

WHY SCHARLIN SUES HERALD

Why Nathan Scharlin, who was arrested here when the customs officials found some smuggled opium in a box of merchandise on the Lurline and believed that they connected Scharlin with the smuggling, is now suing the Hawaii Herald for \$15,000 in a libel suit, is stated in the following from the Bulletin's special correspondent at Hilo:

HILO, Apr. 28.—Nathan Scharlin, a San Francisco business man, filed a suit for libel against the Hawaii Herald, asking for damages to the amount of \$15,000. He bases his claim on an article which appeared in the "Today's News," issued last Saturday, in which it is stated that Scharlin was arrested in Honolulu for "stealing one hundred and ten tons of opium." Scharlin came to Hilo last Wednesday, and has filed the suit through Attorney Harry Irwin.

The text of the suit, in its entirety, is as follows:

"The undersigned, Nathan Scharlin, complaining against the Hawaii Herald Publishing Co., Ltd., a corporation organized and existing under and by virtue of the laws of the Territory of Hawaii, for cause of complaint shows as follows:

"That the defendant is the proprietor and publisher of a certain newspaper called 'Today's News,' which said newspaper is published daily (except Sunday) in the city of Hilo and circulated generally throughout the Territory of Hawaii, and particularly in the city of Hilo and in the county of Hawaii;

"That the said plaintiff long before and at the time of the committing of the grievances hereinafter mentioned was a resident of and engaged in the mercantile business in the city of San Francisco, State of California; that the said plaintiff, as the representative of Scharlin Brothers, a corporation having its principal place of business in San Francisco, frequently visited the said Territory of Hawaii and the city of Hilo as the traveling representative of the said Scharlin Brothers, and at the time and long before the committing of the said grievances hereinafter referred to was a traveling salesman and business man of good name, credit and reputation and deserved the esteem and good opinion of the people of his acquaintance and other worthy citizens generally in the Territory of Hawaii and particularly of the mercantile classes of the Territory of Hawaii and the city of Hilo with whom his business and profession as such traveling salesman brought him into contact; that the said plaintiff, at the time of the committing of the said grievances was in the city of Honolulu, Territory of Hawaii, in pursuit of his business and profession as a traveling salesman, and was engaged in the transaction of diverse business matters of large financial importance. Yet the said defendant well knowing the premises and falsely and maliciously contrived and intending to bring him into scandal and discredit among his acquaintances and business patrons, heretofore, to wit, on or about the 15th day of March, 1911, in the city of Hilo, maliciously and injuriously composed, wrote and published and caused to be composed, writ and published, in the said daily newspaper called 'Today's News,' a certain false, scandalous, malicious and defamatory libel of and concerning said plaintiff in the English language in words and figures as follows, to wit:

"'LIBELINE PASSENGER ARRESTED FOR THEFT.

"'HONOLULU, Mar. 18.—Upon the arrival of the Lurline from the Coast, Nathan Scharlin, who is representing Scharlin Brothers of San Francisco, was arrested for stealing one hundred and ten tons of opium. The arrest caused a sensation and the accused tried to bluff the matter out. However, according to the authorities Scharlin was caught red-handed, and he will have to appear in court."

"The, by means of the committing of the said grievances the plaintiff has suffered great mental distress and has been greatly injured in his good name, credit and reputation as a business man and traveling salesman and as a citizen and resident of the United States of America, and has been brought into public scandal, hatred, disgrace, ridicule, odium and contempt, and has been and will be shunned and avoided by, and otherwise greatly injured, to the damage of the plaintiff in the sum of fifteen thousand dollars.

"Wherefore plaintiff brings his action against the said defendant and prays the said defendant may be summoned to appear and answer this declaration before a jury of the country at term pending next after the time for the answer hereof; that the said plaintiff may have judgment against the said defendant in the sum of \$15,000, together with attorney's costs and costs of court."

BY AUTHORITY

KANAWAI 116.

HE KANAWAI

E LAIKINI ANA A E ALAKAI ANA HOI I NA PAPA PAI BILA A ME KA HOOLAHA ANA MA KAHU AKEA.

E Hooholoia e ka Ahaolelo o ke Teritore o Hawaii:

PAUKU 1. O ka manua "ka hoolaha ana ma kahi akea" e hoohanaia ai iloko o keia Kanawai oia no ka lawe ana mai kahi hale a kahi hale i na mea hoohalike, na buke wehewehe i na mea kuni, na pepa hoolaha hili ana ma hoolaha apau e hanaia ai e hiki ai ke ike ia e na kanaka maluna o kekahi wahi hele o ka lehulehu a i oleia oia paha iloko o kekahi kua o kekahi mea lawe oia, a i oleia iloko paha o kekahi wahi hooulu, hale o ka lehulehu, paha a i oleia kekahi wahi e ae paha o ka lehulehu ina paha oia hoolaha na hana ia ma ke pa'ani ana, kakau lima ana, penna ana, ma na kii paha, a i oleia o kekahi paha o lakou i huiia, a na kekahi ana mea e ae paha e ike ia ana koe nae aole ia e kono pu ana me ka hoolaha i kaui ia maluna o kekahi wahi o kekahi mea a e hoakaka wale ana no hoi i ka hana e hanaia ai maluna o na wahi ala a i oleia no ke kuni paha a i oleia no ka hooolimalima paha ia mea.

PAUKU 2. O kela ame keia mea, hui, a hui i hoohuia a i oleia alahui paha o na pae e lawelawe ana i ka hoolaha ana ma kahi akea e nku aku no iloko o ka Waiohona o ke Teritore i kekahi nku laikini makahiki e like me keia papa kuhikihi malalo iho nei:

Table with 2 columns: Item name and amount. Items include Kulanakauhale ame Kalama o Honolulu, Kalama o Hawaii, Kalama o Maui, and Kalama o Kauai.

Oia laikini malalo wale no ia o ka malama pono ana i na pono hana hoolaha apau ma ke ano e pono ole ai, ame ka malama ana ame ka hooko ana hoi i na hoakaka apau o keia Kanawai a na hiki no ke hoopauia e ka Pauku no kekahi bahaki ana ia mea.

PAUKU 3. Aole kekahi kanaka, hui a i oleia hoohuia e kau (hana) i kekahi hoolaha ma kahi akea koe wale no maluna o ka papa pai hoolaha a i oleia mea hooolona a papa hoolaha a i oleia maluna o na pa i kukuluia, i ona ia a i oleia i hooolimalimaina e ia a i oleia e lakou, a aole hoi kekahi, kanaka e kapili aku, kau, penna, pai, kakia, a i oleia hoopaa aku paha i kekahi hoolaha lawe lima, mea hooolona, mea pai, hoolaha, a i oleia hoolaha paha o kekahi ano a i oleia hoohana paha ia mea e hanaia maluna o kekahi pohaku pale aole alahale, pohaku, a i oleia kekahi wahi paha a hapa paha o kekahi alamaia aole a i oleia alamaia paha, maluna paha o kekahi kumu haui, pou ipu kukui, pou hoopaa holoholona, pou telekalapa, uwea olelo, a i oleia pou kukui uwila paha, paipu wai, pauahi alahaka, uwapa, a i oleia maluna paha o kekahi wahi i kukuluia no ka lehulehu iloko o ke Teritore, a aole no hoi kekahi kanaka e penna aku a i oleia e kau aku paha i kekahi hoolaha ma kahi akea maluna o ka pa o kekahi mea, puka aniani, puka o ka hale, puka pa, pa a i oleia kekahi wahi paha i kukuluia o kekahi mea a i oleia hale paha koe wale no ia oia ka ona oia mea, me ka loa ma oia o ka ae mai ka ona ma oia mea i kakauia. O keia manua papa ana nae, aole ia e pili aku i kekahi kaouha, olelo hooholo a i oleia kakau ana paha a ke kanawai, a i oleia ma e ke kaouha paha a kekahi ala i makemake ai e pai aku maluna o kekahi wahi. O ka loa ana o kekahi bila hooolona, mea pai, hoolaha ma kekahi ame e hoohana ana no kekahi kanaka, hui a i oleia hui i hoohuia i penna ia hoi a i oleia i kau hoi ma kekahi wahi o ka lehulehu a i oleia ma kekahi wahi a hale paha o kekahi men he hoike hoioio no ia oia mea na kuni no e ke kanaka, hui a i oleia hui i hoohuia i hooholimaia ai.

PAUKU 4. Aole kekahi kanaka, hui a hui i hoohuia e kau i kekahi hoolaha ma kahi akea e hanaia ana a i oleia e alakai hewa ana paha i ka hanaia ana a i ke ike mai a wai ma ia a i oleia i kahi hea la e loa ai na hana no ka hoolaha ana, alai ana a i oleia lapau ana paha i na ma'i i kulike ole no ka ma'i wahine, ma'i kau, a i oleia nawa'iwalu loa, hoopa keiki, pelu o ka waihona mimi, pilau o kahi eha, lepo pua, ma'i au, hanele wale a i oleia keiki hee wale, a i oleia na men e pale aku ana i ka noono no nua ana o kekahi mea a i oleia na kii paha a i oleia na wehewehe ana paha o kekahi mea ano kupuno ole.

PAUKU 5. O na papa pai bila apau, na papa hooolona ame ma wahi o kekahi ame e hana ia aku ana ma keia hope aku a i oleia e malama ia ana no ke pa'ani ana, penna ana ame ke kau ana maluna o hui i ka hoolaha ma kahi akea e hana ia aku no me ka papa kupuno, a e kulike hoi me na hooponopono o kania mai ana e na Kalana like ole.

PAUKU 6. O kekahi kanaka, hui a hui i hoohuia e bahaki ana a i oleia hooko ole ana paha i kekahi o na kumu o keia Kanawai, e pili no ka hewa mikamuna ia, a ma o ka hoohewa ia ana no ia mea, e hoopai ia no i kekahi hui i emi ole iho malalo o \$50 a i oleia oi aku paha maluna o \$250 no kela ame keia hewa pahahi.

PAUKU 7. E mana keia Kanawai mai a mahope aku o ka ia o koma aponoia ana.

Aponoia i keia la 29 o Aperila, M. H. 1911.

WALTER F. FREAR, Kiaina o ke Teritore o Hawaii.

KANAWAI 124. HE KANAWAI.

E HAAWAI I KEEKHI MAU PONO AME NA MANA NO KA LAWE ANA I KO HAI WAIWAI I NA HUI HOOHUIA I KURUUEA NO KA HANA O KE KIL HOHUI, LAWE, HOOKAAHE A HOOLAHA ANA I KA WAI NO KA HOOLELE ANA I KA MANA.

E Hooholoia e ka Ahaolelo o ke Teritore o Hawaii:

PAUKU 1. Eia ma keia ke hawaina nei ke kuhama, i na hui hoohuia i kukuluia i keia manawa a e kukuluia aku ana paha

ma keia maia aku no ke kii, hooulu, lawe, hookahe a hoouma ana i ka wai no ka hoopulu ana i ka aina, a na loa hoi aole i emi iho i ke Kanalima Tausani Dala (\$50,000.00) me ke kumupa i hookaa paha ia i hoikeia ma ke dala maoli a mamuli paha o kekahi waiwai i hiki ke ike maopopo ia ka waiwai io ma ke kalapa ana i kulike aku me ka huiina oia waiwai i hookouia ai ma ke ano he mau loa maloko o na buke o ka hui, e hooko aku i mana lawe i ko hai waiwai e like me ia i hoakakaia ai mahope iho nei maloko o keia Kanawai.

PAUKU 2. E hana no i na hui la i hoohuia ke kuleana e lawe ai i na kuleana alama hele maluna aku o na aum ame na waiwai no na auwai, ala-pala, hawai ame na ohe hoohalike wai kupono a i pono paha hoi no ka hana ame ka malama ma ana aku i kekahi oihana no ka lawe, hookahe a hoouma ana i ka wai no ka hoopulu ana i ka aina; eia nae, aole e oi mamua aku o ke kalana hookahi kahi e hiki ai i kekahi oia ano hui hoohuia ke hooko aku ia kuleana lawe i ka aina.

PAUKU 3. A ma ka hooko ana aku i na mau mana ia o ka lawe ana i ko hai aina, e aane no auanei hoi ke ano o ka lawelawe hana ana e like me ka mea e hiki ana a kulike me na hoakaka ana o ka Mokuna 64 o na Kanawai Hooponopono Hou ia e like me ia i hooolimaia ai i keia wa a ma keia hope aku paha.

PAUKU 4. E pau a e hoi koke hon aku no kekahi pono alama hele i loa malalo o na olelo ana a keia Kanawai i ka mea ma nua ia waiwai, a i ole ia, ina ona paha no lakou ia waiwai, ma kela ame keia o na kumu mahope iho, oia hoi:

(1) Ke nele ka hoohana ana aku o na hui hoohuia ia i na pono alama nei no na hana i hoohuia maloko nei iloko o ka manawa o hoohahi makahiki, ma kekahi manawa mahope mai o ka loa'ana aku oia alama;

(2) Ke hoohana a hoohuli aku paha na hui hoohuia ia i kekahi wai i hiki ke laweia aku ma na pono alama ia no kekahi manua hana i oleia mai na hana hoouma a hoopulu aina ame na hana pili nolo'na oihana ana.

PAUKU 5. E hoookaka aku no ka manua ana o keia Kanawai mai a mahope iho o ka ia o koma hoopononia ana.

Aponoia i keia la 24 o Aperila, M. H. 1911.

WALTER F. FREAR, Kiaina o ke Teritore o Hawaii.

KANAWAI 125. HE KANAWAI.

E HOOLOLI ANA I NA PAUKU 1004, 1005 ME 1006, MOKUNA 80, O NA KANAWAI I HOOLULUIA, A E PAUKU ANA I PAUKU HOUIA E KAPAA KA PAUKU 1005, E PILI ANA I NA MA'I LELE.

E Hooholoia e ka Ahaolelo o ke Teritore o Hawaii:

PAUKU 1. O ka Pauku 1004 o na Kanawai i Hoouluia ma keia ke hooolima nei i heluhelu ai penei:

"Pauku 1004. E Hoike na Kaula. E lilo no i hana na kela me keia kaula he ma'i kana i hoohia i ka lolo kaa, kolera Asia, oha wai, pun eha, hi helele, fiva taifoda, fiva taifoda para, lepera, ulalii, fiva ha'ihai iwi, ma'i luki, hui ulupuni, tubonika, fiva ulaula, luki, maku pa'i, kolepepo, fiva ano taifoda, lolo pelu, kamola poki, fiva kamola poki, fiva melamele, a i ole kekahi ano ma'i lele e ae a ma'i hiki paha ke loa aku i kekahi mea a i ole he ma'i i manaia he mea hoopilikia wale aku i ke ola o ka lehulehu, e hoike koke i ka Papa Ola, a i ole ka agena kokoke, ma ke kakau ana, a pala like no hoi e hoike ai i na papa la, a i koma agena paha, ia na make apau i hooponoponoia iloko o kama lawelawe lapau ana no kekahi ma'i; aka nae hoi, i ka wa e loa ai he ma'i ka kekahi kaula i hoohia i ka kamola poki, fiva poki, fiva ulaula, pun eha, tubonika, kolera, fiva melamele, fiva ano taifoda, lolo kaa, a i ole hi helele, o na kaula la, mawaho ae o kama hana i kaoolima maluna ae nei e hoike ma ke kakau ana, e hoike koke i ka Papa Ola a i ole i ka agena e kokoke ana, ma ke telepona a ma ka olelo waha paha. O kela me keia kaula e hoole ana a e hoohemahema ana paha i ka hoike ana paha, a i ole i ka hoouma ana paha i kana hoike, e hoookua no i hoopai no kela me keia hewa i kekahi hui i emi ole iho malalo o hui a aole e oi aku alama o Hoohahi Haneri Dala (\$100.00)."

PAUKU 2. O ka Pauku 1005 o na Kanawai i Hoouluia ma keia ke hooolima nei i heluhelu ai penei:

"Pauku 1005. E Hoike ka Poe e Ae. E lilo no i hana na kela me keia mea hale, maluna hale aina a hui hooolimalima paha, i ole kapena o kekahi moku, e hoike koke i ka Papa Ola, i ole koma agena kokoke paha i huiia, i kekahi mea maloko a ma kahi wahi paha o koma hale, a i ole moku paha, a lakou i mana ai na loaia i ka ma'i, a i ole na make, mamuli o kekahi ma'i lele a ma'i e ae paha e poimo ai o ke ola o ka lehulehu, e hoona na makai apau e ike ana na hoohiaia kekahi mea i kekahi ma'i lele a ma'i e ae paha e poimo ai o ke ola o ka lehulehu, e hoike koke ia mea i ka Papa Ola, a i ole i koma agena kokoke ma ia wahi. O kela me keia mea hale, maluna hale aina, hui hooolimalima, a kapena moku paha, a i ole makai paha e hoole ana a e hoohemahema ana i ka hoike koke i ka Papa Ola a i ole i koma agena kokoke paha, e manaia no na pili iaia ka hewa mikamuna a ma ka ahewai ana e hoookua no i hoopai aole oi aku maluna o Hoohahi Haneri Dala (\$100.00) no kela me keia ofeni."

PAUKU 3. He Pauku hon ke pakuiia nei i na Kanawai i Hoouluia e kapua ka Pauku 1005A, penei.

"Pauku 1005A. Na Ma'i i Hoopononia He Ma'i Lele a He Pili Koke. O ka lolo kaa, kolera Asia, oha wai, pun eha, hi helele, fiva taifoda, fiva taifoda para, lepera, punpuni ulalii, fiva ha'ihai iwi, luki o kamalii, hui puni o ke kino, tubonika, fiva ulaula, luki, maku pai, kolepepo, fiva ano taifoda, lolo pelu, kamola poki, fiva kamola poki, fiva melamele, na ano ma'i na keia ke hoohaina nei he mau ma'i lele a pili wale a i hooponopono he mau ma'i hoopono i ke ola o ka lehulehu, aka, aole e manaia keia papa helu ma'i, he kamaia ana ke i kekahi mau ma'i iho e ae i hooponoponoia ma keia maia aku he mau

ma'i lele a pili wale hoi, a he hoopono i ke ola o ka lehulehu oia nae, aole i helu papaia maloko o keia pauku."

PAUKU 4. O ka Pauku 1006 o na Kanawai i Hoouluia ma keia ke hooolima nei i heluhelu ai penei:

"Pauku 1006. Hoookawale a Hooumau Ana. I ka wa o kekahi mea i hooponopono ai na hoohia i kekahi ma'i lele, a ma'i pili wale maia paha a i ole kekahi ma'i paha i manaia he ma'i hoopono wale i ke ola o ka lehulehu, e mana no i ka Papa Ola a i ole koma agena paha, i hoopakeleia ai ke ola o ka lehulehu, o hoookawale i na mea ma'i la i mea paha i hoohia i na ma'i lele la i kekahi hale kaawale a haukapila paha a e hoohiko i mau lawelawe noma me na mea kupono e ae, a o na lilo oia maluna no ia o na mea la, koma mau makua, kila maluna a haku hana paha, ke hiki, ma aole alaila, e ili no ia koihoi maluna o ka Teritore."

PAUKU 5. E mana keia Kanawai ma koma aponoia ana.

Aponoia i keia la 24 o Aperila, M. H. 1911.

WALTER F. FREAR, Kiaina o ke Teritore o Hawaii.

KANAWAI 126. HE KANAWAI.

E PILI ANA I NA KAU O NA AHA HOOKOLOKOLA KAAPUNI, E HOOLOLI ANA I NA PAUKU 1644 ME 1646 O NA KANAWAI I HOULULUIA O HAWAII, I HOOLOLIA E NA KANAWAI 31, 37 ME 56 O NA KANAWAI O KE KAU O 1905, E LIKE ME IA I HOOLOLI HOU IA E KE KANAWAI 50 O NA KANAWAI O KE KAU O 1907.

E Hooholoia e ka Ahaolelo o ke Teritore o Hawaii:

PAUKU 1. O ka Pauku 1644 o na Kanawai i Hoouluia o Hawaii i hooolima e ke Kanawai 34 o na Kanawai o ke Kau o 1905, i hooolima e ke Kanawai 56 o na Kanawai o ke Kau o 1905, a i hooololi hou ia e ke Kanawai 50 o na Kanawai o ke Kau o 1907, ma keia ke hooololi hou ia nei i heluhelu ai penei:

"Pauku 1644. O na Kau o na Aha Hoookolokola kaapuni penei no ia: Maloko o ka Apama Hoookolokola Kaapuni Ekahi ma ka Poakolu eha o Ianuari;

Maloko o ka Apama Hoookolokola Kaapuni Eha ma Wailuku ma na Poakolu ekolu o Maraki me Okatoba, a na Labaina ma ka Poakolu ekolu o Iune;

Maloko o ka Apama Hoookolokola Kaapuni Ekolu ma Kailua ma na Poakolu eha o Aperila me Okatoba, ma Kohala Akua i ka Poakolu eha o Iulai, a ma Waiohina i ka Poakolu eha o Ianuari;

Maloko o ka Apama Hoookolokola Kaapuni Eha ma Hilo i ka Poakolu eha o Ianuari;

Maloko o ka Apama Hoookolokola Kaapuni Elima ma Lihue i na Poakolu ma o Maraki, Iulai me Novemaba."

PAUKU 2. O ka Pauku 1646 o na Kanawai i Hoouluia o Hawaii i hooolima e ke Kanawai 37 o na Kanawai o ke Kau o 1905, a i hooolima hoi e ke Kanawai 50 o ke Kau o 1907, ma keia ke hooololi hou ia nei i heluhelu ai penei:

"Pauku 1646. O na Kau o na aha hoookolokola kaapuni e hoohana no ia a e malamaia hoi, e like me ka hoopanee ana i kela me keia manawa, a i ole, me ka hoopanee ole ana, e like me ia mahope iho nei;

Maloko o na Apama Hoookolokola Kaapuni Ekahi me Eha a hiki i ka manawa i hooponoponoia no ka hoookaka ana o ke Kau hon;

Maloko o na Apama Hoookolokola Kaapuni Eha, Ekolu me Elima, no iwakalunakumaha la, me ka manua hooolihi aku a ka Lanakawani Kaapuni e nolo hoookaka ana i ka aha, aole oi aku manawa o unikumamama la mahope aku;

Aka nae hoi, aole e helua na la pale me na la kulaja; a e hiki no ke hooolihiia aku ke kau no ka manawa kupono e hiki ai ke hoookolokola ka huiia i hoookakia manawa o ka puu ana o ka manua o ke Kau; a maloko hoi o na Apama Kaapuni Ekahi me Eha, ke ole e hana adikia, aole kekahi huiia kiure ma kekahi huiia kiwila e hoookakia iloko o Maraki, Iune, a i ole Novemaba, a aole hoi hoookolokola o kekahi huiia o ke kau iloko o Iulai a i ole Augate; a o na Kau hoi ma Kohala Akua me Waiohina e malamaia no ia no na huiia wale no i makemake ole ia ai na kiure, a aole hoi e kaouhaia na kiure nieniele a kiure hoookolokola paha no ia mau kau."

PAUKU 3. E mana keia Kanawai mai a mahope aku o Ianuari 1, 1912.

Aponoia i keia la 24 o Aperila, M. H. 1911.

WALTER F. FREAR, Kiaina o ke Teritore o Hawaii.

KANAWAI 127. HE KANAWAI.

E HOOPAAU AI I NA PAUKU 1676, 1689, 1690 AME 1691 O NA KANAWAI I HOOPONOPONO HUIA O HAWAII, E PILI ANA I NA HANA A NA KAKAUOLELO O NA AHA KAKAU.

E Hooholoia e ka Ahaolelo o ke Teritore o Hawaii:

PAUKU 1. O na Pauku 1676, 1689, 1690 ame 1691 o na Kanawai i Hooponopono huiia o Hawaii ma keia ke hoopai hon ia nei.

PAUKU 2. O ka Pauku 1688 o na Kanawai i Hooponopono Hou ia, i oleloia, ma keia ke hooolima nei ma o ke kiloi ana no i na hualolelo "lilo auhau" maileko ae olaila."

Advertisement for Carter's Little Liver Pills. Text includes 'Make the Liver Do its Duty', 'Nine times in ten when the liver is right the stomach and bowels are right', and 'CARTER'S LITTLE LIVER PILLS'. Features an image of a man and a parrot.