

# THE ROYAL PARTY.

## Honors Paid to the King and Suite.

### The Programme for Future Festivities.

The royal standard of the Hawaiian monarch floats over the Grand Hotel for a considerable period of each day, announcing to the public that His Majesty is within the caravansary, and possibly accessible. The programme for the entertainment of His Majesty and suite, arranged prior to his arrival and indorsed by him, has been followed with a few slight deviations, and the time of the royal visitor has been agreeably and probably profitably devoted to audiences with representatives of the army, naval and civil officers and citizens, and social pleasures less public in their character. At the publication hour of this paper yesterday afternoon, His Majesty had concluded his receptions, but certain notable features of these had not attained publicity. The privileged few who were courteously invited to witness the ceremonies of the afternoon were favorably impressed with the stately, though thoroughly kind demeanor of the King, during formal introductions, but upon the occasion of interviews with former resident of Hawaii, the geniality of His Majesty inspired a real enthusiasm. For the friends of his youth not one alone, but both hands were thrust forward, and there was a genuine fervor in his warm welcome. Among those who waited upon His Majesty were some of his subjects who have thrived in this city, and are a credit to the Hawaiian Kingdom. Of these gentlemen His Majesty appeared to feel very proud, and before they retired from his presence he took occasion to congratulate them upon their success, and tender a few words of encouragement.

### BETWEEN REGULAR ENGAGEMENTS.

After the reception, His Majesty and suite, attended also by the United States Resident Minister at Honolulu, Hon. H. A. Pierce, honored the household of Consul Severance with a visit. On returning to the hotel the King accepted an invitation from Captain Floyd, formerly Commander of the North Pacific Transportation Company's line to Honolulu, and enjoyed a drive about the city and suburbs, from which he did not return until after 6 P. M. During the afternoon A. N. Towne, General Superintendent of the Central Pacific Railroad, and Mr. Goodman, the General Passenger Agent, waited upon the King and tendered for himself and suite a special train for his journey overland, which courtesy was gratefully accepted.

### VISIT TO THE CALIFORNIA THEATRE.

At half-past 8 o'clock last evening his Majesty and suite visited the California Theatre, under the escort of Mayor Ows, for the purpose of seeing the performance of the drama of *No Thoroughfare*. The royal party occupied the parquette boxes on the south side of the theatre. As the King appeared on the scene the orchestra gave the National Hawaiian hymn, *Hawaii Ponoi*, and the audience gave a series of tumultuous cheers. After the second act his Majesty accepted an invitation to pass behind the curtain and receive an introduction to members of the company. His Majesty evinced a high regard for the stage, and expressed himself as pleasantly surprised with the experience of the evening. The beauty of the theatre surpassed his royal expectations.

### THE SERENADE.

At midnight his Majesty repaired to the window in response to a serenade by the Second Regiment, N. G. C., Colonel John McComb. The regiment was drawn up in line in front of the hotel, on New Montgomery street, and the band discoursed a number of popular selections. The King acknowledged the cheers of the

# A RAILROAD'S CREDITORS

## Can they Avail themselves of the provisions of the Bankrupt Law

### Argument on the Question by John B. Felton in the Case of the California Pacific

In the United States District Court (Judge H. H. Clifford) this morning the case of the German bondholders vs. the California Pacific came up for argument. The objections of the respondent to the jurisdiction of the court. These objections, twelve in number, were made on Tuesday last, and published in the *Bulletin* of this day. John B. Felton opened the argument in answer to the objections, speaking substantially as follows:

He should first take up the question whether the provisions of the bankrupt law could have jurisdiction over a corporation. There had been a decision by Mr. Clifford that the court had such jurisdiction, and he should venture to argue to the contrary, desiring a decision. The bankrupt act applies only to individuals, business, and commercial corporations, and not to railroad corporations any one of these? He would not. Railroad corporations are the most prominent in the world. It would be very strange if they were not included in the scope of any legislation being definitely designated. That they are not included is clearly designated in the words, "moneyed business, and commercial." It is only in the case of "moneyed business, and commercial" that they can be included within the scope of these words. Now, the word *bankrupt* has a distinctive meaning. It has the same meaning that it had when our Government was founded. It is a claim, applicable only to traders, to those who sell. If it can be applied to anybody and every one who is a debtor, then Congress can readily provide which would entirely rob the State courts of their jurisdiction. Now, if a trader defrauds in his business and French law as one who deals in mere goods, including money in the term merchandise must be kept in mind the distinction between a *bankrupt* and an *insolvent*. A bankrupt may have a business wherewith to pay his debts, while an insolvent is one who is unable to pay. A bankrupt, as the law is one whose place of business is broken up, and the word *moneyed* evidently means in the law that a corporation which deals in business. And if we are to take upon its broad meaning, then it is plain that the words *moneyed* and *commercial* are entirely superfluous. The word *commercial* refers to trading on a large or between different States. The word *business* refers to trading on a small scale and on the spot. These three words would naturally apply only to individuals. Now, section 59 of the bankrupt law provides that it shall apply to certain classes of men within the domain of the law. But section 37 does not bring the same classes of corporations within the scope of the law. A corporation is created for public uses. It is an instrument of government, and therefore clothed with governmental powers. But the provisions of the bankrupt law apply to the acts of men who come within the scope of the law, and not to corporations which have no such powers. You cannot assimilate railroad corporations with any of these classes. It is on this distinction that I found my ground. As to the applicability of the law to railroad corporations. You can assimilate a corporation engaged in the same occupation as a corporation which is for a public use, which concerns the interests of the citizens at large, are governed by very different rules from the other great corporations, which is created for private uses, and has no express governmental powers conferred upon it.

The second point that I make is that the provisions of the bankrupt law for executing itself over a grand railroad corporation. The law provides that only railroad personal property shall pass in liquidation in bankruptcy. Nothing is said in the law about the franchise. The assignee cannot take the franchise. The United States has no right to sell a railroad. That power is confined to

to Panama Nov 17, 10:15 A.M.; arrived 8:30 A.M.; left same day at 1 P.M.; arrived, Dec 1st, 7 A.M. Time, 13 days 21

Sailed from Rio July 28; had fine then encountered strong westerly in that date carried away the fore and mainmast yard and blew away up for Port Stanley, F. I., and arrived and sailed Sept 20; passed Cape moderate weather; fine weather and the S Pacific; crossed the equator since light baffling winds; have been Nov 19 at 27 N long 129 W saw ship Altimore, for San Francisco.

### Domestic Ports.

Nov 30 - Bktn Fremont, Nickols.  
Arrived Nov 29 - Bktn Melancthon, lb.  
Nov 30 - S'mr Senator, Stothard, lb.  
Nov 30 - S'mr Wm Taber, ncsico.  
Nov 30 - S'mr Ventura, Harloe, hence 24th.  
Nov 30 - S'mr Gipsy, Metcalf, hence 28.  
Nov 30 - S'mr Wm Taber, for San Francisco.  
Nov 29 - S'mr Golden Gate, Rastancisco.  
Nov 30 - Bark Menshikoff, Ban-Br bark Reinder, fm Dundee.  
Dec 1 - Br ship Gungner, fm Mor.

### and Cordova, still aground.

### Eastern Ports.

Nov 30 - Ship Carrier Dove, Mercisco.

### Foreign Ports.

Nov 5 - Nic ship Sarah, Sabius.  
Arrived Nov 1 - Bark Iconium, Mal

Nov 27 - Br bark Brierly Hall, n London.  
Nov 29 - Bark W C Harke, Pen-18.  
Bark Edwin, Hughes, Utalady out in for anchor and chain.  
Brk Amis, Fark, for San Francisco.  
Arrived Oct 7 - S'mr Wm Phillips, ork.  
Bark Omega, Bruce, for New York.  
S'mr for Vancouver Island, since re-0-ship Highlander, Melcomb, for San Wm Phillips, Healy, for Bangkok Juan, for New York.

Morning Light, Chaston, for San Sir Harry Parkes, Stephens, for New Rich, Mitchell, for New York; ship Tucker, for New York; Br ship Bre-0-New York; ship Comet, Bray, re-3 Patton, Connor, uncertain; bark repaired.

Oct 15 - Br s'mr Galley of Lorne,

-Br ship Taitaing, Richards, for New

Oct 10 - Ship Empire, Leckie, for New

Ship Charmer, Lucas, for New York;

Oct 22 - Br bark Lady Louise,

ship Leader, for New York; ship for New York.

Nov 2 - Bark Etta Loring, Lor-

N S W; bark Chattanooga, Freeman,

bark New Republic, for New York.

Sktus Victor, Hastoff, San Francisco.

### BORN.

ty, November 29, wife of James Bolph.

ty, November 30, wife of Sam. Hart,

his city, November 29, wife of H.

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E - In this city, November 30, wife of

his city, November 29, wife of James

### MARRIED.

-In this city, November 23, John Otto

line Barbara Koch.

Nov 23 - James

In this city, November 30, wife of Edward in this city, November 30, wife of S. Seelig.  
CHRE—In this city, November 30, wife of John, a son.  
In this city, November 29, wife of James son.

### MARRIED.

UCH—In this city, November 28, John Otto Christine Barbara Koch.  
YLOB—In this city, November 26, James Albany, Oregon, to Belle L. Taylor, of San Francisco.  
BASHARE—At Stoney Creek, November 28, P. Richlin to E. F. Bashare, both of Colusa.  
AMPBELL—In San Jose, November 28, to Virginia Campbell.  
HANCOCK—In San Jose, November 26th, to S. M. Hancock.  
KEYTE—In San Jose, November 26, Robert Emily Keyte.  
IRNETT—Near San Jose, November 26, Ed Annie Burnett.

### DIED.

In this city, November 30, David A. Elwell, a Boston, Massachusetts, aged 43 years. funeral will take place Wednesday, Dec. 3d, 10 A. M., from the residence of William Harment street. Friends and acquaintances invited to attend.  
In this city, November 30, Marie Margaretha, Henry and Henriette Kinke, aged 5 years, died 25 days.  
Friends and acquaintances are respectfully invited to attend the funeral to-morrow, (Wednesday) 10 P. M., from the parents' residence, south of Powell and Union streets.  
In this city, November 28, J. J. Medau, in the his age.  
In this city, November 30, Maggie A. Walsh, a cockport, New York, aged 20 years.  
In this city, November 30, Elizabeth Jane, daughter of Francis and Barbara Clark, aged 20 years and 8 days.  
Santa Cruz, November 20, Thomas C. Cooper, F. and M. A. Cooper, aged 21 years, 1 mo.

## THE COURTS.

### Police Court.

His Honor opened this morning with a list of eminent bacchanals, the deputation of twenty-four, headed by the redoubtable Dr. Phippy. The introductions were conducted by Court Bailiff Englander, His Honor being most graciously as each was presented with a dollar or twenty-four hours." After a very exchange of civilities regarding the weather, the deputation withdrew, and immediately after announced to His Honor a list of "Dot Leedie Cherman Pand." The archer in at slow time, in single file, and he in the first tier of the parquet-box, the king on the cellar stairs. At a single blast of the mbone-player the band made their obsequious response with admirable regularity and in command of the Bailiff, "dake off mit." This combination of talent had been in a charge of begging, and the attorney defend the rights of this important interest a trial by jury.  
The convicted yesterday were then called on. John Corbett and James McMann, for larceny, were fined \$150 each; Ab Sing, \$50; Willis Wright and John Morgan, \$50 each; Jerry Andrews, vulgar language, \$10.  
A crowd was made on the ranks of the inkanda. George Johnson, Eliza Adler, Colman, Agnes Boyd, Thomas O'Neil, and William Hegan, Rosanna Lee, John Nelly Williams, were all sent up to the to remain over the approaching holidays, sition will enable them to acquire a state of realize the opening of a new year.  
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At midnight his Majesty repaired to the window in response to a serenade by the Second Regiment, N. O. C., Colonel John McComb. The regiment was drawn up in line in front of the hotel, on New Montgomery street, and the band discoursed a number of popular selections. The King acknowledged the cheers of the crowd but declined to answer a call for a speech. Besides his suite there were present in the royal apartments Mr. Brooks, Japanese Consul; Yoshida Kiyonari, Japanese Minister Plenipotentiary to the United States; some ladies and two or three members of the Press. During the serenade Colonel McComb and officers were invited to his Majesty's apartments to partake of his hospitality.

### UNITED STATES MINISTER PIERCE.

Hon. H. A. Pierce, Resident United States Minister at Hawaii, who accompanies King Kalia, left Boston when a young man, operating as an attaché of the fur company operating on the north-west coast, and first arrived in San Francisco Bay in the year 1824, at which time he held the position of clerk for the company in one of the brigades. He returned several times in the interval between that year and 1848, and had the acquaintance of the still old veteran pioneer, Captain Hinkley, who arrived here in 1826. Subsequently Mr. Pierce settled in Honolulu, where he has now resided upward of twenty years. He became a leading merchant of the islands, and acquired a large interest in shipping on the Pacific, by which he accumulated vast wealth. During the late war he met with heavy disasters by loss of ships, which swept away the bulk of his estate, though still retaining solvency. In 1866 he accepted from his own Government the office of United States Minister Resident at Honolulu, which position he has since held.

### A ROYAL RIDE TO THE CLIFF.

The royal programme for to-day was comprehensive and extremely interesting. The early hours of the forenoon were devoted to miscellaneous purposes. The usual ceremonious receptions were dispensed with and each member of the royal party disposed of the leisure time according to his own taste. His Majesty took a short stroll through the street toward noon the King, Governor Dominis, Governor Kabeana, United States Minister Pierce and H. W. Severance, the Hawaiian Consul, according to the prior acceptance of an invitation, assumed seats in barouches for a ride to the ocean beach. Splendid teams were provided for the royal ride, and, considering the beauty of the weather, the excursion could not fail to furnish the anticipated pleasure. The party passed into the Golden Gate Park, along its winding avenues, and finally took the road to the beach. His Majesty expressed his pleasure at the views obtained and pronounced the ride agreeable in every respect. The programme for the return ride included a halt at the Alma-house.

### RECEPTION BY MAYOR OTIS.

The royal party assembled at the residence of Mayor Otis, No. 821 Sutter street, after returning from the drive to the ocean. The Mayor, a few of the public officers, General Brooks, commanding at the Presidio, Major Throckmorton, Captain Garrard, and other army officers, were among the guests present. A feature of the reception was a luncheon.

### THE GUEST OF THE OLYMPIC CLUB.

At 7 o'clock this evening, or as soon thereafter as convenient, His Majesty and suite will proceed to the spacious and elegant gymnasium of the Olympic Club, on the north-east corner of Howard and New Montgomery streets. Among the decorations of the gymnasium are three oil paintings, measuring fifteen by eighteen feet, which were presented to the Club by the artists, O. C. and Arthur Nahi, of this city. Some years ago the Nahi brothers executed five paintings of this large size, and for two found immediate purchasers. Three of the paintings—"The Royal Group of Hawaii," "View of Sydney," and "Scene near the King's Garden in Honolulu"—were hung on the walls of the Olympic gymnasium for safe-keeping. Subsequently the Messrs. Nahi, who were among the first members of the club, presented the club with the paintings.

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The second point that I make is that, vide no machinery for executing its grand railroad corporations. The law only railroad personal property shall be subject to bankruptcy. Nothing is said about the franchise. The assignee cannot franchise. The United States has no right to sell a railroad. That power is confined to the franchise. Not only will it pass to an assignee, but the same is the case with the property acquired by virtue of the franchise. If it could be held that a railroad may pass to a private person, this would be an easy way for the railroads to relieve of the control of the Legislature over fares. For they could sell their franchise to a private person, who could not be made liable to restrictions. The law provides that the personality of a bankrupt shall be sold for the benefit of his creditors. Now, suppose that the Union Pacific should be thrown into either the property would bring so small that the Government would realize no second mortgages, or the purchasers would raise such a tremendous sum as no capitalists in the world could get together in eighteen months. In view of this fact, it is proposed that Congress would make a bankruptcy law applicable to railroad corporations making some provision to cover such perfectly absurd to argue that the United States will dispose of franchises granted of California.

At a quarter to 1 o'clock the court took one hour.

### Real Estate Sales.

There were few important sales reported to the Recorder's office. The only sales of note were:

- The irregular lot on the north-west corner of Eighteenth streets, running thence west 75 feet, thence south 33 feet 110 feet; thence north 33 feet; thence thence south 207 1/2 feet; thence west 210 feet; also, 197x187 1/2 on the south of the same streets; J. Cameron seller et al. for \$11,000.
- 40x77 1/2, C. E. Stevens sells to A. Gar the south line of Union street, 117 1/2 feet Dupont, \$5,700.
- Added to the above were three oil value of \$152, and three mortgages at \$1,000 each.
- Yes, yesterday's business sums up as follows: 6x137 1/2, D. L. Randolph to J. F. Merriam and lot on the north-east corner of Bu streets, \$25,500.
- 412 1/2 x 137 1/2, A. J. Merrill to W. Hollis east corner of Vallejo and Leavenworth.
- The 50-vara lot on the south-east corner and Tyler streets, L. M. Keillogg sold \$8,000.
- 25x80, Willows Land Association to J the north-west corner of Mission at streets, \$4,500.
- 37 1/2 x 137 1/2, G. C. Hickox to N. Bush line of California street, 257 1/2 feet north \$3,000.
- J. N. Polack to Spring Valley Water mening on the north line of Rutley, 11 from Webster, thence west 29 feet, the feet, thence east 82 feet, thence south 11 mentment, \$2,000.
- L. Fries to O. H. Frank, commencing line of Sanchez, 114 feet south from I. east 155 feet, thence south 114 feet, then thence north 57 feet, thence west 105 feet 57 feet to commencement, \$1,100.
- 25x80, Willows Land Association to the west line of Stevenson street, 110 feet Eighteenth, \$800.
- 25x80, Willows Land Association to the west line of Stevenson street, 135 feet Eighteenth, \$800.
- 16x55, the Sheriff to F. Taylor, on the of Mission and New Anthony streets, \$1,000.
- Lots 14 and 15, in block 550, in the E. C. T. Ryland to Mary S. Page, \$600.
- A lease was given for a term of monthly rental of \$80 for the basement

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ler Ross, guilty of vulgar language, P.  
 Eliza Hart, assault and battery, Louis Hill,  
 ack, assault, and seven women, arrested on  
 , were allowed to settle the account of  
 forfeiting deposits of \$5 each.  
 O'Brien and nine others, engaged as team-  
 ading Townsend street, were arrested yes-  
 misdemeanor in driving their teams along  
 alk on Third street. The offenders were  
 a paying fines of \$5 each.  
 reen and Henry Herman, a pair of Barbary  
 agers, were encouraged by an officer  
 with an old man named James Carroll,  
 f age, and in a correspondingly advanced  
 intoxication, in their custody. The officer  
 supposed that they designated robbery, and  
 disappointed when he observed the rascals  
 e old man up and starting in to rifle his  
 the thieves and their intended  
 re conducted to the city prison.  
 diligent search of all three only  
 the sum of ten cents. The treasure hav-  
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 The "Royal Group" is a lively picture representing King  
 Kamehameha I, and several ladies and gentlemen  
 mounted on fiery steeds. The coloring is excellent,  
 the anatomy correct, and the picture, taken it all in all,  
 is very creditable. The club has several times refused  
 \$1,000 for it.

**TO-NIGHT.**

From 8:30 to 9 o'clock this evening, the King will  
 receive the Consular corps and the Pioneer Society  
 Committee. At 9 P. M. the Presidial band will serenade  
 His Majesty.

**BOARD OF SUPERVISORS.**

**Business Transacted at a Special Meeting.**

The Board of Supervisors held a special meeting  
 yesterday afternoon to fill the vacancy of the office of  
 Coroner. When the roll was called, Messrs. Menzies  
 and Kenney did not respond to their names, and, pend-  
 ing their arrival, the Board proceeded to transact the  
 following business:

The bills of the Fire Department and of the Board  
 of Health for the month of November were ordered  
 paid.

On motion of Mr. Lynch, who said he acted at the  
 request of the property-owners interested, the Board  
 voted to request the Mayor to return the order finally  
 passed at the last meeting fixing grades in the Front  
 Street.

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 of Mission and New Anthony streets,  
 lots 14 and 15, in block 550, in the  
 C. J. Elyand to Mary S. Page, \$200.

A lease was given for a term of  
 monthly rental of \$80 for the basem-  
 east corner of Kearny and Washington

A total of the papers recorded s-  
 \$14,652, 7 mortgages at \$47,300, and 51

**CHINESE BONDAGE.**—Officer Kearne  
 detail is the detection of heathen en-  
 Chinese quarter, this forenoon rescue  
 titude a Mongolian damsel named I-  
 held as a chattel by an aged heathen,  
 and by him leased to a woman named  
 conducts several dens of iniquity on  
 and adjacent alleys. Dy Hee was,  
 country several years ago, when a  
 doomed to a life of the most  
 age that could be conceived. She  
 the Mission House and manifested  
 release, having been kept in close pri-  
 of her consignment to the service of  
 Took, the proprietor of the girl, and  
 lessee, were arrested and two charg-  
 against each, one for misdemeanor a-  
 imprisonment. The cases will proba-  
 investigation in the Police Court to-m-

**The Orient.**

The Pacific Mail Steamer *China* s-  
 day for Hongkong and Yokohama, w-  
 named cabin passengers: N. Burn-  
 siey, T. Sakai Robert, S. Schwabe,