

By Authority

RULES AND REGULATIONS PRESCRIBED BY THE GOVERNOR OF HAWAII PURSUANT TO THE AUTHORITY IN HIM VESTED BY AN ACT OF CONGRESS APPROVED MAY 23, 1918, FOR THE SALE, GIFT, TRANSPORTATION, IMPORT AND EXPORT OF INTOXICATING LIQUORS IN THE TERRITORY OF HAWAII FOR MECHANICAL, SCIENTIFIC, SACRAMENTAL AND MEDICINAL PURPOSES.

Rule 1. Definitions: The term intoxicating liquors as used in these Rules and Regulations shall be held to include only such intoxicating liquors as are referred to and described in the Act of Congress, approved May 23, 1918.

"Board" as used in these Rules and Regulations shall mean the Board of License Commissioners, as now constituted, or hereafter appointed by the Governor, in each case for the County or City and County wherein a particular license is proposed to be or is exercised.

"Inspector" shall mean the license inspector, and his deputies as hereinafter defined, in each case for the County or City and County wherein a particular license is proposed to be or is exercised.

"Persons" as used in these Rules and Regulations shall be held and taken to mean and include any corporation, joint stock company, individual or individuals, acting or being singly or together as a co-partnership, club or association of any kind whatever.

Rule 2. Except as authorized or licensed so to do under these Rules and Regulations, no corporation, firm or individual shall sell, or expose, keep or offer for sale, give away, manufacture, transport, import or export any intoxicating liquors, or solicit or receive orders for the purchase or sale of any such intoxicating liquors.

Rule 3. The several boards of license commissioners of the Counties and of the City and County are hereby authorized and empowered, and shall have the sole power, authority and discretion, subject only to the approval of the Governor, each within its own County or City and County, to grant, refuse, suspend, revoke and control licenses to sell, give away, manufacture, transport, import and export intoxicating liquors in such County and City and County for mechanical, scientific, sacramental or medicinal purpose only.

The said several boards of License Commissioners as now constituted are hereby constituted Boards of License Commissioners for the Counties and the City and County for the express purpose of performing the duties imposed upon them by these Rules and Regulations. The members of the several boards as now constituted shall continue to serve as such for the said purpose until their successors are appointed and qualified, unless sooner removed from office by the Governor. Vacancies in the several boards shall be filled by appointment by the Governor.

Rule 4. Each board, within its own County or City and County, and the individual members thereof, shall, so far as the same may be applicable hereto, and subject to the provisions of the Act of Congress approved May 23, 1918, and to these Rules and Regulations, have and exercise all the powers and authority with respect to the enforcement of these Rules as they now have or heretofore had under the provisions of Chapter 122, R. L. H. 1915, and any amendments thereof, with respect to the enforcement of the provisions of that chapter.

Rule 5. All expenses incurred by said boards shall be paid by the Counties and the City and County out of the appropriations now provided for by law for the expenses of such boards, and all moneys received by said boards for license fees shall be remitted to the Treasurer of the County or City and County as a County or City and County realization. PROVIDED HOWEVER, that if for any reason the said appropriations shall not be available for that purpose then the said expenses shall be paid out of the Governor's contingent fund and all moneys received as license fees shall be remitted to the Treasurer of the Territory as a Territorial realization.

Rule 6. Each Board shall appoint an inspector who shall be known as the Chief Inspector for the County or City and County where appointed, and who shall receive such salary as the Board shall decide. In each district of the Territory, other than the district where the Chief Inspector has his office, the Government physician for such district shall be and is hereby appointed and designated as Deputy License Inspector for such district or districts. Such deputy license inspectors shall serve without pay. It shall be the duty of such deputy license inspectors to issue permits for the purchase of intoxicating liquors under these rules and regulations, with

in their own districts only and not otherwise.

Rule 7. Every license issued by any such board shall be signed by the Chairman of the Board and countersigned by the Chief Inspector.

Rule 8. No license or renewal thereof shall be issued by any such board, except upon a written application signed and verified by the applicant. Such application shall be set forth:

(1) The full name, age and place of residence of the applicant; and, if a co-partnership, the names, ages and respective places of residence of all the partners; if a corporation or joint stock company, its full name and date of incorporation and the names of its officers; and, if any other association of individuals other than a corporation, the names, ages and respective places of residence of its officers and the number of its members.

(2) A particular description of the place or premises where the proposed license is to be exercised so that the exact location and extent thereof may be clearly and definitely determined therefrom.

Rule 9. Any license issued under these Rules and Regulations prior to June 30, 1919, shall expire on that date. All licenses issued as of July 1st of any year thereafter shall be for a term of one year, and if issued after July 1st of any year shall be for a term to expire on the 30th day of June following.

Rule 10. The annual fee for a license to sell intoxicating liquor under these Rules and Regulations shall be as follows: in the Judicial District of Honolulu, City and County of Honolulu, One Hundred (\$100.00) Dollars; in the Judicial District of South Hilo, Seventy Five (\$75.00) Dollars; in the Judicial Districts of Lihue and Wailuku, Fifty (\$50.00) Dollars; and all other Judicial Districts of the Territory, Twenty Five (\$25.00) Dollars, which fee shall be and become payable in two semi-annual installments in advance on the 1st day of July and January of each year. No license shall issue until such installment of the fee has been paid to the secretary of the board of license commissioners for the County in which such applicant proposes to exercise his license: PROVIDED, HOWEVER, if the application is for a license for a part of a year the license fee shall be proportionately computed and paid as in this Rule provided.

Rule 11. If the second installment of the license fee for any license shall not be paid when due, the license whereon the same is due shall, ipso facto, be suspended until payment shall be made; and any attempt of the licensee to exercise his business under such license, while such license is so suspended, shall subject him to all the penalties by said Act of Congress prescribed; and his license may be revoked or further suspended.

Rule 12. There shall also be filed with every application for a license, or the renewal of a license, a good and sufficient bond with such sufficient sureties as may be approved by the board substantially in the form prescribed by Rule 13 hereof, in the sum of Five Hundred (\$500.00) Dollars.

Rule 13. The form of the bond required by the preceding Rule shall be substantially as follows: "KNOW ALL MEN BY THESE PRESENTS: That we..... as principal, and..... as sureties, are held and firmly bound unto..... in the penal sum of Five Hundred (\$500.00) Dollars lawful money of the United States, to be levied on our respective joint and several properties in case the conditions hereinafter set forth shall be violated; for the just and full payment of which we hereby jointly and severally bind ourselves, our heirs, executors, and administrators.

Sealed with our seals and dated this..... day of..... A. D. 191..... The Condition of this obligation is as follows: WHEREAS, the above bounden..... has applied or is about to apply for a license to sell intoxicating liquors in accordance with an Act of Congress approved May 23, 1918, and in accordance with the Rules and Regulations promulgated by the Governor pursuant to the provisions of said Act, and has complied with all the requirements of law relative to the making of such application.

NOW, THEREFORE, if the said application shall be granted and said license issued unto said..... and if, during the continuance of said license, the said..... shall faithfully observe and keep all the conditions of said license, and all laws, rules and regulations applicable to the holding and exercise thereof, and shall not be convicted of the violation of any such conditions or laws, then this obligation shall be void; otherwise upon proof of a conviction of any such offense being made to the satisfaction of a court of competent jurisdiction, judgement shall be entered

against the principal and sureties named herein, for the full amount of the fine and costs imposed as a penalty upon such conviction, and for the cost of all proceedings in connection therewith.

Principal..... Sureties..... In the presence of:.....

Rule 14. Conditions of License: Licenses shall be subject to the following conditions and provisions:

(1) That the license is issued and accepted subject to all rules and regulations which have been or may be thereafter promulgated by the Governor under the provisions of said Act of Congress in regard to suspension or revocation thereof by the board for any violations of the conditions thereof, or of any law, rule or regulation affecting the same.

(2) That no intoxicating liquors shall be sold, given away, furnished, manufactured, transported, imported or exported except for mechanical, scientific, sacramental or medicinal purposes, and only as provided for by the Rules and Regulations promulgated by the Governor.

(3) That the license shall at all times be displayed in a conspicuous place on the premises described therein;

(4) That the licensed premises shall at all times be open to inspection by the inspector of the board, any member of the board, officers of the police force, and any person designated by the Governor.

(5) That for the violation of any of the said conditions or of the said Act of Congress or of any rule or regulation promulgated by the Governor pursuant to said Act, the licensee shall become liable to all penalties and prosecutions provided by law with respect thereto, in addition to and independently of any action of the board with respect to his license.

Rule 15. Revocation and Suspension of License: In the exercise of the power and authority by these Rules and Regulations conferred, each board of license commissioners may revoke or suspend any license issued by virtue of its approval either for the violation of any conditions of such license or for the violation of any rule or regulation promulgated by the Governor pursuant to said Act of Congress, or upon conviction at law of a licensee of the violation of any of the provisions of said Act of Congress relative to the sale of intoxicating liquors, or for any other cause deemed sufficient by the board.

Rule 16. Any person desiring to purchase intoxicating liquors for mechanical, scientific, sacramental or medicinal purposes shall first obtain a written permit for such purpose from the inspector. Before issuing such permit the inspector shall satisfy himself that the intoxicating liquor sought to be purchased is actually and bona fide required for a purpose contemplated by said Act of Congress; PROVIDED, HOWEVER, that no permit shall be issued for the purchase of intoxicating liquor for medicinal purposes except upon the written prescription of a physician duly licensed as such, which prescription shall be retained by the inspector and filed in his office as a part of his permanent record, and provided further that the inspector may issue permits to physicians and surgeons, duly licensed as such, for the purchase of intoxicating liquor from a licensee, for use by such physician or surgeon in compounding medicines.

Rule 17. The inspector shall keep a true and exact record of all permits issued by him, which record shall show in detail the date of the permit, the name and address of the person to whom issued, the purpose for which it was issued, and the kind and amount of intoxicating liquor specified therein.

Rule 18. No licensee shall sell, give away, or otherwise dispose of any intoxicating liquor except upon a permit from the inspector, and then only to the person to whom the said permit was issued. All such permits shall be consecutively numbered by the inspector and retained and filed by the licensee as a part of his permanent record of sales. The licensee shall also keep a true and exact record of all sales made by him, which record shall show in detail the date of such sale, the number of the permit under which the same was sold, the person to whom sold, the purpose for which it was purchased, and the amount and kind of intoxicating liquor sold. The said record shall be open to inspection by the inspector or any member of the board at any reasonable hour, or any person designated by the Governor.

Rule 19. All intoxicating liquors sold by the licensee for mechanical or scientific purposes shall, so far as may be possible in view of the contemplated use of the same, be denatured so as to render the same unfit for human consumption.

Rule 20. No intoxicating liquors shall be imported into his district by any licensee from any other part of the Territory, states or foreign country, unless such licensee's order for

the same shall have received the written approval and endorsement of the inspector. The said inspector shall keep a detailed record of all such orders and shall from time to time examine the licensee's stock of liquor on hand, and, for the purpose of keeping an accurate check on the amount and kind of business done by, the licensee, compare the same with the amount ordered and the amount sold.

Rule 21. Upon written application therefor by any person known or proven to the inspector to be a clergyman of any Christian denomination regularly engaged in his vocation, in which said application it shall be set forth that the wine therein mentioned is to be used solely for sacramental purposes, the inspector shall issue to such applicant a permit to purchase wine for sacramental purposes from any duly licensed dealer in the Territory and | or a permit to receive such wine for said purposes from any other clergyman in the Territory lawfully possessing same and | or a permit to obtain and receive wine for said purposes from another part of the Territory than that in which the applicant resides and | or a permit to import wine for said purposes from any other part of the United States or from any foreign country and | or a permit to transport and | or dispose of wine for sacramental purposes; and any and all such permits so issued shall be honored by and be a protection to (a) all licensed dealers selling or furnishing such wine upon such permits, (b) all clergymen furnishing wine upon such permits, and (c) all persons aiding in transporting such wines upon such permits.

Rule 22. No licensee shall export any intoxicating liquor from the County in which such licensee is doing business, to any other County of the Territory except upon a permit issued by the inspector of the County to which such liquor is intended to be exported.

Rule 23. No person shall transport from one place to another within the Territory of Hawaii any intoxicating liquor except upon a written order for such transportation signed by a licensee or by a clergyman as defined in Rule 21 hereof. Any person violating this rule shall be liable to the penalties provided for in said Act of Congress for illegal transportation; this said order for transportation shall be exhibited on demand to any inspector, to any member of the board or police force, or to any other person designated by the Governor to act in the premises. Said order for transportation shall be in the following form:

You are hereby authorized and requested to transport from..... in the County of..... T. H., to..... in the County of..... T. H., and to deliver to..... the following cases or packages of intoxicating liquor, to-wit:..... This order for transportation is to be exhibited by you upon demand made by any License Inspector, any member of the Board of License Commissioners, or of the police force, or any person having written authority from the Governor of Hawaii. Dated at..... 191..... PROVIDED, HOWEVER, that this rule shall not apply to any person lawfully purchasing alcoholic liquor upon a proper permit if such purchaser shall personally transport such liquor from one place to another for the purposes indicated in his permit.

Rule 24. All physicians and surgeons duly licensed as such in the Territory of Hawaii, may sell and otherwise dispose of intoxicating liquors to a patient without the license provided for by these Rules and Regulations when and only when such intoxicating liquors shall have been compounded with medicinal drugs for bona fide use by such patient as medicine only. All licensed pharmacists may, without the license required by these Rules and Regulations, but only upon the written prescription of a physician or surgeon, sell and otherwise dispose of intoxicating liquors when and only when compounded with such medicinal drugs.

Rule 25. These Rules and Regulations shall not apply to the sale or other disposal of patent and proprietary medicines containing alcohol or other intoxicating liquors. Rule 26. It shall be the duty of every inspector, and it shall be lawful for any member of the board, at all reasonable times, and at any time whatsoever if there be any reason for suspicion that the conditions of any license are being violated, without warrant to enter into and upon any licensed premises and inspect the same and any part thereof, to ascertain whether or not all conditions of the license and all provisions of these Rules and Regulations are being complied with.

Rule 27. These Rules and Regulations shall be in full force and effect from and after midnight of the 20th day of August, A. D. 1918, and shall be published at least once a week for four consecutive weeks (four inser-

tions) in a newspaper or newspapers of general circulation in each County and City and County. All subsequent additions and amendments to these Rules and Regulations shall likewise be published and shall be effective from and after the date of the first publication in each County and City and County.

Done at the Executive Building, Honolulu, T. H., this 15th day of August, A. D. 1918. (Sgd.) C. J. MCCARTHY, Governor

August 20-27-Sept. 3-10

FOR THE HOUSE.

To the voters of Kauai:

I beg to announce myself as a candidate on the Democratic ticket at the forth coming primaries for the House of Representatives.

I respectfully solicit the support of the voters of Kauai. M. S. HENRIQUES. Kapaa, May 30th, 1918.

FOR THE SENATE

To the Voters of Kauai:

I hereby announce my candidacy as a Republican for nomination at the forthcoming primary election, for the Territorial Senate, and solicit the support of the voters of Kauai. JOE RODRIGUES

NOTICE TO CREDITORS

Notice is hereby given to all persons having claims against the estate of Joaquim Antonio de Souza, late of Kealia, Kauai, Territory of Hawaii, deceased testate, to present such claims, duly authenticated and with proper vouchers or duly authenticated copies thereof even though such claims be secured by mortgage of real estate, to the undersigned at his place of business at Kealia Store in Kealia aforesaid, within six months from date, to-wit: July 30th, 1918, or such claims will be forever barred. And all persons indebted to said estate are hereby demanded to settle the same with the undersigned. Joaquim de Souza, Executor under the Will of Joaquim Antonio de Souza, deceased testate. Kealia, Kauai, July 30, 1918. July 30, August 6, 13, 20th.

NOTICE

Anyone found shooting on any of the Lihue Plantation lands will be prosecuted to the fullest extent of the law. R. D. MOLER, Manager. PAUL R. ISENBERG, Lessee. Lihue, July 16, 1918. Advertisement

FOR SALE

Ford Touring Body, Smith Motor Wheel, set of 33x4 Non-Skid Chains. Enquire at this office.

FOR SALE—D. W. WILSON'S BUICK

4, 1917 model, in good order, new tires. Apply to E. M. Cheatham, Kealia. 4t

FOR SALE—THREE MILCH COWS

and two calves. Apply at the Lihue Hospital. 1f

All persons having stock running loose on homestead land known as the Fourth Series are hereby notified to remove the same within ten days or said animals will be put in the pound. KAPAA HOMESTEAD ASS'N. -Adv.

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT

Territory of Hawaii At Chambers—in Probate, No... In the Matter of the Estate of Francis Anderson Lyman, deceased. Order of Notice of Petition for Allowance of Accounts, Determination of Trust and Distribution of the Estate.

ON READING AND FILING the Petition and accounts of Mamie A. Lyman, administrator of the estate of Francis Anderson Lyman, deceased, wherein petitioner asks to be allowed \$1,734.27, and charged with \$5,392.77, and prays that her accounts be examined and approved, and that a final order be made of Distribution of the remaining property to the persons thereto entitled and discharging petitioner and sureties from all further responsibility therein: IT IS ORDERED, that Monday, the 9th day of September, A. D. 1918, at 9:00 o'clock A. M. at the Court Room in Lihue, Kauai, of this Court, be and the same hereby is appointed the time and place for hearing said Petition and Accounts, and that all persons interested then and there appear and show cause, if any they have, why said petition should not be granted, and present evidence as to who are entitled to the said property. Dated the 3rd day of August, 1918. (SEAL)

(Sgd.) LYLE A. DICKEY, Judge of the Circuit Court of the Fifth Circuit. Attest: (Sgd.) D. Wm. DEAN, Clerk of the Circuit Court of the Fifth Circuit. Aug. 6-13-20-27.

NOTICE

The Annual meeting of the Hui o Haena will be held in the Haena Hall, Haena, Kauai, on the 6th day of September 1918. All members of this Hui are hereby charged to be present in person at the time and place specified above, that they may learn of the affairs of the said Hui, and may elect the necessary officers for the coming year. JAMES K. APOLO, Pres. H. K. A. Haena, Kauai, Kapaa, Kauai, August 3, 1918. Aug. 6-13-20-27.

NOTICE

The Annual meeting of the Hui Kual Aina o Wainiha, will be held at their Building at Wainiha on the 5th day of September, 1918, at 10 A. M., and all members of the said Hui are charged to be present in person at the time and place specified above, that they may learn of the affairs of the said Hui, and may elect the necessary officers for the coming year. JAMES K. APOLO, Pres. H. K. A. Wainiha, Kapaa, Kauai, August 3, 1918. Aug. 6-13-20-27.



The Blaisdell Newest, Coolest Hotel in HAWAII Fort Street, Honolulu

Advertisement for Zerolene motor oil. It features a circular image of a car engine and the text: "Proven Entirely Satisfactory" Only perfect satisfaction can account for the use of ZEROLENE by the majority of automobile owners. Leading coast distributors also testify that it is "a satisfactory motor oil." They know from the records of their service departments—and we know from exhaustive tests—that ZEROLENE, correctly refined from selected California asphalt-base crude, gives perfect lubrication with least carbon deposit. Get our lubrication chart showing the correct consistency for your car. At dealers everywhere and Standard Oil Service Stations. STANDARD OIL COMPANY (California) ZEROLENE The Standard Oil for Motor Cars