced by Colonel Whiting. The Judge-Advocate gave notice that commencing with today he would ask for night sittings of the Commission. W. L. Wilcox acted as interpreter when native witnesses were called. The prisoners were marched back to prison. Crowds of people were standing outside the gates of the Executive Building and on the street corners to catch a sight of them as they passed.

BY AUTHORITY.

PROCLAMATION.

EXECUTIVE BUILDING, HONOLULU, H. I., January 7, 1895.

The right of WRIT OF HABEAS CORPUS is hereby suspended and MARTIAL LAW is instituted and established throughout the Island of Oahu, to continue until further notice, during which time, however, the Courts will continue in session and conduct ordinary business as usual, except as aforesaid.

By the President: SANFORD B. DOLE, President of the Republic of Hawaii.

J. A. KING, Minister of the Interior.

NOTICE.

General Orders No. 15.

The line of sentries lately maintained from Palolo to Nuanuu Valleys inclusive having been withdrawn, General Order No. 14, is hereby revoked, and unrestricted communication allowed.

By order of the Commander-in-Chief, JNO. H. SOPER, Adjutant-General. Adjutant-General's Office, Honolulu, January 16, 1895. 3896 ff

Sale of Government Lots in the District of Hilo, Island of Hawaii.

On MONDAY, January 7, 1895, at 12 o'clock noon, at the front entrance of the Executive Building, will be sold at Public Auction 17 Lots of Government Land in Kaunama, Kahoaana, Paana and Laupahoehoe, Hilo, Hawaii.

The Kaunama Lots are situated from three to five miles above the town of Hilo, and are suitable for the cultivation of coffee and other agricultural industries. The Kahoaana, Paana and Laupahoehoe Lots are situated in what is called the North Hilo Coffee Belt, and they are in the immediate vicinity of the Barnard Coffee Plantation.

KAUMANA LOTS.			
No. of Lot.	Area.	Cost of Survey.	Upset Price.
17	91.70	\$63.65	\$92.00
20	117.90	81.80	99.00
21	106.80	74.15	54.00
22	116.00	80.50	58.00

KAHOAHANA LOTS.			
No.	Area.	Cost.	Price.
10	43.2	\$28.10	\$216.00
11	63.8	41.45	319.00
12	72.7	47.25	364.00
13	66.9	43.50	335.00

PAANA LOTS.			
No.	Area.	Cost.	Price.
8	17.4	\$23.00	\$87.00
9	9.6	12.00	48.00

LAUPAHOEHOE LOTS.			
No.	Area.	Cost.	Price.
2	24.8	\$16.10	\$75.00
3	19.9	16.95	100.00
4	12.4	10.15	38.00
5	92.3	60.00	370.00
6	104.2	67.75	417.00
7	20.7	18.55	104.00
8 a.	81.1	52.70	406.00

TERMS AND CONDITIONS. No person will be allowed to purchase more than one lot.

The terms of the sale are cash, or, at the option of the purchaser, one-fourth of the purchase-price cash and the remainder in equal installments in one, two and three years, with interest payable semi-annually at the rate of seven (7) per cent. per annum.

Each purchaser shall begin substantial cultivation and improvement of his lot during the first year and shall continue such cultivation through the succeeding two years.

At the end of the third year, if all con-

ditions have been performed by purchaser, he shall receive Patent conferring Fee Simple Title.

Failure to perform the above conditions shall work forfeiture of interest in the land.

In case of forfeiture, land to be sold at auction by the Government; and if such sale result in advance on the original price, the original purchaser to receive therefrom the amounts of his payments to the Government on account of purchase without interest, and a pro rata share in such advance in proportion to the amounts of his payments. If such sale shall result in a lesser price than the original, the amount of his payments returned to him shall be charged with a pro rata amount of such decrease proportioned to the amount of his payments.

An agreement shall be signed by each purchaser with the Government covering these conditions, and any assignment of such agreement shall work a forfeiture thereof.

Each purchaser shall pay the cost of survey and plotting of the lots immediately after the sale, together with the first installment of the purchase price.

The map showing survey can be examined at the Land Office, Interior Department, and at the office of A. E. Loebenstein, Hilo, Hawaii, where full information can also be obtained in this regard.

J. A. KING, Minister of the Interior. Interior Office, December 1, 1894.

The above sale is postponed to February 13th, 1895, at the same place and hour.

J. A. KING, Minister of the Interior. Interior Office, January 17, 1895. 1621-3895-3f

Sale of Lease of the Remnants of the Government Lands Lying Between Alaenui and Puhaoa, in the Districts of Kipahulu, and Hana, Maui.

On Wednesday, January 16th, 1895, at 12 o'clock noon, at the front entrance of the Executive Building, will be sold at Public Auction, the lease of the remnants of the Government lands lying between Alaenui and Puhaoa, in Kipahulu and Hana, Island of Maui, containing an area of 1500 acres, a little more or less. Upset price \$150.00 per annum payable semi-annually in advance.

This lease is sold upon the condition that no cutting of timber or pasturing shall be allowed on the said remnants.

The Government reserves the right to take possession of such portions of the above lands as may be required from time to time for Agricultural purposes, allowing a reduction in the rental in accordance with the proportion of the land so taken.

J. A. KING, Minister of the Interior. Interior Office, Dec. 11, 1894.

The above sale is postponed to February 13, 1895, at the same place and hour.

J. A. KING, Minister of the Interior. Interior Office, January 17, 1895. 3895-3f

Sale of Government Land at Kaunama, Hamakua, Hawaii.

On MONDAY, January 7th, 1895, at 12 o'clock noon, at the front entrance of the Executive Building, will be sold at Public Auction, a tract of Government Land situated at Kaunama, Hamakua, Hawaii, containing an area of 59 acres, a little more or less. This tract is suitable for cultivation of Cane, Coffee and other agricultural industries. Upset price \$800.

J. A. KING, Minister of the Interior. Interior Office, December 3, 1894.

The above sale is postponed to February 13th, 1895, at the same place and hour.

J. A. KING, Minister of the Interior. Interior Office, January 17, 1895. 3895-3f

GENERAL HEADQUARTERS, REPUBLIC OF HAWAII, ADJUTANT-GENERAL'S OFFICE, HONOLULU, JAN. 16, 1895.

GENERAL ORDERS, No. 16. The following named appointments are hereby announced for the information of the National Guard of Hawaii: WILLIAM AUSTIN WHITING, to be Colonel of the First Regiment, N. G. H., with rank from January 16, 1895.

WILLIAM A. KINNEY, Aide de-Camp General Staff, with rank of Captain, from January 16, 1895.

W. G. ASHLEY, Quartermaster First Regiment, N. G. H., with rank of Captain, from January 11, 1895.

W. E. WALL, elected Second Lieutenant First Company Sharpshooters, with rank from November 12, 1894.

By order of the Commander-in-Chief, JNO. H. SOPER, Adjutant-General. 1621-3893-ff

GENERAL HEADQUARTERS, REPUBLIC OF HAWAII, ADJUTANT-GENERAL'S OFFICE, HONOLULU, Island of Oahu, H. I., January 16, 1895.

SPECIAL ORDER No. 25.

ORDER FOR A MILITARY COMMISSION. A Military Commission is hereby ordered to meet at Honolulu, Island of Oahu, on Thursday, the 17th day of January, A. D., 1895, at 10 o'clock A. M., and thereafter from day to day for the trial of such prisoners as may be brought before it on the charges and specifications to be presented by the Judge Advocate.

The Officers composing the Commission are:

1. Colonel William Austin Whiting, First Regiment, N. G. H.
2. Lieutenant-Colonel J. H. Fisher, First Regiment, N. G. H.
3. Captain C. W. Ziegler, Company F, N. G. H.
4. Captain J. M. Camar, Jr., Company C, N. G. H.
5. Captain J. W. Pratt, Adjutant, N. G. H.
6. Captain W. C. Wilder, Jr., Company D, N. G. H.
7. First Lieutenant J. W. Jones, Company D, N. G. H.

Captain William A. Kinney, Aide-de-Camp on General Staff, Judge Advocate.

By order of the Commander-in-Chief, (Signed) JNO. H. SOPER, Adjutant-General. 3893-1ff

NOTICE.

Under MARTIAL LAW every person found upon the streets or in any public place between the hours of

9:30 p.m. and 5 a.m.

will be liable to arrest, unless provided with a pass from Military Headquarters or the Marshal's Office.

The gathering of crowds is prohibited. Any one disturbing the peace or disobeying orders is liable to summary arrest without warrant.

By order of the Commander-in-Chief, J. H. SOPER, Adjutant-General.

NOTICE.

General Order No. 13.

All persons in the District of Honolulu except those engaged in the Military or Police Forces of the Government, who have in their possession any arms or ammunition, are hereby ordered to produce the same at the Marshal's Office before Twelve o'clock noon tomorrow, January 8, 1895.

Any such persons in whose possession any Arms or Ammunition are found after that hour will be liable for summary arrest and imprisonment, and the Arms and Ammunition to confiscation.

By order of the Commander-in-Chief, JNO. H. SOPER, Adjutant-General. Adjutant-General's Office, January 7, 1895.

NOTICE.

General Orders, No 14.

No person whatsoever will be allowed to pass through the line of sentries now maintained from Palolo to Nuanuu Valleys, inclusive, nor to leave the port of Honolulu for the other Islands without a pass from General or Regimental Headquarters.

By order of the Commander-in-Chief, JNO. H. SOPER, Adjutant-General. Adjutant-General's Office, January 9, 1895.

NOTICE.

THE STEAMER "Kihalani," Lane, Commander, will leave Honolulu as follows:

Tuesday, January 22d; Friday, February 1st; Tuesday, February 12th, at 2 p. m., for Lahaina, Mahukona, Laupahoehoe, Honohina, Hakalan, Honou, Pohakumana and Hilo. Returning, leaves Hilo at 6 p. m. Monday, January 28th; Thursday, February 7th, Monday, February 18th, calling at Laupahoehoe same day. Leaves Mahukona at 7 a. m. Tuesday, January 29th, Friday, February 8th, Tuesday, February 19th, calling at Lahaina same day, arriving at Honolulu same night. WILDER'S STEAMSHIP COMPANY, LIMITED. 3895-td

Lost.

TWO HAWAIIAN SUGAR COMPANY'S Drafts on Wm. G. Irwin & Co., Limited, No. 1357 and No. 1425, in favor of James Ogilvy, for \$70 each. Payment on same has been stopped. Finder please return to office of Wm. G. Irwin & Co. L'd. 3892 ff

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