

THE MARSHALL CASE IN SUPREME COURT.

Legacy of the Republic Bobs Up Serenely Again.

DE BOLT PRESENTS STRONG BRIEF.

CITES NUMEROUS AUTHORITIES IN SUPPORT OF HIS CONTENTION.

Constitutional Questions which Affect the Right of Every Citizen Are Involved in the Case at Bar.

The case of the Territory of Hawaii vs. William H. Marshall occupied the attention of the Supreme Court yesterday afternoon, J. A. Magoun sitting as Justice in place of Justice Perry, en route to California in search of health.

The original title of the action was the Republic of Hawaii vs. William H. Marshall. It is one of those unfortunate legacies left by the Republic to the Territory, and bristles with constitutional questions, involving the liberties of a citizen of the United States, denied a trial by jury in the lower court and convicted of criminal libel by nine jurors, not American citizens.

The case came before the Supreme Court on exceptions.

The greater part of the afternoon was occupied in hearing the presentation of the defendant's side of the case by Attorney J. T. De Bolt. Mr. De Bolt made an exhaustive argument. He pronounced the decision rendered by the now Chief Justice of the Territory in the Marshall writ of habeas corpus as erroneous and contrary to all decisions by learned American jurists bearing on the case.

In the voluminous brief filed in the case by the defendant's attorney the contention is set forth and supported by an array of legal authorities that the statute of the monarchy or Republic of Hawaii in dividing libel into two degrees and then failing to define the degrees, was and is thereby rendered incomplete, inoperative and void, and that in attempting to delegate the power of defining the degrees thereof to the magistrate, court or jury, it was and is thereby rendered unconstitutional, such power being legislative and not judicial.

The opinion of the then Justice Pease is attacked. Only one authority was quoted by the Justice, and this brief contents has no bearing whatever on the case.

In discussing trial by jury the brief says that it is a venerable institution, peculiar to the Anglo-Saxon race, and stands as a bulwark shielding life, liberty and property from the tyrannical forces of mankind.

The term, jury, in the sense now understood, consideration, means twelve competent men, distinguished and impartial. Any other number would not be a jury. And that a verdict could only be rendered by the unanimous agreement of those twelve men is essential and as much a part of the jury system as that a jury must be composed of twelve men. Such was the jury system in England and her American colonies prior to and at the time of the adoption of the Constitution of the United States. It, therefore, necessarily follows that the jury mentioned and contemplated in the Constitution of the United States was and is a jury of twelve men, who could and can only render a verdict by unanimous agreement.

The Constitution is the supreme law of the land, and under it Congress has full and complete legislative authority over the people of the Territories. Whatever the legislative powers of a State may be upon the question now under consideration, it is without doubt that Territorial legislative enactments must be in conformity with the Constitution and laws of the United States.

The right of trial by a jury and a verdict by unanimous agreement cannot be denied. By the annexation of the Republic of Hawaii by joint resolution of Congress July 7, 1898, to the United States, the same became an integral part thereof and a Territory in contemplation of the law, and all existing municipal legislation of the Hawaiian Islands inconsistent with the joint resolution and the Constitution of the United States was thereby repealed and ceased to have the force of law. The Constitution of the United States, upon joint resolution being signed by the President and thereby becoming a law, extended to and covered the Hawaiian Islands; and, when on the 12th day of August, 1898, the President, through his special agent, took formal possession of the islands and raised the United States flag over the Executive building, and required all Government officials to take an oath to support the Constitution, how, then, can the contention of the defendant be doubted or questioned? Surely, those proceedings and the resolution were not idle and mere valueless, purposeless acts.

If the Constitution of the United States did not extend to these islands, the brief claims, how, then, could any municipal legislation of the Hawaiian Islands be inconsistent therewith in a legal sense, such as was intended by Congress?

The statute of these islands, authorizing nine of a jury to agree upon a verdict and to render the same, was inconsistent with the Constitution of the United States, and therefore was repealed by the joint resolution of Congress of July 7, 1898, annexing the Republic of Hawaii.

The Congress of the United States

has its existence and can exercise no powers, except by virtue of the Constitution. Wherever Congress seeks to legislate for what was therefore foreign territory the Constitution must precede or at least accompany such legislative act. The Constitution is the very life of Congress.

The decision rendered by Judge Lochren in the United States Circuit Court at Minneapolis, supported by numerous authorities therein cited and bearing directly on this case, is made part of the brief.

W. O. Smith, who appeared for the Plaintiff, asked ten days in which to file a brief.

A MOST RASH WAGER

Made by a Tailor, Not of Tooley, But of Fort Street.

The Republican Committee.

IT WILL MEET NEXT MONDAY TO ELECT OFFICERS.

Lively Times Anticipated in Selection of Leaders for Coming Campaign.

These promises to be lively times at the meeting of the Republican Territorial Central Committee next Monday evening.

Mr. Smith is prominently mentioned for permanent chairman of the committee. There is some talk about the Native Hawaiian members of the committee putting up one of their number to contest the honor with Mr. Smith. The Hawaiian members are divided in their preference and a number of them will support Mr. Smith. Holstein of Kohala is an avowed Smith man.

E. R. Hendry is said to have the call for permanent secretary. His friends say that he is the man for the place; a gentleman of experience, capability and great energy.

As, in the case of Mr. Smith there is some opposition to Hendry. The friends of W. B. Farrington have been urging him to make the run against Hendry. It is understood, however, that he is adverse to make the run.

A CHANGE OF FLAGS

WILL SOON BE MADE.

The Collector of Customs will soon begin the registry of the inter-island vessels. As soon as the proper blanks are received from Washington the work will commence. All the vessels except the new Wilder Co's steamer, Kaulani, will be given American registry and the Captains will have to become American citizens. If they wish to continue in command of their vessels, the Kaulani will be given Hawaiian registry and so will be unaffected by the change.

All of the captains in both companies, and most of the officers, are eligible to citizenship. The fact that some of them are not navigators will not affect their standing as the navigation laws have been specially amended to fit the conditions existing in Uncle Sam's new possessions and Alaska.

THERE WAS MUCH

ADD ABOUT NOTHING.

The Principals in the Assault and Battery Case Make Their Hum in Police Court.

One would have been led to believe that an into a natural gas company's meeting had happened into Judge Wilcox's court yesterday morning during the trial of Griffin for assault and battery on Harvey LeRoy. The defendant was his own attorney, and he got stuck on questions. After he began his examination of the prosecuting witness the fun began. Questions were asked entirely foreign to the case at bar, but the Court saw how things were going and entered into the spirit of the trial, interjecting every once in a while wise cautions and remarks of sarcasm that were apparently lost upon the interested parties. The whole scene leading up to the fight in which Griffin battered LeRoy was gone over. The defendant nagging at the witness and the witness getting back. They got so interested in their dispute that only the restraining presence of the Court kept them from renewing hostilities. The spectators snickered, some of them laughed out loud and officer Hanrahan was so wrapped up in the case that he forgot to pound on his desk and point his finger in Greco-Roman attitude at the distasteful conduct of the court's dignity. Everybody enjoyed the show. When the case had lasted about an hour his honor reminded the defendant that time was short, and time was fleeting. The defendant didn't seem to have anything to spend but time and was prodigal with it.

After hearing both sides of the assault and battery case and all about a robbery and another case in which the two men were mixed up, it didn't take his honor long to separate the wheat from the chaff, and he fined the defendant \$20 and costs, advising him to purchase a bottle of Haunahaun's "Get Onto Yourself" and to go and sin no more. Defendant in a tragic voice gave notice of appeal and the next case was called.

CIRCULAR FROM THE TREASURY DEPARTMENT.

Containing Extracts of the Late Organic Act.

BOARDING RULES FOR VESSELS.

THE REGULATIONS TO TAKE EFFECT ON THE TWENTY-THIRD INSTANT.

The Rule Under United States Law is Very Strict and a Heavy Penalty Provided for Those Breaking it.

The following circular from the Treasury Department regarding the boarding of vessels has lately been received at the Customs House here:

Washington, D. C., June 18, 1900. To Collectors of Customs and Other:

The attention of collectors of customs, other officers of the department, masters of vessels and others is invited to the following provisions of the act approved March 21, 1900, entitled "An act concerning the boarding of vessels":

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to prescribe from time to time and enforce regulations governing the boarding of vessels arriving at the seaports of the United States, before such vessels have been properly inspected and placed in security, and for that purpose to call upon any of the officers of that department.

"Sec. 2. That each person violating such regulations shall be subject to a penalty of not more than one hundred dollars or imprisonment not to exceed six months, or both, in the discretion of the court.

"Sec. 3. That this act shall be construed as supplementary to Section 9 of Chapter 374 of the Statutes of 1892, and Section 4906 of the Revised Statutes.

"Sec. 4. That this act shall take effect three days after its passage.

The provisions of Section 9 of Chapter 374 of the Statutes of 1892, and Section 4906 of the Revised Statutes, are as follows: "It shall not be lawful for the master of any steamship or other vessel, not in distress, after the arrival of the vessel within any collection district of the United States, to allow any person or persons, except a pilot, officer of the customs, or health officer, agents of the vessel, and consuls, to come on board the vessel, or to leave the vessel, until the vessel has been taken in charge by an officer of the customs, nor, after charge so taken, without leave of such officer, until all the passengers, with their baggage, have been duly landed from the vessel; * * *

For a violation of either of the provisions of this section, and for permitting or neglecting to prevent a violation thereof, the master of the vessel shall be liable to a fine not exceeding one thousand dollars.

The provisions of Section 4906 of the Revised Statutes are as follows: "Every person who, not being in the United States service, and not being duly authorized by law for the purpose, goes on board any vessel about to arrive at the place of her destination, before her actual arrival, and before she has been completely moored, without permission of the master, shall, for every such offense, be punishable by a fine of not more than two hundred dollars, and by imprisonment for not more than six months; and the master of such vessel may take any such person so going on board into custody, and deliver him up forthwith to any constable or police officer, to be by him taken before any justice of the peace, to be dealt with according to the provisions of this title."

Pursuant to the act of March 21, 1900, the following regulations for the boarding of vessels are prescribed, and will be enforced by the officers of the department:

1. These regulations shall not apply to a passenger steamship of a regular line, but they shall apply to any other merchant vessel arriving from a foreign port or from a port in another great district (except from a port in an adjoining State) or from Porto Rico or Hawaii.

2. It shall not be lawful for any person, with or without the consent of the master, except a pilot, officer of the customs, health officer, agent of the vessel, or consul, to go on board of a vessel not in distress, arriving at any seaport of the United States, until the vessel has been properly inspected by the customs and quarantine officers, and placed in security by being brought to the dock or anchored at the point at which cargo is to be taken or discharged.

3. It shall not be lawful for the master of any vessel, not in distress, arriving at any seaport of the United States, to allow any person or persons, except a pilot, officer of the customs, health officer, agent of the vessel, or consul, except as provided in regulation 5 to come on board of the vessel, until the vessel has been properly inspected by the customs and quarantine officers, and placed in security by being brought to the dock or anchored at the point at which cargo is to be taken or discharged. The keeper, runner, or any agent of a sailor's boarding house, or

any person soliciting seamen for any purpose, shall not in any case be allowed to board any vessel until such dock or anchorage has been reached.

4. It shall not be lawful for any person in charge of a tugboat, rowboat, or other vessel to come alongside and put any person, except as authorized by law or regulations, on board an incoming vessel heretofore described.

5. The collector, or other chief officer of the customs, where there is no collector, upon application by the owner or agent of a vessel, is authorized to issue permits in special cases and on satisfactory grounds to persons, other than those above specified, to board such vessel, subject to the master's consent, after it has been properly inspected by customs and quarantine officers, and before it has been placed in security, as above provided. In case of emergency, permits to board a vessel before it has been inspected may be issued; but any person to whom such permit may be granted shall be subject to customs and quarantine regulations. In the case of vessels provided for by the act of 1882, above quoted, permits shall be issued subject to the limitations provided in Section 9 of that act. A permit shall not in any case be issued to the keeper, runner, or any agent of a sailor's boarding house or to any person soliciting seamen for any purpose.

6. Upon boarding a vessel for customs or quarantine inspection officers of the department will furnish a copy of these regulations to the master. Copies of the regulations may also be furnished to pilots and masters of tugboats with the request that they be supplied to the masters of incoming vessels in their charge.

7. Boarding or other officers of the customs, officers of the Marine Hospital Service, and other officers of the department, shall also ascertain whether any person has boarded the vessel in violation of law, and if so shall report the facts to the principal officer of the customs at the port.

8. The Revenue Cutter Service is specially charged with the enforcement of these regulations, but any officer of the department shall report to the principal officer of the customs any violation of the regulations which may come to his knowledge.

9. The principal officer of the customs shall report the facts to the United States Attorney and also to the department.

10. The principal officer of the customs, or the officer commanding a revenue cutter, or the principal officer of the Marine Hospital Service, at any seaport, when he deems it desirable and it is practicable to do so, may detail any person subject to his orders to remain on board a vessel to secure the enforcement of these regulations, until the vessel has been placed in security, as above provided. In the case of deep sea sailing vessels, such detail shall be made whenever practicable.

11. Attention is called to the provision of the act requiring the master of vessels to enforce these regulations. Officers of the department will be vigilant in enforcing them.

12. These regulations shall take effect July 23, 1900.

O. L. SPAULDING,
Acting Secretary.

AN AID COMMITTEE ORGANIZED.

Will Collect Funds for the Infirmary.

A Meeting Held Yesterday at Dr. Sloggett's Office and Executive Committee Elected.

A number of prominent ladies of Honolulu met, at the invitation of Mrs. A. E. Wood, in Dr. Sloggett's office yesterday afternoon to organize an executive committee to collect funds and generally help on the infirmary. This institution has, for the past year been doing much good work among the poor of all nationalities in a quiet and unostentatious way.

That time over two thousand treatments have been given by Sloggett; many operations have been performed and much suffering relieved, neither creed nor nationality being taken into account. On the other hand, the fact that the applicants are too poor to pay for a doctor's service has been considered.

These benevolent ladies, whose names are as well known for good deeds, as they are prominent in society, cannot be too highly commended for their present action, and it is to be hoped that their efforts to raise the necessary funds to carry on the good and most necessary work will meet with a generous response from the public.

The committee was organized by the election of Mrs. H. E. Wally, president; Mrs. J. B. Galt and Mrs. Harry Wilcox, vice-presidents; Miss Harriett Lewers, secretary and treasurer.

The press were Mrs. A. B. Wood, Mrs. Wally, Mrs. J. Lucas, Mrs. H. Wilcox, Mrs. J. H. Craig.

The following ladies sent regrets that they were unable to attend yesterday, but stated that they would be present at the next meeting: Mrs. W. H. Graham, Mrs. B. F. Dillingham, Mrs. Imie Welsh, Mrs. J. W. McDonald, Mrs. G. W. R. King, Mrs. C. B. Cooper, Mrs. C. J. McCarthy and Mrs. Henry Holmes.

All the above ladies, together with the officers, will form the executive committee, and the committee will relieve Dr. Sloggett of the work of collecting funds for the infirmary. Hitherto he has had this work to perform besides giving his services free.

APPOINTMENTS TOOK THEM BY SURPRISE.

Indignation Over Selections for Boards of Registration.

REPUBLICANS DON'T LIKE THEM.

THEY BELIEVE PARTISAN APPOINTMENTS HURT THE PARTY.

Democrats are Very Indignant at Being Deprived Representation and Will Make Vigorous Protest.

When Governor Dole sent out his list of names of citizens to constitute the boards of registration throughout the Islands he gave the people a genuine surprise. He did more than that, he caused a commotion among Republicans and undisciplined indignation in the ranks of the Democracy and the Independent party.

A careful canvass made by Democratic and Independent leaders yesterday, is said to have developed the fact that every member of the boards for the various Islands is a Republican; that "there is not a Democrat nor an Independent in the whole bunch," as a leading politician said, last night.

Judging by the drift of comment on the streets and in the popular resorts, the dissatisfaction with the appointments is not by any means confined to the two political parties, which express themselves "so shamefully ignored." Many good Republicans denounce the selections more vigorously than do the Democrats or the Independents. The objections advanced are not as to the appointees themselves.

Not only are the boards comprised wholly of Republicans, "but they nearly all belong to the family compact," as one Republican put it. The Governor appears to have allowed himself to be misled in the important matter of registering the voters of Hawaii in the hands of his immediate personal followers, a clique or faction of partisans not even satisfactory to his own party.

Unless all signs fail, the Governor is sure to regret his action in this matter. It is unquestionably the most unrepresentative and un-American act of the administration has performed since the establishment of the Territorial government. At least three different movements are already on foot on this island to protest against the boards of registration as now constituted, and there is little doubt that other islands will also be heard from in protest.

The names of the appointees, as published in an evening paper Thursday, the name of no member of the Democratic or the Independent party appears in the list, as given out by the Governor. We believe the board should be strictly non-partisan.

We would waive the right of a majority on the board; we believe the Republic to be the highest importance. They determine the right of electors to register and therefore control their privilege of voting. They are the sole judges as to whether or not an applicant for registration "can read, write and speak the English or Hawaiian language." I say this is a great power to place in the hands of a set of men, all of one political faith, for the fact that partisan feeling sometimes runs very high. The serious part of the business is that no matter how honest the men on such a board may be, suspicions of unfairness, of dishonest intentions and all that sort of things are sure to arise, only to add fuel to partisan spirit already in all probability too highly inflamed. The rule in the States is to have non-partisan or bi-partisan boards of registration and the President recognized this principle when he named two Democrats on the Territorial Judiciary.

"What will we do?" said Mr. McCarthy. "What can we do? I don't know. If a protest would help us any now. Then, too, we haven't had time to do anything; the transaction rather dazed us; we have to plead 'surprise,' as the lawyers say. But we will get together tomorrow and talk the matter over and possibly determine upon a plan of action. If any action that we might take should promise to bring about a change in the personnel and the political complexion of our board."

A. G. M. Robertson, who was one of the floor leaders in the Territorial Republican Convention, said to a Republican reporter last evening: "I hardly know what to say about the personnel and complexion of the new board of registration. Every Republican, however, knows that, although alleged to be Republican, the board is not representative of the Republicans of the Territory."

"For instance, take Mr. Andrews. He was turned down in the primaries, in the convention and by the Republican party of Hawaii. These appointments of Governor Dole have been made under the spirit of the old regime and upon racial lines. Under the Territory there should not and must not be race distinctions made in appointments. We are all Americans, and we must follow American methods. I do not know that anything can now be done to change things, as the appointments have been made; but I appoint them un-American."

"The Governor should have asked the advice of the Republican Central Committee; had he done so he would not have erred by neglecting to give the Democrats representation on the board. This would have been the fair Republican method of doing things. I would not object as a Republican to an entirely non-partisan board, were such a thing possible. I do not believe the Republican party of the Territory will endorse the appointments, and I know that I, for one, do not endorse them."

Mr. C. H. Brown, chairman of the Executive Committee of the Republican club of Hilo, was seen last evening and said: "I believe it would have been politics if the Governor had first consulted the Republican Territorial Committee before making the appointments. I am not so certain about appointing Democrats and non-partisans on the board of registration, but I am very clear that the Governor has not appointed such representative Republicans as would have been recommended by the central committee of the party. Such a course will throw a doubt upon the Republicanism of the chief official of the Territory, and will have a tendency to make a breach in the party where unity is our end and aim. I believe every Republican in the party should enter a strong protest against the appointments, which I have no doubt will be done."

Marshall D. A. Ray is looking for a dog. A Canine of Utility, one Possessing Teeth and a Bite—Cause of the Search.

And now Marshall Ray, before he has taken the oath of office even, is besieging the voters of Hawaii in the hands of his immediate personal followers, a clique or faction of partisans not even satisfactory to his own party.

SELLING TICKETS TO MANY PASSENGERS.

How Crowds at the O. R. & L. Co.'s Depot are Handled.

A STATION AGENT'S EXPERIENCE.

HOW QUESTIONS ARE FIRED AT HIM BY INTENDING PASSENGERS.

A. E. Cooley, the Man in Charge of the Ticket Office, has His Hands Extremely Full at Times.

A. E. Cooley, the ticket agent at the Honolulu station of the Oahu Railway, has probably more people to handle in one day than any other two men in town. Five times a day he opens the little window of his office and deals out tickets and answers questions. One would suppose that almost anybody could sell tickets. Almost anybody could sell tickets to the right person at the right price at the right time and for the right place?

The ticket agent sits at his window. On his right is a case containing tickets. He handles the coin with his left hand and dispenses the cardboard with the right. There are many kinds of tickets, each at a different price. Were his customers all English-speaking his duties would be comparatively easy, but Japanese and Chinese make up the greater number of passengers, with many Portuguese going to work on a "plantash."

These people have all their own ideas of the way the English language should be spoken. Cooley has his way of interpreting it. For instance, a Chinese approaches the window, and, depositing his coin, he states that he wants to "go down below, come back." Instead of selling him an asbestos ticket on a through train for Hades, the agent knows by experience that the man wants to go to Honolulu. Another favorite way of expressing a desire to go to the same place is "this stop. Little more this side." This last construction of English is the Japanese way.

Sometimes a man will appear at the window with a blank stare. He deposits his money and is asked where he wants to go. He points to the cash and answers: "Train go." In a case like this Cooley sells him a ticket that will use up the amount of cash presented. On all matters pertaining to the trains, the ticket agent is an authority. He has questions fired at him all day long. Questions take time; and when a stranger gets at the window, plants himself squarely, and begins to catechize Cooley on the workings of the roads, the ticket agent is in his glory. He likes to tell the man all about it. The stranger likes to ask questions and presumes that because he has heard that there is no rush in this country he is at liberty to gain much useful information from the man behind the window, while forty or fifty people behind him are waiting their turn at the window.

Sometimes a lady will arrive. Somebody has told her, or she has an impression, that whenever she arrives at the depot there will be a train ready and waiting to take her and her belongings wherever she wants to go. She goes to the station and sees nothing that looks like a passenger train in sight. A descent is made upon the ticket agent to find out about things. Here is the conversation: "What time does the next train go?" "At 11:05, madam."

"What time is it now, please?" "Nine twenty-five."

"Is that the right time or train time?" "That is the right time, madam."

"Will you tell me what time it is by train time, please?" "Nine twenty-five."

"Where is your clock? I think I will set my watch. Did you say the next train went at 11:05?" "No, madam."

"The next train that leaves comes back, does it not?" "Oh, yes," says Cooley.

"What time does the train return?" "At 2 o'clock."

"Thank you. How much is the fare?" "Where to?" asks Cooley.

"Why, to Waikiki and return," says the stranger lady.

Then the ticket man faints. But of course strangers have to ask questions to get information.

There are twenty-two stations on the road, and first and second-class, round-trip and half-fare tickets for each station. The names of the stations are printed upon the tickets, but to identify them there are marks used, so that conductors, in handling them need not read the destination printed thereon. At the ticket window things hum, especially on Saturdays and Sundays and money rolls in and the tickets go out in very rapid order. To keep things straight and make no mistakes in change or tickets takes a cool head. Sometimes as much as \$10 per minute has been taken in. This may not appear to be a great sum, but when one considers the fact that the tickets called for are not all for one station, that change must be made in nearly every case, and that each ticket must be stamped, it will show good average speed.

An Atchison girl, who imagines she has a proud, imperious manner, would be surprised to know that her friends speak of her as "tipful."

APPOINTMENTS TOOK THEM BY SURPRISE.

Indignation Over Selections for Boards of Registration.

REPUBLICANS DON'T LIKE THEM.

THEY BELIEVE PARTISAN APPOINTMENTS HURT THE PARTY.

Democrats are Very Indignant at Being Deprived Representation and Will Make Vigorous Protest.

When Governor Dole sent out his list of names of citizens to constitute the boards of registration throughout the Islands he gave the people a genuine surprise. He did more than that, he caused a commotion among Republicans and undisciplined indignation in the ranks of the Democracy and the Independent party.

A careful canvass made by Democratic and Independent leaders yesterday, is said to have developed the fact that every member of the boards for the various Islands is a Republican; that "there is not a Democrat nor an Independent in the whole bunch," as a leading politician said, last night.

Judging by the drift of comment on the streets and in the popular resorts, the dissatisfaction with the appointments is not by any means confined to the two political parties, which express themselves "so shamefully ignored." Many good Republicans denounce the selections more vigorously than do the Democrats or the Independents. The objections advanced are not as to the appointees themselves.

Not only are the boards comprised wholly of Republicans, "but they nearly all belong to the family compact," as one Republican put it. The Governor appears to have allowed himself to be misled in the important matter of registering the voters of Hawaii in the hands of his immediate personal followers, a clique or faction of partisans not even satisfactory to his own party.

Unless all signs fail, the Governor is sure to regret his action in this matter. It is unquestionably the most unrepresentative and un-American act of the administration has performed since the establishment of the Territorial government. At least three different movements are already on foot on this island to protest against the boards of registration as now constituted, and there is little doubt that other islands will also be heard from in protest.

The names of the appointees, as published in an evening paper Thursday, the name of no member of the Democratic or the Independent party appears in the list, as given out by the Governor. We believe the board should be strictly non-partisan.

We would waive the right of a majority on the board; we believe the Republic to be the highest importance. They determine the right of electors to register and therefore control their privilege of voting. They are the sole judges as to whether or not an applicant for registration "can read, write and speak the English or Hawaiian language." I say this is a great power to place in the hands of a set of men, all of one political faith, for the fact that partisan feeling sometimes runs very high. The serious part of the business is that no matter how honest the men on such a board may be, suspicions of unfairness, of dishonest intentions and all that sort of things are sure to arise, only to add fuel to partisan spirit already in all probability too highly inflamed. The rule in the States is to have non-partisan or bi-partisan boards of registration and the President recognized this principle when he named two Democrats on the Territorial Judiciary.

"What will we do?" said Mr. McCarthy. "What can we do? I don't know. If a protest would help us any now. Then, too, we haven't had time to do anything; the transaction rather dazed us; we have to plead 'surprise,' as the lawyers say. But we will get together tomorrow and talk the matter over and possibly determine upon a plan of action. If any action that we might take should promise to bring about a change in the personnel and the political complexion of our board."

A. G. M. Robertson, who was one of the floor leaders in the Territorial Republican Convention, said to a Republican reporter last evening: "I hardly know what to say about the personnel and complexion of the new board of registration. Every Republican, however, knows that, although alleged to be Republican, the board is not representative of the Republicans of the Territory."

"For instance, take Mr. Andrews. He was turned down in the primaries, in the convention and by the Republican party of Hawaii. These appointments of Governor Dole have been made under the spirit of the old regime and upon racial lines. Under the Territory there should not and must not be race distinctions made in appointments. We are all Americans, and we must follow American methods. I do not know that anything can now be done to change things, as the appointments have been made; but I appoint them un-American."

"The Governor should have asked the advice of the Republican Central Committee; had he done so he would not have erred by neglecting to give the Democrats representation on the board. This would have been the fair Republican method of doing things. I would not object as a Republican to an entirely non-partisan board, were such a thing possible. I do not believe the Republican party of the Territory will endorse the appointments, and I know that I, for one, do not endorse them."

Mr. C. H. Brown, chairman of the Executive Committee of the Republican club of Hilo, was seen last evening and said: "I believe it would have been politics if the Governor had first consulted the Republican Territorial Committee before making the appointments. I am not so certain about appointing Democrats and non-partisans on the board of registration, but I am very clear that the Governor has not appointed such representative Republicans as would have been recommended by the central committee of the party. Such a course will throw a doubt upon the Republicanism of the chief official of the Territory, and will have a tendency to make a breach in the party where unity is our end and aim. I believe every Republican in the party should enter a strong protest against the appointments, which I have no doubt will be done."

Marshall D. A. Ray is looking for a dog. A Canine of Utility, one Possessing Teeth and a Bite—Cause of the Search.

And now Marshall Ray, before he has taken the oath of office even, is besieging the voters of Hawaii in the hands of his immediate personal followers, a clique or faction of partisans not even satisfactory to his own party.