

LEGISLATIVE ASSEMBLY. SESSION 1884.

(Continued from page 10)
EIGHTY-FOURTH DAY—CONTINUED.

SATURDAY, August 16, 1884.

After recess, consideration of the Street Railway bill was resumed.

Dr. J. Mott Smith said he did not know the respective merits of the Austin and Wilson bills, but decided to support the former.

Mr. Dole moved the first section of the Wilson bill pass. It authorized the Minister of the Interior to issue the charter, but was not burdened with minor details, leaving them largely to the discretion of the Minister and Privy Council. It asked the franchise only for Nuanuu, King and Queen streets, leaving a large part of the town to the competition of other companies. The other bill takes up nearly all the streets. This one did not propose to do more than can be reasonably supposed would be carried out. Those three streets furnished with a railway would yield the greatest accommodation to the public, especially the vast number of people who lived in the suburbs. The objection raised by the Hon. Noble (Dr. Mott Smith) to the Austin bill, that it compelled the laying a double track, was a valid one. There was no single street named in it wide enough for a double track. A street covered with tracks was not fit for carriage driving. Another great objection to that bill was that it provided that the track should be laid in the middle of the street. The only way in which a track could be laid on any Honolulu street was to lay it on one side. It was left entirely with the Minister of the Interior in the Wilson bill to say where the track should be laid, and the Minister may compel the company to widen the streets where they are too narrow, so that the public interests are carefully watched. Moreover, the Austin bill had the same fatal defect as the Isenberg bill, in authorizing the Minister to introduce new and unknown provisions. If they passed a bill with a section in it like that, no one would ever be found to build the railway. As for the Attorney-General's explanation of Mr. Flowerdew's connection with the project, that gentleman was in Italy, and why should they place the franchise in the hands of a foreigner who was away in the antipodes? All knew Mr. Wilson as an enterprising man, who had introduced the matter at this session. He saw the opportunity for the enterprise two years ago, and now all these other parties have followed him. He (Mr. Dole) understood that Mr. Wilson and his associates had made arrangements and were ready to begin work whenever the charter was granted.

Mr. W. O. Smith said he was inclined to feel sorry for these persons—not believing the enterprise would pay, but that it was not his affair. The Wilson bill, he thought, on the whole was the best. The other man was not on the ground, while Wilson was well and favorably known to everybody. If Mr. Flowerdew was a man of his word, he would never undertake the work while the present Minister of Foreign Affairs was in office. He supposed the Minister of Foreign Affairs would remain in office another two years, so that they would be without a railway for that period. They were not there to look at the matter in the interests of Mr. Flowerdew, Mr. Austin, or Mr. Wilson. He thought the bill introduced by the committee would require too many amendments for them to attempt to do it up. He did not approve of that provision for selling the right at auction.

Mr. Bishop thought there was little use in discussing the section in the old bill which had been disposed of. He was certainly not opposed to a railway in streets suitable for it, and where it would be for the advantage of the public to have one. They ought not to consider the names of the gentlemen in those bills. Certainly he had nothing against Mr. Flowerdew investing his money in the railway, but he would not vote especially to accommodate him. Mr. Flowerdew may not have been well treated here, but yet he did not know that the community owed him anything. One thing in favor of giving him the right was that he had the means to build the road. There was no guarantee that Mr. Austin and his associates, or Mr. Wilson and his associates would build it—they might sell out. And as a railway was necessarily a monopoly, so far as it extends on the streets, they might say it was a monopoly, but that was no particular objection. They might claim that the Austin bill was not a monopoly because it allowed cars to run upon it for a certain distance, but covers so much ground that there would be a chance for another company. The Austin bill allows the company to build a double track on a great many of our narrow streets, and that was a very objectionable feature. It mentions a number of streets on which it would not be convenient to have even a single track. For his part, he should be very sorry to see a single track on Fort street. Even the necessary traffic on that street now was hardly safe. Neither of those bills should be passed without suitable amendments. That idea of selling at auction having been disposed of, it seemed to him that if those two bills could be referred to a committee, a new and really good bill could be made up from them. Then the

only remaining question would be whether it should be Austin or Wilson and their respective associates. He moved that the bills be referred to a special committee.

The Attorney-General said he did not think his friend could accuse him of not being persistent when he thought he was in the right. An objection to re-committing those bills was that the time was short. There had been an utterance from the Hon. Member for Lihue (Mr. Dole) that the Austin bill should not be passed because he (the A. G.) had stated to the House that a stranger and a foreigner would be interested in it. If such a sentiment prevailed in that House, he was much mistaken in it. It made no difference whether the man who wants to put his money into those improvements was a foreigner or a citizen. He had mentioned the names of sufficient gentlemen right from this town, known to the members of that Assembly, who had as much to do with the enterprise as Mr. Flowerdew, except, perhaps, as to the amount of money to be put into it. The community had better open its eyes to the advantage of men from the outside putting their money into enterprises here, as long as that money was efficiently employed. He had nothing to say against Mr. Wilson, because he was a personal friend of his, and he would bid him godspeed if he got the franchise and carried it out. It must be borne in mind, however, that the work would cost in the neighborhood of \$200,000. It struck him as strange that the Hon. Member for Lihue refrained from informing the House who was behind his bill. He thought proper, himself, not to keep behind the door in respect to anything of which he could inform the House, in that, desiring to set a good example to the member for Lihue. But when it came to the point of hearing who that gentleman's promoters of the work were, they had nothing but brilliant flashes of silence. The objection he had to the Wilson bill, however, did not lie in the name. All that he could do was to advocate a bill coming in good faith before the House to give certain persons the right. The objection he had was in the bill itself, and when the Hon. Member said the first section of the Austin bill should not be there, for the first time since he knew him he thought he showed a remarkable want of sound common sense. Referring to Mr. Bishop's objection to a double track, he said a railway to the Pali could not be built except with a double track, as horses could not be used, and there was no proposition to lay any double track but that one. Double tracks elsewhere were left to the discretion of the Minister of the Interior, and the same held with reference to laying tracks in the middle of the street. It has been suggested that Mr. Austin might sell out, but if he did so to any one who should build the line it would be satisfactory. The bill was referred to a select committee, of which Mr. C. R. Bishop was appointed Chairman.

The House adjourned at — P. M.

EIGHTY-FIFTH DAY.

FRIDAY, August 15.

The House met at 10 A. M.

Minutes of the previous day were read and approved.

Mr. Rowell presented a petition from Waima praying that hospitals, be established on the several Islands. Referred to the President of the Board of Health.

Mr. Dole from the Judiciary Committee reported a substitute bill for one proposing to amend the Act to regulate proceedings in bankruptcy.

The report was agreed to, and the bill was ordered to be read a third time on Thursday. Mr. Hitchcock from the Select Committee to whom was referred the bill to aid in the culture and manufacture of ramie and other fibres, submitted a substitute bill which proposes to award as a prize, the sum of \$10,000 to the party or parties that produced a machine or process which will successfully work ramie and produce a clear and clean fibre, for manufacturing purposes, and also to pay a bonus of a sum equal to that which fifty tons of fibre first produced from native ramie may bring at market.

On motion of Mr. Kaulukou the report and bill were referred to the Judiciary Committee.

Mr. Kalua—From the committee to which was referred the appropriation of \$18,000 for support of the Board of Genealogy of the Hawaiian Chiefs, reported adversely thereon as the last appropriation of \$10,000 has been principally used in the payment of salaries. The committee recommend the allowance of \$200 for transcribing a certain manuscript, and \$300 for the preservation of the bones of two alleged-to-be ancient chiefs.

Mr. Dole said the commission was so incompetent and its proceedings so laughable and ridiculous that he hoped the House would finish it right now.

Mr. Kaulukou said the member who had just spoken might think this proposition laughable and ridiculous, but he had no doubt but that gentleman could show up a genealogy back to the ancients. The people of Hawaii desired the preservation of the genealogy of the Hawaiian Chiefs. He moved the report be laid on the table, to be considered with the minority report. Carried.

RESOLUTIONS.

Mr. Dole moved that the bill to regulate the issue of patents for mechanical inven-

tions be taken from the table and referred to the Committee on Commerce. Carried.

Mr. Dole moved that he have leave to introduce a bill containing some special provisions for street railroads. Motion lost.

Mr. Baker moved to take from the table a bill to repeal Chapter 13 of the laws of 1878, relative to the formation of gas companies, and that it be made the special order for to-morrow.

ORDER OF THE DAY.

The Ocean Telegraph Cable Subsidy Bill, which provides for the payment annually of \$20,000, for fifteen years, towards the support of the proposed telegraph line from San Francisco, was read a third time and passed.

The bill to amend Section 1,280 of the Civil Code, providing that the losing party in all cases pay all witnesses' and jurors' fees was read a third time and passed.

At noon a recess was taken till 1 o'clock P. M.

AFTERNOON.

Third reading of an act to prevent the waste of artesian water on the Island of Oahu. Passed.

Third reading of an act to prohibit the attaching of advertising posters to buildings without permission of the owner of such buildings. Passed.

Consideration of an act to amend Sections 38, 45, 47, 59 and 67 of Chapter 43 of the Session Laws of 1882, relating to the collection of taxes.

Mr. Godfrey Brown said that the only alteration in Section 38 was an additional four days, that is, ten days instead of six, in which persons can inspect the tax books. Mr. Kaulukou moved that the Section be indefinitely postponed. In his opinion, if persons could not find out what their taxes are in six days, they could not do so in ten days.

Mr. Smith spoke in favor of the proposed amendment.

Section 38 passed. The amendments to Sections 45 and 47 did not pass, and the sections remained as before.

Section 58 passed as amended.

Mr. Kaulukou moved that Section 67, relating to persons who are exempt from personal taxes, be indefinitely postponed. The proposed amendment provides that soldiers in active service pay personal taxes, from which they are exempt by the law of 1882.

Motion to indefinitely postpone carried. Bill passed to engrossment and ordered to be read a third time on Wednesday.

Consideration of an act to protect creditors from fraudulent insolvents, providing that all books of accounts be kept in either the Hawaiian or English languages.

Mr. W. O. Smith moved the bill be indefinitely postponed.

The Attorney-General said, in support of the bill, that there was no oppression in this bill. It does not effect men who pay their debts. If they cannot meet their engagements, then the law should afford some protection to the person who entrusts his property to another. There is a precedent for this law in all European countries. If an Italian or a Frenchman wants to do business in Germany, he must keep his books in the German language. It would probably be a little hard on the Portuguese trader at first, but as he comes here to settle he ought to learn the language of the commonwealth. Mr. Dole said he did not see how it would be possible for the Chinese merchants in the country to keep their books in English. Their business was too small to enable them to pay a book-keeper. This law would simply throw hundreds of people out of employment, and place the business in the hands of a few.

Mr. W. O. Smith asked the Attorney-General if such a law existed in California.

The Attorney-General: There is not. The Chinese merchants found means to convince the legislators that such a law was unnecessary. He need not explain to the Hon. Member for Wailuku what those means were. The law only touches those who buy on credit and fail to pay their debts. If they wish to take advantage of the bankruptcy laws they should be compelled to present a statement of their transactions in the written language of the country.

Section I passed. Section II provides that anyone failing to comply with Section I shall forfeit their license to do business in this Kingdom.

Mr. Dole considered this the greatest hardship that could be inflicted on a tradesman, beyond depriving him of his liberty.

Mr. W. O. Smith said they ought to go a little slow. He thought it was a hardship and an injustice to compel a Chinaman to keep his books in the English language.

Section II passed with a slight amendment by the Attorney-General.

Section III provided that any person fraudulently falsifying his books shall be deemed guilty of a misdemeanor and shall be liable to imprisonment and fine in the discretion of the Court. Passed.

Section IV provides that the Act shall take effect 60 days after its passage. Passed. Bill passed to engrossment and ordered to be read a third time on Wednesday.

Mr. Cecil Brown said he considered the whole bill was unconstitutional, and he therefore moved it be indefinitely postponed,

The Attorney-General said the very fact of one or two injustices having been committed, it was sufficient reason that this law should be enacted.

The ayes and noes were taken on the motion to indefinitely postpone, with the following result:

Ayes—Bishop, Kaae, Kanoa, Martin, Brown, Kalua, Kanealii, W. O. Smith, Kamakele, Kaulukou, Nahinu, Pilipo, G. Brown, Dole, Rowell.

Noes—Gibson, Gulick, Neumann, Dominis, Cleghorn, Bush, Mott Smith, Walker, Macfarlane, Kaulukou, Kean, Lilikalani, Baker, F. Brown, Kaulia, Gardner, Nawahi, Hitchcock, Kauhane, Kaunamano, Palohau, Kupuhea, Nakaleka.

Ayes, 15; noes, 23.

Bill passed to engrossment and ordered to be read a third time on Wednesday.

Consideration of a bill relating to the National Loan Act of 1882. Passed to engrossment, and ordered to be read a third time on Wednesday.

Consideration of an Act to suppress lotteries, raffles, or games of chance. Passed to engrossment and ordered to be read a third time on Thursday.

Consideration of a bill to regulate the paying of wages to laborers serving under contract.

The Attorney-General asked that the bill be laid on the table, in the absence of the introducer, the Hon. Mr. Ahole.

Bill passed to engrossment, and ordered to be read a third time on Thursday.

Mr. Kaulukou moved that all the bills on the table be placed on the Order of the Day for to-morrow. Carried.

Third reading of a bill to provide for the prevention of cruelty to animals. Passed. House adjourned at 5 P. M. until 10 A. M. on Tuesday.

A Strange Accident.

A necklace of red hot iron nearly decapitated Zachariah Taylor, a young man 18 years old, working in a rod mill at Johnstown, Pa. While he was putting a rod in the reel, another employe attempted to throw a kink out of the rod. At the same time the reel was started, and the kink instead of falling away from young Taylor, fell directly over his head, and in an instant the red-hot iron, about as thick as a man's little finger, was drawn tightly around his neck. The reel was almost instantly stopped and the rod detached from it with an axe. Thomas O'Neill then seized with his hands the red-hot loop of steel that was wound around Taylor's neck and twisted it loose. When the men picked Taylor up in their arms to carry him out of the mill, his head fell forward, revealing a ghastly wound in the neck, from which the blood was dripping. His life is despaired of.

The Early Bird.

Mrs. Symperson is quite a young woman, and is the mother of quite a precious little girl. There was company at the house a few evenings ago. When bed time arrived, Mrs. Symperson said: "Come now, Minnie, it's time for you to go to bed." "I don't want to go to bed." "But you must. Don't you know that all the little chickens have gone to bed?" "Yes, but the old hen went to bed with them."—Texas Siftings.

A Story of Lincoln.

In 1830 a traveling peddler came one evening to a cabin in Illinois and asked the farmer's wife if he could stay at the house all night.

"We can feed your beast," was the answer, "but we cannot lodge you, unless you are willing to sleep with the hired man."

"Let's have a look at him first," said the peddler.

"The pointed to the side of the house, where a lank, six-foot man, in ragged but clean clothes, was stretched on the grass reading a book. "He'll do," said the stranger.

The "hired man" was Abraham Lincoln.

Baltimore is shocked at the discovery that a famous belle of the city has been discovered consorting with degraded negroes in one of the slums of the city. A few years ago she married a young man in the same high station in life that she occupied. For a time they lived happily together. Finally it was noticed that the young wife had singular spells of deep despondency and great exaltation. A negro servant disclosed the secret that she was an opium eater. Her husband pleaded with her in vain, but she was insensible to him, and all at once disappeared from home, no one knowing whether she had gone. Recently it was learned that she was still in the city. Her husband found her as stated already, living with a big burly negro. She was wholly insensible to her degradation and only the mention of her children produced the slightest effect on her. Her husband has begun a suit for divorce.

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