

CIRCUIT COURT IN SESSION.

Crick, Bush and Nawahi Before Judge Cooper.

LIKELY TO BE A SPECIAL SESSION.

Crick Refuses to Plead and the Court Orders a Plea of Not Guilty to be Entered for Him—Many Cases Go Over for the Term—Other Notes.

The adjourned session of the February term of the Circuit Court opened at 10 a. m., Judge Cooper presiding. Owing to the general belief that few, if any, cases would be called, the attendance of attorneys and spectators was not very large.

The first case called was that of the Republic of Hawaii vs. J. E. Bush and J. Nawahi, indicted for conspiracy, who were allowed to reserve their plea until the 27th inst.

In the case of the Republic vs. G. Malina, indicted for perjury in the second degree, the defendant pleaded not guilty and the case was continued until the next special or regular term.

E. C. Crick, indicted for conspiracy, declined to plead, and the Court ordered a plea of not guilty entered in his behalf.

G. Summers pleaded not guilty to an indictment charging him with burglary, and his case was continued till the next term. Summers was charged with breaking into Hollinger's blacksmith shop in October, 1892, and stealing \$15.

In the case of J. P. Bowen, indicted for malicious burning in the second degree on the 23d of November, 1893, W. O. Smith, Attorney-General, appeared for the prosecution. Defendant is called and fails to answer. The Attorney-General moved that the Court have the bond forfeited. So ordered. The bondsmen in this case are Hugh McIntyre, Seely Shaw, T. B. Murray and James Olds, who will have to pay \$1000 into Court in short order.

The case of the Republic vs. Kakakaula, charged with committing adultery with Kilikina Hatch, was continued until the next regular or special term.

A large number of petty criminal appeal cases were then called, most of which were continued until Wednesday on account of the non-appearance of the defendants.

C. Mitchel pleaded not guilty to an indictment for burglary and his case was continued until the next regular or special term.

The afternoon session of the Court was occupied in hearing the application for the probate of the will of John Thomas Waterhouse, deceased, and also the wills of Henry Dimond and Mrs. Anna Maria Dimond.

MINOR NOTES.

John Emmeluth has brought suit against John Cook to recover \$1156.11, money advanced to pay defendant's dues in the American Legion of Honor.

In the case of L. B. Kerr vs. Akana to recover the sum of \$606.38 for goods sold and delivered the defendant has filed an answer alleging that plaintiff's claim is incorrect and at variance with his books.

Paul Neumann and W. R. Castle, attorneys for M. F. Crandell, have asked for an order requiring J. K. Sumner, by his next friend, Maria S. Davis, to file a bond for costs and a bond of indemnity in his bill of injunction against defendant.

A FINAL DECISION.

The Supreme Court Decides a Trespass Case.

A decision in the case of Victoria Ward vs. J. Kamanaoulu was handed down from the Supreme bench yesterday morning. The opinion was written by Chief Justice Judd, and is signed by Justice Bickerton and Judge Whiting, who sat in place of Justice Frear, absent from illness. This was an action of trespass brought before the District Court of Honolulu for digging a ditch on plaintiff's land. The defendant admitted the acts complained of, claiming title in himself, and pleaded to the jurisdiction of the court, denying plaintiff's title. The decision holds that, in the absence of a statute or rule requiring more, the plea is sufficient to oust the District Court of its jurisdiction.

Rubber Stamps at Gazette Office.

WILL OF J. T. WATERHOUSE.

It Was Admitted to Probate Yesterday Afternoon.

THREE CODICILS WERE ATTACHED

Considering the Amount of Property Devised, the Will was Remarkably Short and Concise—It was Drawn by Thurston & Hartwell—The Codicils.

The will of John Thomas Waterhouse, lately deceased, which was admitted to probate by Judge Cooper yesterday afternoon, is a remarkably concise and simple document. The original will was drawn on the 27th of July, 1878, but three codicils have since been attached to it. The executors appointed were Eleanor Waterhouse, his wife, and his three sons to serve without bonds. In case of the death of either the others are to act alone. The following is an extract from the first portion of the will:

Be it remembered that I, John Thomas Waterhouse of the city of Honolulu in the Island of Oahu and Kingdom of the Hawaiian Islands, merchant, being of sound and disposing mind and memory, do hereby make and declare this my last will and testament, hereby revoking and making null and void all previous and other wills and testaments and codicils thereof by me at any time heretofore made.

I hereby nominate and appoint my beloved wife, Eleanor Waterhouse, and my sons John Thomas Waterhouse and Henry Waterhouse and William Waterhouse as executors and trustees of this my last will and testament, and I direct that no bonds be required of them and that they be exempt from filing in Court any inventory of my estate, and that they be exempt and exonerated from any liability for any losses not occurring by their willful default.

I hereby give, devise and bequeath all my lands, tenements and hereditaments whatsoever situate, with their appurtenances, unto my said wife, Eleanor Waterhouse, to have and to hold the same and receive the rents and profits thereof during her natural life.

And also upon the death of my said wife I give, devise and bequeath to my said son William Waterhouse my dwelling house and premises situate in Cedar Rapids in the State of Iowa, U. S. A.

All other property of whatever kind or nature, real, personal, mixed or otherwise, was devised to his wife for her sole use and benefit. After her death this latter property was to be divided into five equal portions, one of which was willed to his son John Thomas, one to Henry, one to William, one to his daughter Mary, and the other to his grandsons William Waterhouse Dimond and Henry Dimond, share and share alike, or the whole to the survivor should one of them have previously died.

Neither of the grandsons, however, were to receive their portions until attaining the age of twenty-one.

The will also provides that the executors must carry on the mercantile business. It bears the signatures of Alfred S. Hartwell and Lorrin A. Thurston as witnesses.

The first codicil is dated July 10, 1884, and directs that neither grandson is to have his portion of the estate until eighteen months after the death of their grandmother, and that if one die, his portion is to go to his issue if he have any; failing that it is to revert to the general estate.

The second codicil gives the lot of land on School street to Mary Waterhouse Rice, wife of William H. Rice, and to John Thomas Waterhouse certain portions of land in Nuuanu Valley occupied by him as a residence. This codicil is dated January 11, 1887, and is witnessed by L. A. Thurston and E. H. Dimond.

The last and most important codicil bequeaths to John Thomas and Henry Waterhouse the property bounded by Queen street on the south, Nuuanu on the west, Merchant on the north and Kasubanu on the east. To William Waterhouse the property known as the Passmore Conveyance, in Cedar Rapids, Iowa, consisting of seven acres. This codicil is dated April 30, 1890, and is witnessed by W. O. Smith and T. W. Hobron.

RUBBER STAMPS
At Hawaiian Gazette Office.

Ladies' Column.

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QUILTS.

QUILTS. EVEN then you can not be entirely happy unless sheltered from the terrors of the night—mosquitos.

You can't shoot them, and you can't catch them; so the best plan is to let them

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If there is any house in town that has a nice line of SCOTCH GINGHAMS, SCOTCH GINGHAMS, SCOTCH GINGHAMS.

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Is another thing that we expect to sell a large quantity of during this week. We must and will.

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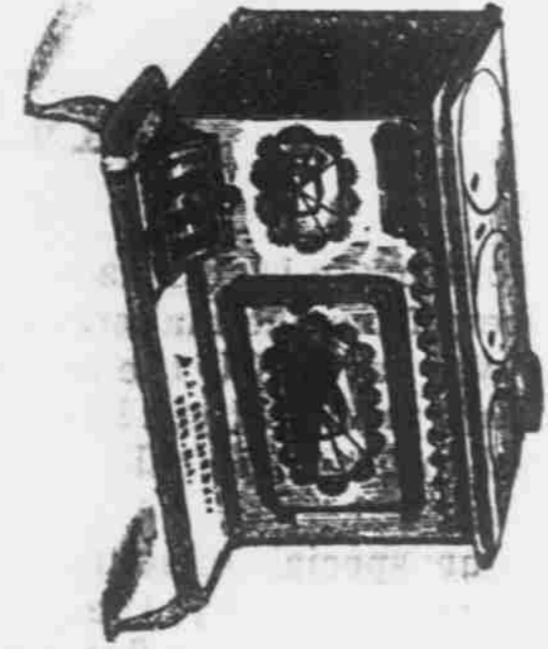
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