

LITIGATION BEGUN ALREADY.

The Waterhouse Estate in the Circuit Court.

PROBATE MATTERS IN GENERAL.

Judge Cooper Has Enough Business On Hand to Keep His Court Going for Several Days Yet—The Berger Estate and Other Matters.

In the matter of the estate of John H. Wood, Antonio Perry as trustee has filed a bond of \$15,000. Mr. Perry has been appointed a trustee of this estate in place of A. S. Hartwell, resigned. He will act in conjunction with Henry Waterhouse, the remaining trustee under the will. The surety on the bond is Cecil Brown.

In the case of John Emmeluth vs. John Cook, two stipulations have been filed—one waiving a jury trial and the other "that said cause shall come up for hearing at this February term of court, the court consenting thereto, and that the case may forthwith be placed upon the calendar for trial or such disposition as may be ordered by the court." The stipulations are signed by Carter & Kinney for the plaintiff and J. A. Magoon for defendant.

John T. Waterhouse, Henry Waterhouse and William Waterhouse, as plaintiffs, have brought suit against Mary Rice, William Waterhouse Dimond and Henry Dimond, defendants, asking the court for a declaratory decree of instructions defining the rights, duties and powers of the plaintiffs in the premises as executors and trustees, and that the defendants be bound by all the proceedings had hereafter.

In connection with this petition the following inventory and appraisal of merchandise on hand has been filed:

Amount of stock and fixtures as per inventory of March 1, 1895:	
No. 10 Store, Fort Street.....	\$ 11,677 13
Queen Street Store.....	60,314 81
Grocery Department.....	9,498 46
Lime House and Warehouses.....	5,104 85
Crookery Store.....	25,500 00
Outdoors (under shed, glass houses).....	2,863 13
Warehouse, Merchant St.....	55,059 09
Goods just received, per Glade Goods, per last	2,316 50
English Goods, per last	1,820 00
Australia.....	475 00
Office Fixtures.....	175 00
Horses and Wagons.....	
	\$134,803 40

The attorneys in the case are A. S. Hartwell for plaintiffs, and Carter & Kinney for defendants.

In the case of H. Cannon vs. H. F. Poor, suit for foreclosure of mortgage, the defendant, by his attorney, Paul Neumann, has filed a demurrer, claiming among other things that the causes of action set forth in the complaint are improperly united, and that the bill of complaint is ambiguous, unintelligible and uncertain.

The will of C. O. Berger was entered for probate and proven yesterday afternoon, and Martha Berger, J. M. Dowsett and H. A. Widemann have entered on their duties as executors. According to the terms of the will no bond was required.

The case of E. K. Nahaolelua vs. Kaahu, a petition for the division of property in the neighborhood of Kaumakapili Church, was argued before Judge Cooper and submitted. Achi for plaintiff and Hartwell for defendant.

The defendant, by his attorney W. M. Castle, filed a new affidavit and motion in the case of Sumner vs. Crandell, asking for a bond for costs from plaintiff. After argument the motion was granted and a bond of \$500 was filed.

Moonlight Concert.
The Hawaiian Band will give a moonlight concert at Thomas Square this evening at 7:30 o'clock with the following programme:

- PART I.**
1. March—"Vienna"..... Schrammel
 2. Overture—"Zampa"..... Herold
 3. Finale—"Bivouac"..... Petrella
 4. Selection—"Il Trovatore"..... Verdi
- PART II.**
5. Medley—"American Melodies".....
 6. Fantasia—"Nightingale and Frogs"..... Ellenberg
 7. Waltz—"Paradise of the Pacific".....
 8. Polka—"Nuuuou Valley"..... Berger

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AMATEUR ATHLETIC CLUB.
A Road Race Arranged for the Present Week.

A meeting of the Honolulu Amateur Athletic Club was held last night in the parlors of the Y. M. C. A. About twenty persons were present, and a red-hot discussion resulted when tennis, the main topic of the evening, was brought up.

Charlie Hyde, as chairman of committee on tennis, made a report to the effect that he had tried his best to get courts marked out and a tournament arranged, but owing to the seeming disinterestedness on the part of members of the committee and the club itself, he was unable to have the requisite arrangements made. The report was accepted, and remarks on tennis in general were in order.

The matter of securing the court back of Punahou Preparatory School for practice was brought up and immediately provoked a storm of indignant words from Charlie Hyde. It seems that the matter had been discussed outside of the meeting, and nothing had been said to the committee relative thereto.

Hapai thought that in view of the "inactivity of the committee" things had been discussed by others with "a view of doing something." B. F. Beardmore did not think that Hyde had done his duty. Hyde immediately arose and signified his intention of resigning from the committee. The chairman thought that since the committee had done so little, it would be a good thing to consider the Punahou Preparatory School court. Vida Thrum signified his intention of resigning from the committee on account of the general dissatisfaction. Wm. Schmidt likewise tendered his resignation.

This left the club without a tennis committee and for a while there was consternation. The resignations followed so close upon one another and were so unexpected that there was hardly time to think. However, after recovering from the shock, a new committee, consisting of B. F. Beardmore, Charlie Atherton and William Forbes, was appointed.

B. F. Beardmore, as chairman of the new committee, made a request that all the property belonging to the club be collected and put into the hands of the treasurer in order that members desiring the use of it might be able to know just where to go for it.

The next business was the election of new members, and Sam Mahuka, the crack baseball pitcher, was admitted without a dissenting voice.

B. F. Beardmore suggested that some kind of a road race between picked men be held during the present moonlight nights. The proposition was accepted by the members of the club without further consideration, and the appointment by the chairman of captains for the two teams resulted in the choice of Charles Crane and B. F. Beardmore. The arrangement of the race was left to the captains.

The matter of a field day in the near future was left for future discussion and the meeting adjourned.

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Inflamed Eyes and Running Sores

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