

# Hawaiian Gazette.

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HONOLULU, H. T., FRIDAY, OCTOBER 2, 1904—SEMI-WEEKLY.

WHOLE No. 2635.

## DEAD BEFORE PORT ARTHUR MAHONK CONFERENCE CONSIDERS HAWAIIANS



THE MOLE IN THE NIGHT: THE STEALTHY JAPANESE SAPPER THROWING UP EARTHWORKS BEFORE PORT ARTHUR.

**Chefoo Hears That 50,000 Japanese Have Been Killed in the Siege. Fog Prevents Fighting at Mukden and Conceals the Armies.**

(ASSOCIATED PRESS CABLEGRAMS.)

CHEFOO, Oct. 21.—It is estimated that 50,000 Japanese have been killed before Port Arthur.

FOG STOPS FIGHTING.

MUKDEN, Oct. 21.—A dense fog conceals both armies. There has been no fighting.

AFTERNOON REPORT.

ST. PETERSBURG, Oct. 20.—The suspension of hostilities below Mukden continues.

TOKIO, Oct. 20.—The Russians, reinforced by 30,000 men and a total of six divisions, now confront the Japanese.

CHEFOO, Oct. 20.—Continued fighting is reported at Port Arthur. The Japanese have captured minor positions.

**MARINES WILL STAY.**

WASHINGTON, Oct. 21.—It has been decided to retain the marines at Panama.

**A COMPROMISE CANON ON DIVORCE AND MARRIAGE**

(ASSOCIATED PRESS CABLEGRAMS.)

BOSTON, Oct. 21.—The House of Deputies of the Episcopal convention have adopted a compromise canon on divorce permitting the marriage of the innocent party after a year.

**A FATAL FRACAS.**

MONTEREY, Oct. 21.—In a fight between white infantrymen and colored troopers one infantryman was killed and another mortally wounded.

**DISGUISED AS COWS THEY STEAL CATTLE**

ODessa (Russia), Oct. 2.—The peasants of Bogrodskia, in Southwest Russia, are liable soon to find themselves without cattle. A month ago the livestock of the village, from some mysterious cause, began to dwindle; horses and cows disappearing from the pastures every night. A watch was kept, but no thief could be found. At last, when the villagers were beginning to believe that the devil himself had spirited the beasts away, the truth was discovered. A gang of thieves from a neighboring village, working in pairs, was in the habit of disguising themselves in the skins of cows, and thus crossing the pastures unobserved during the night. A few days ago a cow of unusual shape was caught, and found to contain a human being, which soon lost its semblance of humanity under the angry peasants' fists. But the thefts continue, and now the peasants, armed with guns, are patrolling the roads by night and shooting every cow and cow that comes in sight.

**Gorham D. Gilman Says the Franchise for the Natives Was an Error.**

**W. N. Armstrong Thinks the Territory Will Yet Be Ruled By Native-Born Asiatics—Prof. Hosmer Praises the Missionary Party**

(ASSOCIATED PRESS CABLEGRAMS.)

LAKE MOHONK, Oct. 21.—Hawaii was the text of several addresses at the Indian Conference yesterday. Gorham D. Gilman of Boston, a former resident of Hawaii, said that the extension of the suffrage to the native people was a grave error. Recent legislative acts of the Hawaiians showed a lack both of intelligence and morals. Mr. Gilman favored the modification of the Exclusion laws so as to provide Chinese labor for the plantations.

Professor F. A. Hosmer, formerly president of Oahu College, Honolulu, praised the missionary party in the islands and W. N. Armstrong, formerly Attorney General of Hawaii, under the Monarchy, prophesied that native-born Asiatics would finally control the Territory.

**REPUBLICANS TALK TO PORTUGUESE**

The Republican meeting on Alapai street, back of the pumping plant, was well attended. A few hoodlums made themselves conspicuous by attempting to josh the speakers.

John Marcellino set the ball rolling with a rousing speech in which he compared Iaukea to a rolling wheel which is never in the same place twice.

Frank Andrade and Carlos Long dwelt on the Republican ability to get things done. Long also urged the desirability of the Portuguese becoming the owners of the land occupied by them on Punchbowl and the need of legislation allowing and promoting the manufacture of wine.

E. Faxon Bishop said he was only there to let them know who he was and urged their voting a straight ticket.

John Lane followed with an effective speech in which he complimented the Portuguese for their industry, comparing them with the majority of Hawaiians in that respect. He also advised them to pay more attention to the primaries, and in that way get greater representation.

Mr. Dowsett warned the people against Democratic tinkering with the tariff. The whole prosperity of the islands rests on sugar and a high tariff on that commodity is our salvation. Mr. Dowsett then spoke of Kuhio. It is hard for one without a vote to influence legislation and yet he (Kuhio) had succeeded. It would be folly to send a man new to the ropes, as Iaukea would be, and also one without experience.

Vierra received a popular ovation when he arose to speak and kept the crowd in good spirits.

Mr. Marks gave a general resume of the ideas spoken of during the evening. The desirability of Portuguese ownership of their homes on Punchbowl, the manufacture of wine and the superiority of the Republican ticket as a whole.

**FOURTH DISTRICT CONFERENCE TONIGHT**

A meeting of all Republican precinct officers of the Fourth District with the District Committee will be held at headquarters, Alaka and Merchant street, this evening to talk over the campaign situation. About an efficient are qualified to join in this meeting.

**CAPTAIN LYON WILL COME NEXT MONTH**

Captain Henry W. Lyon, United States Navy, who was recently detailed to the command of the naval station at Honolulu as the relief of Admiral Silas W. Terry, will probably sail on the Sierra November 10th, instead of on the Manchuria November 15th, as originally ordered. The change was made necessary because the Manchuria's call at Honolulu has been revoked and she is ordered to go direct to Yokohama. Admiral Terry, Mrs. and Miss Terry will return to Washington via the Suez canal, giving them an opportunity to visit Japan, China and Manchuria on the journey.

Transportation has been secured for Commander Nathan Sargent on board the China, sailing October 25th for Manila. Surgeon and Mrs. Percy will sail on the same steamer. Surgeon Percy goes to Japan to take command of the Naval Hospital at Yokohama.

**OLDEST LETTER IN THE WORLD**

ATHENS (Greece), October 8.—What is thought to be the oldest letter in existence has been found near this city. It is written on a thin sheet of rolled lead, folded in the center and sealed with wax. On the outside is the address, which reads: "This letter to be given into the hands of Nausias or Thrasicles."

The letter itself reads: "Mueslergos sends greetings to all of you, and asks you to send him a blanket or two sheepskins and some strong sandals to be used on the march. He will return them as soon as he can."

M. Wilhelm, secretary of the Austrian Archaeological Society of this city, who succeeded in making out the contents of the letter, thinks that the letter dates from the fourth century before Christ.

**Democrats Kept Waiting.**

Dr. Cooper, acting president, called a meeting of the Board of Health for 4 o'clock yesterday afternoon, to consider petitions from members of the Democratic party for permits to campaign speakers to visit the Leper Settlement. There was no quorum at the appointed time, so that the question of permits is still pending.

**Want Carter to Speak.**

Republican managers are endeavoring to persuade Governor Carter to deliver an address at a meeting planned for the Organon on Saturday evening of next week.

# A NATIVE JOAN OF ARC IS HEARD.

## Mounts Moliili Rostrum for G. O. P.

(From Wednesday's Advertiser.)

A Hawaiian Joan of Arc appeared at the meeting of the Republicans at Moliili last night, and, mounting the platform, exhorted the voters present, whether Home Rulers or Democrats, to uphold the administration of Governor Carter and to cast a straight vote for the party of decency—the Republican.

The woman orator was Mrs. Kikaha, wife of the bailiff of the United States District Court. She was a commanding figure as she stood upon the platform in the half-light shed by flares. Her gestures were emphatic but eloquent, and her voice, though keyed up to a high pitch, was clear and resonant. Her speech was a fine oratorical effort and she created a favorable impression.

Mrs. Kikaha said she was born in Moliili and was well acquainted with the people of that district. She called the men there her brothers and the women her sisters. She called upon the voters to sustain the straight Republican ticket, and if there were any Home Rulers and Democrats yet remaining in the assemblage she asked that they cast aside their old affiliations and join the Republican party, which was the party of progress.

Iaukea, she said, was hired by the Democrats to run for Delegate to Congress. He was an uncertain man, for he jumped from one party to another. The Executive of the territory was a Republican and the Republican party was the party of decency (Cries of "Pololei! Pololei!").

In the campaign of 1902 she found many of those present were supporters of the Home Rule ticket, but on the coming 8th of November she hoped none would forget to vote for the Republican party, "for then you will continue to have poi and fish and all that you need."

"Set aside all bad feelings," she continued, "and vote for Prince Kuhio for Delegate to Congress, and also vote for my Senators and my Representatives. Some of them are men that fear God." ("Pololei!" shouted the crowd.)

E. W. Quinn, candidate of the Fourth District for the House of Representatives, next addressed the audience, speaking in English. He said, in part: "I ask you for your votes because I am and always have been a Republican. I believe in the Republican platform, because it guarantees an honorable, efficient and economical government."

"I have always been a working man, began earning my living when I was ten years old, and I have always mixed with what is known as the middle class. You can, therefore, be assured that I will always do what I can for my fellow-working men."

Mr. Quinn spoke of the candidates on the Senate and House tickets.

"As for Messrs. Harris, Andrade, Long and Aylett, they have already served one term in the Legislature, and if they had not been good men they could not have received a re-nomination from the party."

"I have done nothing in my life thus far to regret, and I don't intend at this time of my life to put any blemishes on my record, so you may be assured that I will make a clean fight in this campaign."

"Vote for Prince Cupid. He has been elected once by you and should be elected by you again. In justice to himself and yourselves, you should send him back to Congress to complete the work he has so well begun."

"I endorse the platform from top to bottom; I endorse the administration of Governor Carter; I especially believe in county government. You will never have a proper government here until you have county government. It is better that you should elect your own officers rather than that you should have them appointed. The Republican party will give you county government."

Bernard Kelokolo, "The Boy Orator," was the next speaker. He spoke eloquently in Hawaiian, holding the attention of the large audience from first to last. "The Boy Orator" is a masterful speaker and sways his audiences with remarkable success.

Among other speakers were Sam Kamalopili, who presided at the meeting; Carlos Long, W. W. Harris, John Lane and Wm. Aylett.

# SEN. KAIUE WILL NOT ELECTIONEER

It is reported on excellent authority from a Maui man who departed yesterday for Kahului, that Senator Kaiue will not be a candidate for re-election in this campaign although he has filed his nomination papers as a candidate.

# DOING POLITICS AT ANDRA

Intentional vote splitting and around during the week in the House and in the Legislature to investigate the possibility of forming another district.

Hills, where it was planned to have heart to heart talks to urge the invited ones get to vote a split ticket, but vote the straight Republican ticket. The meeting was to have been kept secret but the result was made public. It being alleged that the talks were so well made that any desire to vote a split ticket was overcome. There were twelve present.

# REPUBLICAN RALLY HELD IN DOWNPOUR

Rain interfered with the Republican meeting at Kalihii camp. A steady downpour drove away most of the audience and a mere handful had courage enough to remain to the end. Kalama was the chairman and the principal address was made by J. M. Dowsett, who urged the support of the Republican ticket and showed why it would be folly to send any but a Republican delegate to Washington. Several speeches in Hawaiian followed, all urging the support of the straight ticket. A number of Democratic enthusiasts, who also braved the storm, caused considerable excitement by cheering for their party. They were later assisted by some members of the Home Rule camp.

# SCHOOL CAN HAVE WATER

(From Wednesday's Advertiser.)

Governor Carter was closeted most of the afternoon yesterday with a committee from the Board of Health and a committee representing Lahaina plantation, which was also represented by its attorney, D. H. Case, the matter at issue being the division of time for the use of the water rights by Lahainaluna school and the Lahaina plantation.

An agreement was drawn up late in the afternoon which was favored and signed by both sides.

This agreement provides a working basis whereby the school is entitled to the use of the water for four hours for its two lands, and fifteen minutes for domestic uses, or 4 1/2 hours. The remainder of the time per diem—19 1/2 hours—is devoted to the plantation and kuleanas.

The government is also to pay the plantation \$600 for lands taken from the Lahaina plantation for the erection of a reservoir built for and by the government.

# KAUAI CORPSES COME TO LIFE

The following wireless message was received yesterday from Chester Doyle who is now on Kauai investigating what was originally believed to have been a double murder:

"Murdered man not dead. Woman will recover. Defendant in jail. Made full confession. Five witnesses for government. All O. K. here. No need of Coney returning soon. DOYLE."

He: If I tried to kiss you would you call for help?  
She: Would you need it?

# CONFIDENCE

said Lord Chatham, "is a plant of slow growth." People believe in things that they see, and in a broad sense they are right. What is sometimes called blind faith is not faith at all. There must be reason and fact to form a foundation for trust. In regard to a medicine or remedy, for example, people ask, "Has it cured others? Have cases like mine been relieved by it? Is it in harmony with the truths of modern science, and has it a record above suspicion? If so, it is worthy of confidence; and if I am ever attacked by any of the maladies for which it is commended I shall resort to it in full belief in its power to help me." On these lines WAMPOL'S PREPARATION has won its high reputation among medical men, and the people of all civilized countries. They trust it for the same reason that they trust in the familiar laws of nature or in the action of common things. This effective remedy is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. It quickly eradicates the poisonous, disease-breeding acids and other toxic matters from the system; regulates and promotes the normal action of the organs, gives vigorous appetite and digestion, and is infallible in Prostration—following Fevers, etc., Scrofula, Indigestion, Asthma, Wasting Diseases, Throat and Lung Troubles, etc. Dr. W. A. Young of Canada, says: "Your tasteless preparation of cod liver oil has given me uniformly satisfactory results, my patients having been of all ages." It is a product of the skill and science of to-day and is successful after the old style modes of treatment have been applied to in vain. Sold by all chemists.

# DOLE ALSO HELD BACK

## Governor Carter Seeks Solution of Land Troubles.

(From Thursday's Advertiser.)

James W. Pratt, Commissioner of Public Lands, yesterday made the discovery that the land patents being withheld by Governor Carter, for non-observance of homestead conditions, are the same ones that Governor Dole, while in office, for the same reason declined to issue. It was on looking into the records, preparatory to a consultation with the Governor, that Mr. Pratt discovered the fact.

As a rule the Commissioner, as he stated to an Advertiser reporter, makes original investigations for himself of all questions arising in his department. On this occasion, owing to the pressure of cases for decision, he looked up their previous records with the result already stated.

Mr. Pratt was in conference with Governor Carter nearly the entire day yesterday on the question of homesteads whose holders have not complied with the conditions of the law. Attorney General Andrews was called in and gave legal advice to the Governor and the Commissioner.

Governor Carter is desirous of having the matters in difficulty composed as early as possible. Mr. Pratt, to this end, will prepare a complete statement of all the contested cases. This will require a waiting for reports from the district officials as to the extent to which the conditions of receiving patents have been observed or otherwise.

# WILDER STOPS ON WORLD TOUR

Marshall P. Wilder the well known journalist also known as the "Prince of Entertainers and Entertainer of Princes" was among the passengers on the Mongolia yesterday. He is making a tour of the world to end July 15th, 1905, and during the trip he writes a weekly letter for the Sunday magazines of the New York Tribune, Boston Post, Chicago Record-Herald, Pittsburg Post, St. Louis Republic and Philadelphia Press. It is said that over one million readers see his letters every week. Mr. Wilder had but a short time to see Honolulu but he made the best of that. He was met on board the steamer by Secretary Boyd of the Promotion Committee who showed the traveler and his wife the sights of the city. The letter on Honolulu will be awaited with interest.

Mr. Wilder made a record tour of sightseeing about Honolulu and vicinity. On leaving the steamer Mr. and Mrs. Wilder were entertained at luncheon at the Young Hotel as the guests of honor of Manager H. W. Lake, other guests present being Secretary Atkinson, J. A. Gilman and E. M. Boyd of the Promotion Committee. Afterwards Mr. Wilder was taken about in C. W. C. Deering's motor car in company with Mr. Deering, A. A. Young, Capt. Jargstroff and E. M. Boyd. A trip was made to the Pali, then through the city and park and around Diamond Head, then to various points of interest, and at 4 o'clock Secretary Atkinson entertained both Mr. and Mrs. Wilder with a surf-boat ride at Waikiki beach. Mr. Wilder also had the pleasure of seeing several young men riding in a standing position on surf boards.

Mr. Wilder expressed himself as more than pleased with his short visit in Honolulu, stating frequently that Honolulu was a very agreeable surprise to him in every way. It was his first visit into the Pacific Ocean and he had not expected to find such a fine, growing city.

The humorist had letters to Prince David and Sam Parker, and to these gentlemen he expressed a determination to return to Honolulu next year after his lecture tour was completed.

# FUNERAL OF F. J. WILHELM

(From Thursday's Advertiser.)

The funeral of the late F. J. Wilhelm, the contractor, was held yesterday afternoon from the family residence corner of Keekaukoku and Young streets. A large number of friends were present, while the floral tributes were both numerous and beautiful.

Rev. Henry Parker of Kawaiahaeo church read a simple burial service after which the remains were conveyed to Nuanuu Cemetery where they were interred. The pall-bearers were Messrs. Fred Lewis, Dr. Grossman, Dr. Walters, Paul Muhlendorff, H. P. Roth, John Lucas, E. C. Rowe, F. D. Wicke.

A Masonic service was held just before the home service at the Masonic Temple, under the auspices of Hawaiian Lodge No. 21.

Mr. Wilhelm was an important factor in the overthrow of the monarchy, being appointed as a member of the Advisory Council of the Provisional Government on January 17, 1893.

# Repugnant to Americans.

Referring to the Japanese traffic in women, of which an explanation was given in last Weekly Hawaii Shippo to the effect that it did not involve wife-selling, Judge Hale, in the course of passing sentence on a Japanese for kidnapping, said: "The traffic of Japanese bringing women from Japan to Hawaii and then handing them over to agents who will pay their passage money back to Japan is very repugnant to American sentiment."

# KAKAOKO STIRRED UP

## Republicans Have An Enthusiastic Rally.

(From Thursday's Advertiser.)

There was a regular whirlwind Republican meeting in the Kakaako district last evening. It was managed by the officers of the precinct club and the scene was the big lot in the rear of the Honolulu Iron Works plant. The evening was ideal. Seats were provided for more than 800 and every bench was occupied. Besides this there were several hundred standing and walking about the square. Mr. Lillikalani was the chairman and made interesting and effective introductions. Music was provided by a special quintet club. There were a number of new songs, one of which, to a very pretty air, had for its burden the recital of the relations of Cecil Brown to the Japanese painters, carpenters and plumbers of the city.

In his opening remarks Mr. Lillikalani called attention to what he considered the best features of the administration of Governor Carter. "He," said Mr. Lillikalani, "has shown his capability along financial and economical lines by going into the affairs of the Territory the same as any good business man would approach the conducting of a large concern in which many people were interested. He has simply brought the expenses of the Territory within its revenues, thereby avoiding the piling up of debt. Mr. Carter has been fair and impartial and has declared that the undeviating policy of his administration will be that there shall be honesty in the conduct of our affairs and so far as he has said anything in politics he has advocated fair elections and campaigns. And I tell you that if there is fairness in the election we shall win, for Mr. Kinney and his associates, for selfish and unworthy reasons are determined by hook or crook to hamper Governor Carter and his officials to the extent of injuring the public service, increasing taxes and delaying and postponing public work." Mr. Lillikalani concluded by urging his hearers and all who had the best interests of Hawaii at heart to vote the straight Republican ticket.

George Makalei, formerly a Home Ruler, said that his conversion was not a sudden one, that he had become a Republican only after studying the platforms of all the parties. He had listened to the talks of Democratic and Home Rule orators and had reached the conclusion that these parties were only trying to use or fool the Hawaiian people. On the other hand he had found that the Republican party since its organization had kept faith in every particular and had been especially kind to the natives. Makalei is a rapid and eloquent speaker and he gave vent to a perfect torrent of friendly analysis to the Republican platform. He named the candidates and emphasized the fitness of each and the good record of each one of them who had been in the Legislature.

Mr. Frank Andrade modestly remarked that he had been a member of the last Legislature and hoped to be a member of the next one. Then he said, in rapid fire style: "As one of the men up for re-election I will venture to enumerate to you a few of the measures that the Republican party put through the last Legislature. Then you can judge if my colleagues on the ticket and myself should or should not be voted for on the 8th of next month. We made an honest attempt to secure the county government for which there was such a general demand. The loan act, which brought a million dollars into the country, was a Republican measure. Other Republican legislation was the act making eight hours a day's work on public undertakings, an act adopting the Hawaiian flag as the Territorial emblem, an act requiring the Territorial and all persons accepting Territorial construction contract employ citizen labor only." Mr. Andrade referred in detail to the service rendered in the last Legislature by Messrs. Long and Aylett and of the labors of Mr. Harris as chairman of the finance committee of the House.

Mr. Wm. Olepau, one of the veteran orators and workers of the party, said that he wanted to talk for the straight ticket and on this "scratching business" about which so much had been said in the newspapers and on the streets. "You see," said Mr. Olepau, "these newspapers like to fight each other for fun and lots of these men talking on the street only kick because they always want to tell somebody else what to do. Now, we know what to do ourselves. We learn enough about politics by this time to make up our own mind in our own way. We are all Republicans. Our delegates that we elect pick out the ticket. Then it is sure enough our ticket for all of us and we ought to vote every bit of it from Prince Kuhio down. Of course if some very bad man that the delegates don't know about at the time of the convention get on the ticket, then we protest. But, I tell you, I find only good men, with good records on this Republican ticket and I vote for all of them and ask you to do the same, for you can see the same as I do that this 'scratching' business is only a trick of the Home Rulers and Democrats to get some of their men into the Legislature to work against our friend, George Carter, and to spoil the name of our candidates to make good laws for all the people." This effort on the part of the water front man provoked the hearty and longest applause of the evening.

Mr. E. Faxon Bishop spoke briefly, concluding himself almost entirely to complimentary issues, declaring that so long as President Roosevelt appointed the principal officers down here and Congress handled so much legislation pertaining to the Territory that our interest in national affairs was by no means small. He believed that the administration would appreciate a Republican victory here and that by the party's success in the islands strength would be added to our position at Washington, greatly assisting in making for the general prosperity of the group.

William Aylett opened with a strong assault on the enemies and opponents of Governor Carter, whom he declared to be the leading man not only of the party but of the whole Territory. "I am for him and for his policy, first, last and all the time and so far as I am able to learn it is the same with every Hawaiian and haole who will view the situation as it really exists. He is a strong and fearless man devoted to the interests of the people and the party. He is just the man to head the administration in the pioneer days of the Territory and the party. I am a straight out Republican and have been since the party was started here. If I am elected—and I believe that the whole six of us on the ticket will be—I shall co-operate with my associates in working for the people by upholding the administration and by advocating and working for all bills calculated to benefit the whole of the people and I may say, that so far as Honolulu is concerned, particularly for such measures as have the backing of the Chamber of Commerce and the Merchants' Association, for the business men of our town are after all the backbone of the whole country." Mr. Aylett closed by calling for three cheers for Governor Carter and they were given with a "tiger" thrown in for good measure.

Mr. E. W. Quinn made one of his characteristic common-sense talks and was well received and listened to with close attention. Mr. Quinn is becoming more and more popular with his audience as they admire his straightforwardness. He spoke frankly for a people's business legislature and said that the only way to get it was to vote the straight Republican ticket.

Senator Achi was the last speaker and everybody remained to hear him. He made a strong address in favor of Prince Kuhio and the other candidates and Governor Carter and the administration. Mr. Achi gracefully paid his respects to Col. Iaukea, telling how that individual had drifted from party to party "until, as the haoles say, he had 'reached the limit.'" Senator Achi contended that even in the event of the election of a candidate other than Kuhio the victory would certainly be an empty one and a thing disastrous to the Territory. "For Iaukea is only a mischief maker and Noley could never find the Capitol building at Washington."

A feature of the meeting was frequent remark from the audience on Senator Brown and his Japanese mechanics. These were some of the sayings: "Is Brown going to send a Jap down to talk to us?" "Cecil Brown don't like kanakas any more." "Cecil Brown very poor man, can't pay for kanaka carpenters." The usual cheering ended the meetings.

# MANOA GOLF CLUB SUNDAY TOURNAMENT

There will be an 18-hole medal play handicap tournament at the Manoa Golf Club course on Sunday, October 23rd. Drawings will be made at 9:30 sharp. Prizes will be given for the best two net scores. Entrance fee 50c.

The first round of a match-play handicap tournament will begin on Sunday, October 24th at the Manoa course. Entries must be placed in secretary's box at club house or handed to Woods & Sheldon on or before Wednesday, October 19th.

This tournament is similar to the one now being played by the members of the Honolulu Golf Club at Moanalua which has given so much satisfaction on that beautiful course. Prizes will be awarded the winner and the runner-up. A large entry list is expected as a match play tournament is generally much more popular with golfers than the briefier medal-play.

The executive committee of the Manoa Golf Club met on Monday evening at the residence of Mr. D. W. Anderson, captain of the club, and committees were selected to report fully upon the several sites for the club's new course.

Mr. E. Faxon Bishop spoke briefly, concluding himself almost entirely to complimentary issues, declaring that so long as President Roosevelt appointed the principal officers down here and Congress handled so much legislation pertaining to the Territory that our interest in national affairs was by no means small. He believed that the administration would appreciate a Republican victory here and that by the party's success in the islands strength would be added to our position at Washington, greatly assisting in making for the general prosperity of the group.

# FATALLY HURT BY YOUNG BULL.

## W. Daly Run Down On Richards Street.

(From Wednesday's Advertiser.)

At a few minutes before six last night, William Daly, better known as "Bill" Daly, was struck by a bullock that was being driven down Richards street and received injuries that may prove fatal. The bullock, which was about a year old, was being driven down to one of the island steamers by two native cowboys. The one on the Ewa side had a long rope attached to the animal's horns while the other and older of the two men rode by the side of the beast. According to eye witnesses the animal was being driven as fast as it could get over the ground and in a very reckless fashion.

As the cavalcade approached Queen street Daly, who had been drinking, stepped out of the Aloha Saloon and started to cross the street. As he did so the younger cowboy called out in English: "Go back." Daly looked up and hesitated, then instead of going back he attempted to go between the bullock and the horse with the result that he was struck in the side by the animal's head. He was thrown about ten feet and struck with great force on the back of his head.

Bystanders quickly picked him up and a hurry call was sent in for the patrol wagon. The injured man was bleeding heavily, clotted blood from both ears. When an examination was made at the Queen's Hospital a fracture was found at the base of the skull. At a late hour last night Daly's condition was unchanged and the chances were strongly against his recovery, although there is still some hope.

Daly is well known about town as a hackdriver and lately as an employee of the Republican Committee. In the latter role he has been distributing campaign literature. The police are informed as to the names of the cowboys and it is likely that an investigation of the affair will follow.

# DALY SUCCUMBS TO HIS INJURIES

William Daly, who was thrown down by a driven bullock on the waterfront on Tuesday and had his skull fractured in the fall, died early yesterday morning in the Queen's Hospital. The funeral was held yesterday afternoon from the undertaking parlors of Mrs. Williams to Pearl City cemetery.

The coroner's jury found that death was caused by injuries received when he was struck by the bullock and that a native boy whose name was unknown but whose identity is known by his carelessness in driving the animal, is responsible. Several eyewitnesses testified including Haywood, the other cowboy, who said that Daly was intoxicated and tried to play with the bull. The police are looking for the cowboy who has been named as responsible.

# SURGEON ST. SURE LEAVES ALAMEDA

Dr. F. A. St. Sure, the popular surgeon of the Alameda, has doffed the blue uniform with the gold stripes around the sleeves and is about to don the ordinary dress of a plantation doctor. He was passed by the Board of Examiners yesterday and will go to Hawaii within a few days where he will be connected with the Hutchinson Sugar Plantation at Honououou. It is said that there is a big salary attached to the job. In this connection there has been a rumor that the genial doctor is married and has four children. This is denounced as a base canard by the doctor's shipmates who have known the surgeon for years as a pronounced bachelor. But there is a house attached to the plantation position and it is rumored that Dr. St. Sure is soon to—but that is another story.

No surgeon has been appointed in Dr. St. Sure's place but Dr. Arthur G. Hodgins of this city who is going on a trip to the Coast will fill the position for this trip and by that time it is probable that a new man will be secured. Dr. St. Sure's fellow officers on the Alameda express regret at his decision to leave and they all pronounce him a fine fellow and an admirable shipmate.

# SCOTT'S EMULSION

makes pale, thin children fat and chubby. Overcomes wasting tendencies and brings back rosy cheeks and bright eyes.

It's surprising how quickly children respond to Scott's Emulsion. It contains just the element of nourishment their little bodies need. They thrive on it.

Even a few drops in the baby's bottle have a noticeable effect for good. Nothing better than Scott's Emulsion for growing children.

Why do substitutes for Scott's Emulsion cost less? Because they're worth less. With one you wait in vain for the benefits you had looked for. In Scott's Emulsion you get them. It never disappoints. That's worth the few cents difference in cost.

Mr. E. Faxon Bishop spoke briefly, concluding himself almost entirely to complimentary issues, declaring that so long as President Roosevelt appointed the principal officers down here and Congress handled so much legislation pertaining to the Territory that our interest in national affairs was by no means small. He believed that the administration would appreciate a Republican victory here and that by the party's success in the islands strength would be added to our position at Washington, greatly assisting in making for the general prosperity of the group.

# FATALLY HURT BY YOUNG BULL.

## W. Daly Run Down On Richards Street.

(From Wednesday's Advertiser.)

At a few minutes before six last night, William Daly, better known as "Bill" Daly, was struck by a bullock that was being driven down Richards street and received injuries that may prove fatal. The bullock, which was about a year old, was being driven down to one of the island steamers by two native cowboys. The one on the Ewa side had a long rope attached to the animal's horns while the other and older of the two men rode by the side of the beast. According to eye witnesses the animal was being driven as fast as it could get over the ground and in a very reckless fashion.

As the cavalcade approached Queen street Daly, who had been drinking, stepped out of the Aloha Saloon and started to cross the street. As he did so the younger cowboy called out in English: "Go back." Daly looked up and hesitated, then instead of going back he attempted to go between the bullock and the horse with the result that he was struck in the side by the animal's head. He was thrown about ten feet and struck with great force on the back of his head.

Bystanders quickly picked him up and a hurry call was sent in for the patrol wagon. The injured man was bleeding heavily, clotted blood from both ears. When an examination was made at the Queen's Hospital a fracture was found at the base of the skull. At a late hour last night Daly's condition was unchanged and the chances were strongly against his recovery, although there is still some hope.

Daly is well known about town as a hackdriver and lately as an employee of the Republican Committee. In the latter role he has been distributing campaign literature. The police are informed as to the names of the cowboys and it is likely that an investigation of the affair will follow.

# DALY SUCCUMBS TO HIS INJURIES

William Daly, who was thrown down by a driven bullock on the waterfront on Tuesday and had his skull fractured in the fall, died early yesterday morning in the Queen's Hospital. The funeral was held yesterday afternoon from the undertaking parlors of Mrs. Williams to Pearl City cemetery.

The coroner's jury found that death was caused by injuries received when he was struck by the bullock and that a native boy whose name was unknown but whose identity is known by his carelessness in driving the animal, is responsible. Several eyewitnesses testified including Haywood, the other cowboy, who said that Daly was intoxicated and tried to play with the bull. The police are looking for the cowboy who has been named as responsible.

# SURGEON ST. SURE LEAVES ALAMEDA

Dr. F. A. St. Sure, the popular surgeon of the Alameda, has doffed the blue uniform with the gold stripes around the sleeves and is about to don the ordinary dress of a plantation doctor. He was passed by the Board of Examiners yesterday and will go to Hawaii within a few days where he will be connected with the Hutchinson Sugar Plantation at Honououou. It is said that there is a big salary attached to the job. In this connection there has been a rumor that the genial doctor is married and has four children. This is denounced as a base canard by the doctor's shipmates who have known the surgeon for years as a pronounced bachelor. But there is a house attached to the plantation position and it is rumored that Dr. St. Sure is soon to—but that is another story.

No surgeon has been appointed in Dr. St. Sure's place but Dr. Arthur G. Hodgins of this city who is going on a trip to the Coast will fill the position for this trip and by that time it is probable that a new man will be secured. Dr. St. Sure's fellow officers on the Alameda express regret at his decision to leave and they all pronounce him a fine fellow and an admirable shipmate.

# SCOTT'S EMULSION

makes pale, thin children fat and chubby. Overcomes wasting tendencies and brings back rosy cheeks and bright eyes.

It's surprising how quickly children respond to Scott's Emulsion. It contains just the element of nourishment their little bodies need. They thrive on it.

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# KOOLAU PROTESTS

## Against Watson Having His License Renewed.

The petition of Koolauloa residents against the renewal or restoration of the right of David Watson for him to again practice law in the district courts, was made a matter of court record yesterday when it was placed on file among other legal papers. The petition is as follows:

Koolauloa, Oahu, Aug. 15, 1904.  
To Lorrin Andrews, Attorney-General, Territory of Hawaii.

Sir: We, the undersigned American citizens and voters residing in the district of Koolauloa, Island of Oahu, do hereby present to you our petition praying against the renewal or restoration to David Watson of a license to practice law before the district courts of this Territory, which said license was revoked by Circuit Judge Robinson, Third Judge of the Circuit Court, First Circuit, in a decision rendered by him and against the said David Watson, and which decision we do hereby uphold and approve, on the very ground that we are familiar with his corrupt works. That we are all of one opinion, that if the said license be renewed and restored to the said David Watson, he will be exercising more of his corrupt works towards all the citizens residing within this district, and will also be doing extortionate works towards poor people in the district.

And further, we do hereby approve that decision rendered by the said Circuit Judge Robinson of the Circuit Court, First Circuit, of the Territory of Hawaii, the same being correct and proper in every way.

(Signed) BY 25 PERSONS.

### AN ODD DEFENSE.

H. M. Dow by his attorney Geo. A. Davis makes a general denial to the complaint of plaintiff in the action of J. Alfred Magoon vs. H. M. Dow, defendant, J. H. Fisher, auditor, garnishee. The defendant makes the following statement as being the defense he will rely upon to prove his case:

"That the said promissory note set out in the complaint was made and delivered by the defendant to the plaintiff in connection with a certain mortgage as a matter of form only and upon the understanding and agreement that the defendant would not be called upon to pay the said note, and there never was any value or consideration for the making of the said note by the said defendant, and the said plaintiff first took and always held the same without any value or consideration."

### MCCHESNEY LOSES.

The jury in the ejectment case of The First National Bank of Hawaii vs. J. D. Gaines, G. M. McChesney and Alice M. McChesney, rendered a directed verdict for the plaintiff on the ground that the plaintiff having produced evidence showing title to be in the bank, and not sufficient evidence being introduced as would contradict the evidence of the plaintiff. The verdict was as follows:

We, the jury, find for the plaintiff for the restitution of the property described in the complaint, together with the sum of \$166.65 being the rents, issues and profits arising therefrom from and after the 1st day of April, 1904.

### THE FAMILY GROWS.

F. E. Thompson, guardian ad litem of the Merseberg minors, has filed a demurrer in the case of John A. Cummins vs. J. O. Carter, trustee under deed of trust to him made by John A. Cummins, dated October 1, 1896, et al., bill for cancellation of trust deed. The demurrer sets forth that it does not appear in the bill that the deed of trust was not the voluntary and free act of the plaintiff; that the plaintiff has been guilty of gross and inexcusable laches in presenting the same and that he is now barred from so doing by said laches.

That it does not appear in said bill that all the necessary parties have been joined in the cause in that it does not appear that Thos. B. Cummins, Mattida K. Walker, Jane B. Merseberg and May I. Creighton referred to in the deed, have been joined as parties.

That it appears also that there is a misjoinder of parties defendant in that Adolph Constable, Barney Joy and John Doe Blaisdel are joined as parties defendant by virtue of their being husbands of certain other parties defendant named in said bill.

### CONFESSION JUDGMENT.

In the case of the Wilmerding-Loewe Co. vs. Lawrence H. Doe, the defendant confesses judgment to the plaintiff in the sum of \$2025.65.

### MANOA WATER DECISION.

The Supreme Court yesterday handed down a decision in the case of Lum Ah Lee et al. vs. Ah Soong et al., damages, in which the decision for plaintiff in the lower court, and from which the defendant appealed from, is affirmed. The syllabus is as follows:

The plaintiff claims that damage to taro crop caused by defendants' illegal diversion of water held properly assessed to defendants, although a drought was the cause of partial failure of crop, allowance having been made in the award for the proportion of loss sustained by the drought upon other taro crops in the vicinity.

The taro lands referred to are located in Manoa, the water in question flowing over a certain dam called the Honolulu dam. Plaintiffs were awarded \$1500 damages.

### FINED FOR SMUGGLING.

Judge DeLoe yesterday fined Captain Treasurer of the schooner M. Turner, in

the sum of \$100 for smuggling a quantity of liquor ashore here on a previous trip. He pleaded guilty to the charge.

### COURT NOTES.

Ellen Dwight was yesterday appointed administratrix of the estate of Charles Bishop Dwight, deceased, giving a bond in the sum of \$1,000 with Sam'l C. Dwight as surety.

Judge Robinson's jury was yesterday excused until next week Wednesday.

U. S. Marshal Hendry yesterday received a cable order for \$1500 from the U. S. Attorney-General, the amount needed for witness fees.

U. S. Marshal Hendry departed on the Kinau yesterday for Hilo to arrest a person named in one of the indictments reported yesterday by the Grand Jury.

# CORBIN IN HONOLULU

Major General Henry C. Corbin, formerly Adjutant General of the United States Army, was a visitor in Honolulu yesterday, being a passenger on the Mongolia on his way to Manila where he will succeed General Wade in the command of the military division of the Philippines. General Corbin is a tall, heavy set man and looks like his pictures so that it was not hard to pick him out among the crowd of passengers that lined the steamer's rail. He received the reporter with a pleasant smile and offered him a seat in an adjacent chair. His first request was for a morning paper and he eagerly scanned the cable dispatches for news from the seat of war. His position, however, does not allow much comment on that subject.

"I really am not in a position to say much that will interest your readers," he said. "I am looking forward with great anticipation to seeing what I can of your beautiful city in this very brief stay. I have never been here before and I am sure I shall enjoy it. I am going out to take command of the military division of the Philippines, that is about all I can say about it. There will be no special changes in the military organization of the islands as far as I know."

When asked whether he knew anything of the plans of the government as to the fortification of Honolulu, the General said: "I know something about it but of course I cannot make the information public. But I am sure that that matter will be attended to soon in a manner that will be satisfactory to your people."

"Except those who own houses near the new forts," suggested the man of the pencil; but the man of the sword replied: "The forts would give very little trouble in that way. In fact the neighbors will hardly know that they are there."

As the vessel swung into the channel the various points about the harbor were pointed out to him and the needs of the harbor were laid before him. He listened with evident interest and asked many questions as to the ability of big ships to enter the port and other things connected with the harbor and city. When he shook hands and said: "I am glad to have met you," one felt that he meant what he said. A few moments later he was standing at the rail watching the vessel dock. The Buffalo's band was pounding away on one side and a number of her officers were scanning the crowd with their glasses to catch a glimpse of the General, while on the other a curious crowd on the dock was doing the same thing. The center of all this interest stood motionless on the deck gazing away over the city apparently oblivious to it all, every inch a soldier.

During the afternoon he was shown about the city. Admiral Terry and Captain Humphris were at the dock to meet him when he landed and showed him every courtesy. Mrs. Corbin, who was Miss Edith Agnes Patten and whose father made his fortune in mining at Gold Hill, Nevada, is a most charming woman and showed great interest in Honolulu.

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## MORE VETERANS CALLED HOME

More Japanese soldiers among the local population are being called home for active service. Owing to the crowded condition of the Mongolia a few who had hoped to leave for Yokohama on that vessel were disappointed. One of them is a veteran of the China-Japan war who is familiar with the present battlefields in Manchuria.

## DEMOCRATIC RALLY SATURDAY NIGHT

The Democrats are making preparations for a big rally to be held at the Orpheum theater next Saturday night. The speakers will be prominent men of the party, not candidates, although Curtis Lauka may make an address. W. A. Kinney is also scheduled to make a speech. The Democrats expect to have S. M. Damon on the stage.

### LAME BACK.

This ailment is usually caused by rheumatism of the muscles and may be cured by applying Chamberlain's Pain Balm two or three times a day and rubbing the parts vigorously at each application. If this does not afford relief, bind on a piece of flannel slightly dampened with Pain Balm, and quick relief is almost sure to follow. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

# FRUIT PESTS MUST BE KEPT OUT OF ISLANDS

## Board of Agriculture Acts On Entomologist Craw's Recommendation--Hilo Forest Reserve --- Will Continue Hamakua Tobacco Experiment For Another Year.

Every effort will be made by the Board of Agriculture and Forestry to keep out of the islands the importation of fruits which are known to be infested with pests, as well as animals which have the reputation of preying upon young and ripening fruits and other products.

This action was taken at a meeting of the Board held yesterday afternoon, the recommendation being made by Alexander Craw, the eminent entomologist, now attached to the staff of the Board.

The Board also adopted the report of Superintendent of Forestry Hosmer relative to the upper line of the proposed Hilo forest reserve.

Superintendent of Forestry Hosmer's report on the proposed upper boundary of the Hilo Forest Reserve was presented as follows:

October 14th, 1904.  
Committee on Forestry, Board of Agriculture and Forestry, Honolulu.

Gentlemen:—I have the honor to submit herewith a report, with recommendations, on the upper boundary of the proposed forest reserve in the Hilo District, Island of Hawaii.

During the last week of August I made a careful examination of the upper edge of the forest from the 1855 lava flow to the Hamakua boundary, going over the ground in person and supplementing the information so gained by interviews with various persons familiar with the locality, and the conditions existing therein.

In this connection I would acknowledge my obligation to the managers of the several plantations in the Hilo District, to Mr. A. B. Loebenstein of Hilo, and especially to Mr. W. H. Shipman, for information in regard to this question, and for other assistance given me.

The general reasons which underlie the establishment of the Hilo Forest Reserve have already been discussed in my report on the lower boundary. In brief they are that this reserve is needed to protect the water sheds of the streams throughout the district, on which the plantations, and to some extent the other industries, present and prospective, along the coast, depend for their most satisfactory development. This protection can be best afforded by the setting apart of the belt of forest along the slope of Mauna Kea, which receives the heavy rainfall and in which the streams head. The object of the reserve is to prevent excessive run-off, equalize the flow in the streams and protect the slopes against erosion.

It was pointed out in my former report that the trade winds bring in a bank of moisture laden clouds of which pile up against the side of Mauna Kea between the elevations of approximately 2000 and 6000 feet. From the evidence available it appears that the precipitation is heaviest between the elevations of 3000 and 4500 feet, and that from the latter point up to an elevation of about 6500 feet there are only light rains and scattering showers. Higher than this on the slope and in the saddle between Mauna Loa and Mauna Kea, the trade winds die out, much as they do in Kau, just beyond the Volcano House. The point is somewhere between Piu Oo and Kalaieha—the latter place seldom having rain from trade wind clouds, while conversely, during the times of kona winds, the rains that fall at Kalaieha do not reach Piu Oo.

On the main slope of Mauna Kea above approximately the 6500 foot level, the rains are said to come principally with northerly winds. The storms are usually short ones but precipitation is very heavy while it lasts, rapidly filling the ordinarily dry stream beds so that the floods become impassable. When the rain is over however, the streams fall just as quickly, the water rushing down the mountain and swelling the volume of the permanent stream below. When more rainfall and stream-flow records come to be kept it will be interesting to see how much the lower parts of the streams are influenced by these sudden down pours far up on the mountain.

Under existing conditions little can be done to regulate the flow of the torrents resulting from the storms just described. The open mamani forest now growing on the steep, upper slopes has no appreciable effect on the run-off, while the establishment of a cover of vegetation sufficiently dense to make any material difference in the discharge of the streams is practically out of the question. The chief interest in water conservation thus centers in the lower forest.

The upper line of permanent running water in the streams seems to be near the upper edge of the belt of heavy precipitation, although the dense forest above must exercise a considerable influence in absorbing the light rain and helping to feed the springs from which the upper brooks come.

The dense forest now extends up to an elevation of a little over 6000 feet. Koa and ohia lehua are the predominant trees. With them are associated kolea, pilo, olapa, nani, and some other trees of minor importance, and the dense mass of ferns, bracken, and other undergrowth characteristic of the Hawaiian forest.

Humuula. At this point the koa and ohia are replaced by mamani, which, forming an open stand, extends practically to the upper boundary of Humuula, and all along the slope of Mauna Kea.

Beyond Honohina the dense forest of ohia and koa comes up to the Humuula line. From here on to the Hamakua boundary, the proportion of koa is larger and the forest is of greater potential commercial value.

The lands within the limits of the proposed Hilo Forest Reserve, which extend through the forest, are from south to north as follows: Pihonua, Paukaa, Papiakou, Makahanaloa, Hakalau, Honohina, Piha, Maulua, Laupahoehoe, Waipunalei, and a part of Humuula. Of these lands Pihonua, Piha, Humuula, and Laupahoehoe are owned by the Government and are, with the exception of the last named, under lease for various terms. A portion of Laupahoehoe is under lease also, but a large part of the land bearing this name on the official maps is included in the tract known as Papiakou forest which is still in the hands of the Government. The remaining lands in the list are owned in fee by plantations or individuals.

The upper part of Pihonua is sublet to Mr. W. H. Shipman; the boundary being a line run across the land from the center of Reed's island, in the 1855 lava flow. Mr. Shipman has just completed a fence across Pihonua somewhat over a mile mauka of his lower boundary. Hereafter all of his cattle will be kept above this line. The fence starts on the rough aa of the 1855 flow above Halealoa, runs north to the trail, then eastward to the opening in the woods about north of Halealoa, and thence in a fairly straight line across Pihonua to a point on the Paukaa boundary, two miles from the Humuula line. There are one or two joags in the fence line which may later be eliminated but this straightening would not materially alter the direction of the line.

Through an arrangement with Brewer & Co., Mr. Shipman has continued the fence across the lands of Paukaa, Papiakou and Makahanaloa, at a slightly higher elevation than that across Pihonua. The corners on these lands are one and one-half instead of two miles mauka of the Humuula boundary. The average elevation of the fence across these lands is little over 6000 feet. Its location is practically at the upper edge of the dense forest.

Below the line of the fence is a considerable band of wild cattle, which has been estimated to consist of over 500 head. Formerly these cattle ranged all the way from Laupahoehoe to the 1855 flow, but constant hunting at the northern end of the district has now driven the greater part towards Pihonua. By the terms of his agreement with Brewer & Co., Mr. Shipman leases the land, builds and keeps in repair the fence, and agrees to exterminate the wild cattle in the forest below. This work is now going on with systematic driving and shooting, which will be continued as long as there are any wild cattle left.

If a similar arrangement could be made with Irwin and Company, Mr. Shipman would be glad to continue the fence across the lands of Hakalau and Honohina.

There exist division fences between Humuula and the lower lying lands as far north as Hakalau. Beyond this the lands are unfenced and are open to cattle or sheep from above. As a matter of fact the sheep are not allowed to get far into the forest, because of the difficulty in herding them in the underbrush. Wild pigs abound in the forest. No estimate can be made of their number.

The fence erected by Mr. Shipman meets so many of the requirements of the upper boundary of the proposed Hilo Forest Reserve, that it seems to me wise to adopt it, from the 1855 flow to the land of Hakalau, and the line desired. From there on I recommend that the boundary follow the edge of the forest across Hakalau and Honohina.

This coincides with the location desired by Mr. Shipman for the extension of his fence. From the corner of Honohina, Piha and Humuula, the reserve line should follow the lower boundary of Humuula, as far as the north mauka corner of Waipunalei, thence across Humuula to a point on the Hilo-Hamakua boundary, to be determined later in connection with the Hamakua reserve.

My reasons for recommending this line are as follows: A belt of at least two miles of forest above the upper limit of the heavy rain belt and the head of the permanently running streams is thus reserved.

The line is far enough mauka to include practically all of the area subject to the showers and light rains occurring above the belt of heavy precipitation.

The reservation as recommended will, I believe, insure the objects for which it is made. While the forest could undoubtedly be extended further mauka, I think the land above the proposed line can be used for other purposes than forest, without detriment to the best interests of the reserve.

By adopting the line recommended, the question of fencing a considerable portion of the boundary is obviated. As the objects of the plantations in their agreement with Mr. Shipman are identical with those of the reserve, they can well be taken advantage of by cooperating with the parties to the agreement.

There remains one more point to be considered, the southern boundary of the reserve. This seems to be naturally fixed by the lava flows of 1855 and 1861, beyond which to the south and east, the whole character of the country changes. But it is urged by some that there is agricultural land on Pihonua between the 1855 flow and the Waialuku river, which under certain conditions could be opened to settlement without detriment to the reserve. This is a question for future study. At present the section is unexplored. No trails penetrate the forest and its outer edge only is accessible.

Should the projected road from Hilo, known as the "One County Road," be built, the area in question would be brought into touch with markets. If it were then found that land suitable for agriculture existed, and that it could be opened for settlement without endangering the sources of the Waialuku, I should be in favor of so doing. But until there is a more definite prospect of the road being built I believe the land is better in a forest reserve. I therefore recommend that the southern boundary of the Hilo Forest Reserve be the lava flow of 1855.

If the recommendation in this report are approved by the Board I suggest that the Governor be requested to set aside as soon as practicable, all the Government land not now under lease within the limits of the Hilo Forest Reserve. I further suggest that the Board make known its willingness to consider propositions looking to the turning over to the Government, under the terms of Act 44 of the Session of 1903, of privately owned lands within this reserve.

Very respectfully,  
RALPH S. HOSMER,  
Superintendent of Forestry.

Mr. Hosmer also reported that Mr. Olding of Hawaii was anxious that something be done in the matter of defining the boundary for forest reserve in Kohala in the vicinity of the proposed Kohala ditch. Mr. Olding recommended last May that certain gulches, except land in Laupahoehoe belonging to the Booth estate, be set aside for forest reserve. This land is practically unexplored.

Mr. Thurston suggested that the board approve of the suggestion and refer it to Mr. Hosmer for a report with recommendations.

The following resolution was then passed on presentation by Mr. Thurston:

Resolved, That the upper line of the Hilo forest reserve as recommended by the Committee on Forestry, based on the report of the Superintendent of Forestry, this day presented to the board, be approved, and that the Superintendent of Forestry be instructed to proceed to secure the preparation of a map and metes and bounds to be embodied in a description of the Hilo Forest Reserve in accordance herewith.

### KAUAI RESERVE MATTER.

Mr. Hosmer reported that the Kauai reserve matter was progressing. W. O. Smith, attorney for Mr. Wilcox is preparing a release or surrender of certain lands desired by the Board for reserve purposes. A map of the proposed reserve lines will probably be ready next week.

### CITIZEN LABOR ONLY.

In his weekly report of incidental matters occurring about the department nursery, Mr. Hosmer reported that all Japanese laborers have been turned away from work and Portuguese laborers substituted with good results. He recommended that prison labor be secured for a while to assist in laying new lawns, etc.

### BISHOP ESTATE TO AID.

F. S. Dodge, agent of the Bishop Estate, was present at the meeting. He stated that he had had several conversations with Mr. Hosmer on the subject of the Hilo forest reserve. He was not prepared yet to make any statement as to what action the Estate would take with reference to its lands involved in the proposed Hilo reserve, until the second and third sections of the maps were prepared. He said, however, that the estate would co-operate with the Board, but wanted a definite line established before they would say what they would do.

### PINEAPPLE PEST.

Mr. Dole of Wahiawa spoke of a resolution passed by the Board about a year ago relative to sending an entomologist to Wahiawa to investigate the insect which is bothering pineapples. He understood that the entomologists were very busy but hoped that time would be found to have one sent to Wahiawa as the need of expert investigation was necessary.

Entomologist Craw stated that the staff was extremely busy but he hoped to be able to go there in a few weeks.

### HAMAKUA TOBACCO.

Director Jared Smith of the United States Experiment Station placed on exhibition before the Board some fine samples of Sumatra and Havana tobacco grown in Hamakua, Hawaii. The samples were passed around and were pronounced by the connoisseurs of the Board to be of excellent flavor. The tobacco was raised on about an acre and a quarter of ground under the direction of the U. S. Experiment Station and personally attended to by Mr. Blacow. This is the result of an appropriation made by the last legislature to experiment in tobacco culture. A portion of this money was set aside to aid in the culture under the direction of Jared Smith.

Mr. Smith reported that about 70,000 leaves, or about 1200 pounds, was the result of the first crop. The Board approved of the experiment thus far by voting to continue it another year. Mr. Smith is arranging to have the tobacco cured. This operation will take about six weeks' time. He thought it best to cure the product here rather than to trust it to easterners as they might not be inclined to take the proper interest in the process. He stated that the second crop would be planted shortly. He suggested trying to raise Sumatra leaf in the Kona district. Mr. Thurston was emphatic in his recommendation for a continuation of the experiment.

### BLUEFIELDS DOING WELL.

It was reported that the Bluefields bananas are doing well and several hundred suckers have been set out. The Board again wishes to draw the attention of the public to the fact that the Bluefields bananas are not yet ready for public distribution.

# IMPORTANT POINT UP

## In Writ of Prohibition Before Supreme Court.

(From Thursday's Advertiser.)

A most important judicial issue comes before the Supreme Court today and, of strange necessity, two members of the bench to try it are officially interested in the outcome. It is the question of the authority of Circuit Court Judges to hold court at chambers, in equity, probate or any other jurisdiction. There is no question about it, so far as the old Hawaiian law is concerned, but the point has been raised as to whether a Circuit Judge has any jurisdiction out of court term, under the following provision of the Organic Act:

"Sec. 81. That the judicial power of the Territory shall be vested in one supreme court, circuit courts, and in such inferior courts as the legislature may from time to time establish. And until the legislature shall otherwise provide, the laws of Hawaii heretofore in force concerning the several courts and their jurisdiction and procedure shall continue in force except as hereinafter otherwise provided."

The matter in which the question is brought to an issue is a writ of prohibition sued out of the Supreme Court to prevent Circuit Judge Gear from taking any jurisdiction of the proceedings for removing the guardian of Annie T. K. Parker, a minor.

Two members of the Supreme Court are disqualified in the matter, Circuit Judges De Bolt and Robinson will sit as substitutes. An old possibility of the situation here looms up. Among the many attacks on certain Hawaiian laws as being contrary to, or inconsistent with, the Organic Act, the question of the validity of Judge Robinson's holding of office has been raised. The appeal of E. S. Boyd from conviction of embezzlement is partly grounded on a denial of the power of the legislature to create a third judgeship in the First Judicial Circuit. As the position thus created is held by Judge Robinson, the determination of this point may have the effect of making void anything the Supreme Court decides with him as one of its members.

Altogether, it would appear as if one of the most necessary pieces of legislation the Territory requires from Congress is something to straighten out all tangles in the system of Territorial jurisdiction.

### DANGERS TO HAWAII.

The report of Entomologist Alexander Crow as to the dangerous insects and pests which menace Hawaii, was as follows:

Honolulu, Oct. 19, 1904.

To the Honorable Board of Agriculture and Forestry, Honolulu, T. H.

Gentlemen: All steamers and sailing vessels entering Honolulu from outside the Territory of Hawaii have been visited upon arrival and all horticultural and agricultural products in the possession of passengers or crew or on the ship's manifest, have been carefully inspected on the docks. Some small lots have been condemned and destroyed or returned.

In the case of growing plants they have been treated with hydrocyanic acid gas, even in cases where no infection could be noticed. This work has been done in our new fumigating rooms on the docks, thereby removing all danger from such imports.

The plants came from the States, one case from England and a small lot from Japan. From the latter country, some apples, pears and a basket of persimmons infested with Lepidoptera larvae and fungus disease. Samples were put up in jars containing formalin for office exhibits.

A passenger ex S. S. Doric on the 16th inst. from Japan, had a box of mammoth chestnuts that I found to be infested with the larvae of a beetle. We found from one to eleven larvae in a single nut. The box and its contents were destroyed by burning. Samples of insects and nuts were also put up for the office.

The introduced beneficial insects from Australia arrived in better condition. I have placed Mr. Kotinsky in charge of the breeding room.

The Japanese Beetle (*Adoretus umbrinus*). One large box two-thirds full of earth and containing about 1000 of the beetles, some of which were fungicized specimens received from Father Mathias through the kindness of Mr. McGuire. These were in there nearly three weeks, so that now nearly all the beetles are dead, and the entire box, earth and all is well permeated with the fungus. We are now ready to notify the public, advising them to bring beetles and call for them on the evening of the third day.

Up to the present we had three boxes inoculated, the others will be ready in a week or so. More might have been prepared, were it not for a lack of beetles to reach the office.

Some half a dozen species of lady-bird beetles received from Messrs. Koebel and Perkins, Oct. 4th, per E. S. Ventura, are being fed and notes taken on their life history. One of these, *Leisxiconformis*, a voracious aphid eater is doing particularly well. A male and two females were received alive. Eggs were found from time to time, altogether 234 eggs of this species were counted up to date. Most of these have hatched as they pass but 40-50 hours in the cage-stage. They seem to be fond of orange aphid; unfortunately the latter is growing scarce in the Nursery orchard. They appear ready for public distribution.

(Continued on Page 7.)

Hawaiian Gazette.

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SEMI-WEEKLY. MAILED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

SUBSCRIPTION RATES. Per Month, Per Month Foreign, Per Year, Per Year Foreign.

Payable Invariably in Advance.

A. W. PEARSON, Manager.

FRIDAY OCTOBER 21

MACHINE OR PEOPLE—WHICH?

The people of this Territory have now had a little more than four years of machine government in all departments save the Executive and in the cases of the two Boyds and Wright it encroached even upon that.

It is a fair question whether the results have been such as to commend the machine system to the taxpayers and justify another vote of confidence in it?

When the machine began business it undertook to prevent the choice for Governor of Sanford B. Dole and make good the selection of any available politician or carpet-bagger in his place.

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When the machine began business it undertook to prevent the choice for Governor of Sanford B. Dole and make good the selection of any available politician or carpet-bagger in his place.

The second political campaign resulted in the choice of Kulo for Congress and of a Republican legislature with a strong working majority.

The lower house of that Legislature contained as arrant a lot of rascals and incompetents as could have been scraped together in the political purlieus of San Francisco—a piebald aggregation of knaves and freaks with here and there a respectable man who had got in without machine help.

As Governor Dole's term neared its end some of the machine's most powerful influences were ranged against the choice of George Carter for Governor.

Today the machine is in the field again with a three-ply ticket, one part competent, one part incompetent and one part rascally and it insists, as it did in the cases of Kumalea, the Boyds, Wright and the rest of the branded crew, upon the support of honest men because, and solely because, the ticket stands for party regularity.

What is regularity to the taxpayer if it means bad government?

What is a party worth which accepts and recommends nominees whom it knows to be unworthy?

Finally if government by the machine after a four years' trial is shown to be weak in the selection of public servants; if it is shown to be careless in its adoption of policies and regardless of the vital principles of good legislation and deficient in public spirit, then is it not right that the taxpayers who PAY THE BILLS, should begin to choose for themselves? So far, good citizens have delegated their right of selection in a way to do themselves a wrong; now they propose to take back their misused powers of attorney and put Hawaiian legislation in the hands of the best men. Shall they permit themselves to be called down by party managers whose consciences have been so obscured by ambition that they hold up the Mahelonas and Ayletts as men fit to be elected?

The sucker takes any kind of bait with unblemished regularity. If you are particular about bait don't be a sucker.

Does a bad nominee become desirable because another party is running a good nominee who may beat him?

It was for lack of knockers at the polls that the last Legislature had a Solid Thirteen.

When a bad nominee picks up his head remember your taxes and be a knacker.

It is not only a matter of electing good men but of defeating bad ones.

THE STRAIGHT TICKET.

The arguments in favor of voting a straight ticket are well known to this community. The last legislative campaign was run on the straight ticket basis, and we all know the results.

The Republican nominees on the senatorial ticket are of this type, and the Advertiser most heartily commends their support by all Republicans, and by all voters of any party who want to see the Senate remain in conservative control.

Cecil Brown is running on no platform except the announced one of protest against the Governor personally. It would be just as logical if he should run as a protest against the Japanese war or against free trade in England.

If Brown is elected, however, he will feel that he has received a special commission from Providence to make life miserable for the Governor, and he will have to make good by tearing his hair and whooping it up for six days in the week when legislative days cost a thousand dollars apiece.

We have had enough of personalities and personal exploitation in the legislature, and want a business session. Lane, Bishop and Dowsett are running on a business platform and have no axes out for the Governor or any one else.

As to Mr. Waller, a straight out anti Democratic nominee to the legislature has not the ghost of a chance for election in Honolulu, except through Republican votes.

Unfit Republican nominees will be scratched, by Republican voters, in the interest of the party and public morals; but there is no reason why any Republican voter should scratch the senatorial ticket.

The only excuse that we can see for the nomination of Mr. Waller is that a few dyed-in-the-wool Democrats live in hopes that lightning may strike in their vicinity some day, and in an unknown mysterious way a Democratic President may come into power.

JOHN C. LANE, E. F. BISHOP, J. M. DOWSETT.

The Japanese say they will take Port Arthur on the Emperor's birthday, Nov. 3d. They are so sure about it as to suggest that their tunneling under the fortress has been successful and that, when the appointed day comes, they will be able to send the principal Russian forts hurtling into the air.

After six days of fighting the two hostile armies in Northern Liaotung concluded to rest and although some casual battling occurred, the main combats recuperated. So far Oyama has not succeeded in enveloping the Russians. Two hundred thousand good fighting men are not easy to cage by an army of similar strength.

While Honolulu reads a short abstract of the daily war news, there are men here who read thousands of words of it every morning and evening and say nothing. These are the people at the cable office. The long stories sent by the Associated Press and by the correspondents to the press of the United States and even of Europe land at Waikiki, register themselves at the uptown office and pass on to fill the pages of the great dailies. A few hours later the items of first importance return and are published in the local papers.

Does anybody make the argument seriously that the Carter administration can get more help for good government from Aylett, Mahelona and Long than it could from Trent, Campbell and Langston?

It will need a great deal of heart-to-heart talking to convince a good citizen that he can get honest government and help Carter by voting for a disreputable nominee.

There is but one way to prevent the recurrence of Solid Thirteens and that is to defeat the men responsible for them when they come up for re-election.

Don't let anybody do your thinking for you in politics. Do your own thinking.

A good vote is a ticket you give him that'll be a goat.

DEMAND FOR TROPICAL PRODUCTS. SENATE FIGHT AND HOME RULERS.

The growing demand of the people of the United States for tropical and subtropical products is pointed out in the Annual Report of the Chief of the Bureau of Statistics, just issued by the Department of Commerce and Labor. It shows that the total value of tropical and subtropical products brought into the United States during the fiscal year 1904 amounted to \$49,556,775, including those brought from the Hawaiian Islands, Porto Rico, and the Philippines.

The total quantity of sugar, for example, brought into the United States in 1904 from the Tropics, including that brought from Porto Rico and the Hawaiian Islands, is 4,675,627,813 pounds, against 3,205,087,796 pounds in 1900, 2,332,820,896 pounds in 1890, 1,825,286,039 pounds in 1880, and 1,196,662,949 pounds in 1870.

Imports of fibers in 1904, including those from the Philippine Islands, amounted to 299,951 tons, against 249,306 tons in 1900, 195,332 tons in 1890, 111,751 tons in 1880, and 43,533 tons in 1870.

HISTORICAL FACTS.

As general information, valuable in the study of the present war in the Orient, a few historical facts may be useful. Genghis Khan or Jenghis Khan was not a Persian, but a Mongolian. He was born in Mongolia in 1162 and died in his native country in 1227.

These important data, in connection with other points, at once explain and deepen the extraordinary contrast in the existing war, in which Russia has represented not only European but Asiatic medievalism, while Japan, more completely Asiatic in blood, has stood for modern ideas.

The Japanese people have such a perfect faith in the superiority of their army and navy that they will brook no defeats and are brutally impatient of delays. The General or Admiral who lags on the way to triumph does well to keep the Japanese public at a distance. It has got so now with Nodzu, the commander before Port Arthur, that his name is dragged in mud, as Admiral Kammura's was before he sank the Rurik, and Japanese journals do not hesitate to urge him to commit suicide.

There were Republican, Democratic and Home Rule political meetings all over town last night. It is impossible for the Advertiser to cover the entire field when the field is full, a task that would call for all the reporters in Honolulu. On that account the paper would be glad to have reports from participants of what was actually said and done at these gatherings, together with the manuscripts of speeches.

When Roosevelt began his career in the New York Legislature by repudiating the Republican Judge Westbrook every machine man told him not to be a knacker or the habit would ruin him.

Achi was right when he said that if Nodzu went to Washington he couldn't find the medals. But he might find the nearest Custom House, and that is where Uncle Sam would have to look sharp.

A pelican swallows anything that is thrown to him. That's where he differs from an independent voter. Don't be a pelican.

LOCAL BREVITIES.

(From Wednesday's Advertiser.) Peter Lee of Oahu returned to Hilo yesterday on the Kinau.

J. D. Kennedy and J. C. Cohen left for Hilo yesterday in the Kinau.

Mr. Ewart, formerly a plantation manager, leaves for Mexico today.

Mrs. C. H. Atherton, departed for Maui last evening on the Claudine.

Tom Lloyd departed for Maui yesterday after spending a short vacation in Honolulu.

C. B. Gray departed yesterday for Honolulu, having finished his work here as a Federal Grand Juror.

A reception will be given in honor of Principal and Mrs. Perley L. Horne at the Kamehameha school for girls at 8 o'clock next Saturday evening.

The police are looking for Okutani, who is charged with gross cheat in securing \$170 belonging to a fellow countryman by the name of Nakashima Sentaro, a resident of Kahului.

W. C. Weedon may arrive from the Orient on the Manchuria, due here October 27. Mr. Weedon has been in China endeavoring to secure property concessions from the Imperial government.

Mr. and Mrs. J. J. Williams announce the engagement of their daughter, Ivy K. Williams, to Mr. F. D. Greeny, of San Francisco. Mr. Greeny was formerly connected with Whitney & Marsh of this city.

(From Thursday's Advertiser.) Dr. J. T. McDonald returned in the Mongolia.

Judge De Bolt gave judgment for defendant in the suit on a note of Herbert P. Eakin, trustee, vs. Emmeluth & Co.

John A. Scott, president and manager of the Hilo Sugar Co., returned in the Mongolia from a trip of several months on the mainland.

There will be a big Republican rally at the Orpheum on Saturday the 29th at which several speakers who are not on the ticket will be heard.

Social clubs, whose chief function is the consumption of intoxicating drink, in various parts of the Territory are receiving attention from the authorities.

Edmund Norrie has been notified, through Danish Consul Macfarlane, that, by the death of an aunt, he has become heir to a considerable sum of money.

Dr. A. N. Sinclair wishes to say that the wireless telegraph system was not to blame for the mistakes made in Honolulu's chess games with Hilo. "Mr. Cross deserves the greatest credit," the doctor says, "for the way he handled the games."

By the Alameda's mail Governor Carter sent to Congressman Burton, chairman of the Rivers and Harbors Committee, a detailed map of Honolulu harbor. The Governor's estimate of this harbor's needed appropriation for improvement is \$889,000.

Chester Doyle's investigation of the assault to murder on Kauai placed the event at Hanalei on Sunday night at 10 o'clock. Inflamed with jealousy of the culprit, a Japanese, shot his wife and her alleged paramour. The woman was not dangerously injured, but the man is yet in a precarious condition from a shot in the neck. After his arrest the shooter admitted the shooting, with regrets that it was not more thorough.

High Sheriff Brown is confined by illness to his home at Waikiki.

The U. S. survey steamer Patterson will go on the marine railway for overhauling next week. After coming off she will begin surveys in Hawaiian waters.

The largest Raymond & Whitcomb excursion party to Hawaii ever assembled is promised the coming winter in a letter to the Hawaii Promotion Committee.

The Tax Appeal Court has rendered no decisions on property tax cases since the first batch some weeks ago reported. It is now considering income tax cases.

Next Sunday Captain Niblack will take some members of the Masters and Pilots' Association in the U. S. S. Iroquois to Pearl Harbor to show them the new marks of navigation there.

The Free Kindergarten Association will hold a special meeting this morning at 9:30 at the Y. W. C. A. rooms. It is hoped there will be a large attendance as important matters are to be discussed.

The main government road at Kahala, district of Koolau-poko, Oahu, will be closed to traffic from this afternoon to Saturday, the 22nd inst., while the old bridge is being removed and the new structure is being erected.

M. P. Lagan, ticket seller at the Honolulu station of the Oahu Railway & Land Co., was arrested yesterday and is held for investigation. His accounts are being experted for a shortage that may be of considerable amount.

Frederick W. Stone and Miss Ada Garwood will be married at the residence of Capt. and Mrs. Tullet, Waikiki, at 7 o'clock tomorrow evening. The prospective bride came here lately from England. Mr. Stone is employed on Kilauea plantation, Kaunoi.

A Fine Old Lady.

Susan B. Anthony at 84 is more alert, physically and mentally, than most women a quarter of a century younger. The veteran woman suffragist has been sympathetic, not entirely unimpaired with scorn, for the faddists who for many years have advocated a multiplicity of rules for the maintenance of health among members of her sex.

Yachts to sail in the H. V. C. cruise to Hilo Island tomorrow are the Gladys, La Paloma, Hawaii and Spry.

Catarrh

Invites Consumption

It weakens the delicate lung tissues, deranges the digestive organs, and breaks down the general health. It often causes headache and dizziness, impairs the taste, smell and hearing, and affects the voice.

Being a constitutional disease it requires a constitutional remedy.

Hood's Sarsaparilla

Radically and permanently cures catarrh of the nose, throat, stomach, bowels, and more delicate organs. Read the testimonials. No substitute for Hood's acts like Hood's. Be sure to get Hood's.

"I was troubled with catarrh 20 years. Seeing statements of cures by Hood's Sarsaparilla resolved to try it. Four bottles entirely cured me." WILLIAM SHERMAN, 1080 6th St., Milwaukee, Wis.

Hood's Sarsaparilla promises secure and keeps the promise.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COKE—(Robert Lewers, J. J. Lowrey, C. M. Cooke)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Manufacturers of every description made to order.

HONOLULU STOCK EXCHANGE.

Table with columns: NAME OF STOCK, Capital, Val. B.S., Ask. Includes Mercantile, Sugar, and Bonds sections.

TIDES, SUN AND MOON.

Table with columns: Day, High Tide, Low Tide, Sun rise, Moon rise, and Moon set.

Full moon Oct. 24th at 0.25 a. m. Times of the tide are taken from the United States Coast and Geodetic Survey tables.

The tides at Kahului and Hilo occur about one hour earlier than at Honolulu.

Hawaiian standard time is 10 hours 30 minutes slower than Greenwich time, being that of the meridian of 157 degrees thirty minutes. The time while the blows at 1:30 p. m., which is the same as Greenwich, 0 hours 0 minutes. Sun and moon are for local time for the whole group.

METEOROLOGICAL RECORD.

Issued by the U. S. Weather Bureau Office Every Sunday Morning.

Table with columns: Day, Mean, Fresh, Bar, Humidity, Cloudiness, Direction, Av. Vel.

Note:—Barometer readings are corrected for temperature, instrumental errors, and local gravity, and reduced to sea level. Average cloudiness stated in scale from 0 to 10. Direction of wind is prevailing direction during 24 hours ending at 5 p. m. Velocity of wind is average velocity in miles per hour.

ALEX. McF. ASHLEY, Station Director, in Charge.

# ISSUES ARE MOMENTOUS

## Big Legal Battle On in Full Blast.

There were five de facto Justices of the Supreme Court sitting yesterday to hear a case, though the tribunal has but three de jure members according to the Organic Act. As, however, only three Justices will decide on the case no irregularity was committed.

The question at issue was whether Circuit Judges at Chambers have any jurisdiction in probate and equity. It came up on a writ of prohibition to stop Judge Gear from holding any further proceedings in the matter of the estate of Annie T. K. Parker, a minor. Chief Justice Frear, Justice Hatch and Circuit Judge De Bolt constituted the court proper, the last-named in place of Justice Hartwell, disqualified. Circuit Judges Robinson of the First, and Mathewman of the Third Circuit were seated at a table in front to hear the argument. These two Circuit Judges were invited to attend for a particular reason. They had sat as substitute Justices of the Supreme Court on the Wailuku water equity appeal case decided the other day. After the decision in that case was rendered, a point was raised as to the jurisdiction of the Circuit Judge who heard the case below for signing the decree made imperative by the decision of the appellate court. This point was raised on the same jurisdictional grounds as those presented in the Parker case. The attorneys in both cases are partly the same. While the question in the Wailuku case is to be submitted on briefs, it is the decision in the Parker case which will control further procedure in the other case.

S. M. Ballou opened the attack on the jurisdiction of Circuit Judges at Chambers in argument for the writ of prohibition. His speech before and after the noon recess occupied three hours and then he reserved further remarks for his reply to opposing counsel.

J. A. Magoon began the argument against the writ shortly before the court rose for the day at four o'clock. Other counsel in attendance throughout the day were W. O. Smith, D. L. Withington, L. J. Warren and R. B. Anderson.

The issues hanging on this case are momentous, involving the validity of equity and probate judgments and acts ever since the coming into force of the Organic Act on June 14, 1900, also all decrees of divorce since divorce was placed in the jurisdiction of Circuit Judges at Chambers by legislation of 1903. It is not exaggeration to say that the material interests embraced in adjudications now imperiled amount to millions of dollars.

### NAONE MURDER CASE.

Philip Hoomanao Naone was brought to the bar yesterday morning before Judge Gear, to plead to the indictment for murdering his wife on the night of Saturday, October 8.

J. J. Dunne, counsel for defendant, interposed a plea in abatement and a motion to quash the indictment. The court set the motion for argument at 12 noon today.

The plea in abatement first denies the jurisdiction of the court over either the subject matter or the person. Most of the remainder of the plea is devoted to an attempt to show that the grand jury finding the indictment was only "a pretended grand jury," being organized under an unconstitutional law. It is also argued that the grand jury was not qualified to act because it failed to comply with the provisions of that same law. Further, it is declared that no offense against any law of the Territory of Hawaii is charged in the indictment, also that two separate and distinct charges of murder in the first degree are sought to be charged against the defendant in the indictment. The motion to quash is drawn in precisely the same terms as the plea in abatement.

### AN ALLEGED FIREBUG.

Chang Chung was put on trial before Judge Gear yesterday morning for malicious burning. Deputy Attorney General Prosser appeared for the Territory and J. W. Cathcart for the defendant. The following jury was empaneled after two excuses for cause and three peremptory challenges by defendant: E. J. Stone, E. J. Walker, H. A. Parmelee, Jessin Andrade, J. A. Lawelawe, James Brown, C. F. Merrifield, A. Nelson, H. P. Kaohi, W. L. Fletcher, E. Benson and George Dillingham.

Defendant was indicted at the June term for malicious burning in the first degree by setting fire to a building belonging to Lai Chan Shee, on the west side of Nuuanu street, between Beretania and Kukui streets, in the night time of May 8, 1904, the building with its contents being then of the value of \$1000.

Soon after the opening of court in the afternoon the trial was abruptly checked by objections from both sides to the Japanese interpreting of George Yamada. There was agreement on the acceptability of C. Shiozawa, but his services could not be obtained at the time. The trial was therefore continued until this morning.

### DAMAGE SUIT.

Ching Ho Chong has brought a suit for \$5000 damages against Wong Hing, sometimes called Ah Sam, for personal assault committed on March 1, 1904. Plaintiff says he is a storekeeper and 52 years of age, and defendant a restaurant keeper about forty years of age. It is alleged that defendant assaulted plaintiff with his fists and an

umbrella besides severely kicking him from the effects of which maltreatment plaintiff was prevented for thirty days from attending to any business and is now, on account of diminished earning capacity caused by the injuries described, unable to earn anything for the support of himself, his wife and his family of four children. J. J. Dunne is attorney for plaintiff.

### EXECUTIONS.

Deputy Sheriff Albert McGurn has made return of execution in the case of Frank J. Turk vs. Estrella Turk, to the effect that he had taken from Estrella and given to Frank a certain bay mare named Westeria, together with one canopy top buggy, one set of harness, one lap robe and one lamp (broken), two broken lamps and side curtains, thus fully satisfying the writ.

Deputy Sheriff Wm. E. Saffery returns execution in the case of G. W. Burgess, M. D., vs. Mrs. Henry Lyman for \$115.53 as partly satisfied, in the remittance to court of \$59.80 from proceeds of real estate at Wahee, Maui. No other property of defendant could be found in the Second Judicial Circuit.

### COURT NOTES.

Judge Robinson allows E. S. Boyd and his attorney twenty days from the receipt of the transcript of evidence within which to present a bill of exceptions to his conviction and sentence for embezzlement.

In Superintendent Holloway's suit on the bond of Vivian Richardson, defaulted clerk of Honolulu Water Works, Judge Robinson has granted plaintiff an extension of ten days for serving his amended complaint.

The Puna Sugar Co. foreclosure case is set for trial before Judge De Bolt on Saturday at 10 a. m.

## LOCAL POWER OF ATTORNEY MADE OVER

Some months ago W. L. Howard sent a power of attorney to Prof. Sedgewick at Trujillo, Peru, who was asked to sign it and send it back. The form mailed was the usual one, such as the book-stores sell for five cents and was filed out with an authorization for Mr. Howard to manage Prof. Sedgewick's local property.

Prof. Sedgewick took the power of attorney to a Peruvian notary for the usual acknowledgment, but there and then he struck a snag. The document, before it could go out with the notary's signature, must be rendered in Spanish. This needed time and it was several months before Sedgewick got the power of attorney back. Yesterday it reached Mr. Howard in a formidable envelope with twenty-one stamps on the back. There had been some on the fact but people on the postal route had torn them off.

Inside were eight pages bound in Venetian red paper, ornamented with scroll-work and five seals, that of the notary, the Minister of Instruction, the Mayor of Trujillo, the Chief Clerk of the Peruvian Foreign Office and of Richard Nelli, secretary of the U. S. Legation.

Heaven knows what the fees were; Howard doesn't.

## KAAHUE IS HELD FOR MANSLAUGHTER

Kaahue, the cowboy who was leading the cow that knocked William Daly down on Richards street last Tuesday and thereby caused his death the following morning, was arrested yesterday pursuant to the verdict of a coroner's jury. He will be prosecuted for manslaughter. As reported in yesterday's Advertiser, the jury found that Kaahue was responsible for the fatality through the careless manner in which the animal was being led through the streets.

Deputy Sheriff Chillingworth swore out the warrant under which Kaahue was arrested. A preliminary examination of the defendant, on the charge of manslaughter in the first degree, will be held before District Magistrate Lindsay this morning.

## GRIST OF JUSTICE IN POLICE COURT

Leong Chee, charged with malicious injury, was discharged. Lau Gin, on being fined \$25 and costs for having five fa tickets in his possession, appealed. Katsuki and Chew Sin paid \$10 each for heedless driving and assault and battery respectively. Ah On and Nat Biar, the two caddies, received a lecture and were allowed to go.

Hop Sing and Yee Fong are summoned to appear this morning to answer to the charge of keeping restaurants without a license. C. C. Von Hamm will have to tell why he has not taken out a lodging house license.

### MURDER SURE NOW.

High Sheriff Brown yesterday received the following wireless message from Chester Doyle on Kauai:

"Hamano, Jap, died nine p. m. Wednesday. Coroner's inquest p. m. I present case before district magistrate today. Return Sunday a. m. with prisoner."

### "DOYLE."

### CHAMBERLAIN'S COUGH REMEDY CURES COLDS.

This remedy acts on nature's plan, allays the cough, relieves the lungs, aids expectoration, opens the secretions, and aids nature in restoring the system to a healthy condition. It is famous for its cures over a large part of the civilized world. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

# BIG BLACKMAIL GRIST FOR TERRITORIAL MILL

## District Attorney Breckons Will Follow Up Unholy Gang of Extortioners Who Levy Tribute on Japanese Lawbreakers.

There is likely to be a formidable grist of cases of blackmail to be carried to the Territorial mill of justice from the wholesale prosecution of Japanese in the Federal court for breaking and conspiracy to break United States laws enacted to conserve civilization and social morality.

Blackmailing in connection with the Federal crusade against Japanese woman slavery and kindred lawlessness has become almost as rife as were those offenses at the time that District Attorney Breckons started the irrefragable campaign that has congested the criminal calendar of the United States District Court for two or three terms, including the present one.

It appears that from the beginning, with increasing boldness, the Japanese element that initiated the saturnalia of immoral and unlawful practices now in course of suppression has been levying blackmail upon the miserable wretches cowering to escape the clutches of American justice.

Mr. Breckons has secured a considerable list of these moral hyenas. As the United States law does not cover their cases, the District Attorney will take steps to have them prosecuted in the Territorial courts under the local statutes.

The methods of the blackmailers are quite raw but still effective with the ignorant people on which the game is played. Finding that a man was spotted by the Federal authorities for, say, peonage or woman slavery, the thug would approach the terror-stricken person and mention the threatened danger of his prosecution. The chances were that the victim would admit his fears, and the villain would tell him not to fear. Only give him \$50 or \$60 and he would make it all right for the victim with the District Attorney.

In the cases of common members of the "Ten Dollar Club"—the organization of conspirators to defeat the laws—the grafters would be content to extort loans of \$10 apiece from them by devices similar to those employed with the heavier operators in criminality. From the large number of these minor victims, the harvest of blackmail from them must be abundant.

## PENALTIES DEALT OUT NEWS OF THE WORLD

Sentences on pleas of guilty were the order of the day in the United States District Court yesterday. Cyrus T. Green, a co-defendant of Capt. Treanor who had pleaded guilty and been fined for smuggling, pleaded not guilty and Judge Doie set his trial for November 1.

K. Sato was sentenced to be imprisoned at hard labor one year and to pay a fine of \$100 for perjury. Sol. Keapuni, the Reform School boy who forged a postoffice money order, was sentenced to one year's imprisonment.

Takita and Urida, for illicit distilling in Hilo district, were each sentenced to seven months' hard labor and to pay a fine of \$900. They were sentenced under two counts of the indictment to which they had pleaded guilty.

E. McPhetridge, for smuggling cigars from the transport Sherman, was fined \$100 and costs. Donald Aeneas Mackintosh, who brought an unsuspecting wife into this Territory while another wife whom he previously married was living in Canada, was sentenced under an appropriate statute to imprisonment at hard labor for one month. He had laid in prison several months awaiting trial.

### AN EFFECTIVE EXAMPLE.

Sato's case was a terror to evil doers. Twice at short intervals he had been called before the grand jury in a Japanese conspiracy case, and each time he was believed by District Attorney Breckons to be lying outright. After the second occasion Sato, in mingling with the parties and witnesses in the corridor, was struck with consternation at hearing that evidence had been given that he had much to do with the case being investigated. He hastily sought Mr. Shiozawa and told him he wanted to talk to the grand jury. His desire being gratified he informed the grand jury that his previous evidence was false, as he had been engaged in the unlawful business.

Though Sato had sworn repeatedly that he had not had anything to do with the sale of a woman in question, as a matter of fact he was the go-between who had received the purchase money. Ordinarily a false witness is regarded in law as purging himself of perjury when he retracts the falsehoods and tells the truth instead thereof, but the rule did not operate in Sato's case because he only offered to correct his evidence after his perjury was discovered.

As a result of Sato's punishment and of a severe lecture delivered by Judge Doie in pronouncing sentence, several Japanese hanging around the corridor fairly tumbled over one another in volunteering to testify to "the truth, the whole truth and nothing but the truth."

In the meantime Sato was indicted for perjury and pleading guilty received the sentence already mentioned.

The trial of E. Genou, a U. S. big-jacket, for the murder of Olysses B. Harris, has been set by Judge Gear for Monday next. At that time a motion for continuance, on the ground of absence of two material witnesses, will be presented with affidavits by E. A. Douthett, counsel for defendant.

substantive counties were selected and had spots for both parties were picked out. The object was to give as nearly as possible an exact picture of the conditions now prevailing in the section of country which in 1898, roughly, gave McKinley 17,000 plurality, as against 28,000 plurality in New York City, and 64,000 in 1892 the 121,000 with which he beat 122,000 for Color in the great city.

The reports in the Herald show contentment among the farmers and business men, bitterness in the campaign which is almost unexampled, a united Democracy with the exception of one county and a well equipped Republican machine. The reports also show that Roosevelt will "come to the Bronx" with a very large plurality; in a few counties exceeding the vote for McKinley in 1898, and in some equalling it and in some of them running below. Higgins, for Governor, will run far behind his ticket.

### ADVICE TO SPARK.

HOBOKEN, N. J., Oct. 9.—"My friends, if you don't spark here, you will spark somewhere else. If you don't spark with one another you will seek strangers to spark with. As for sparking itself, I am heartily in favor of it. I hope it will lead to the altar and that I will be allowed to marry you." So spoke Rev. Andrew Kenny, rector of St. Anthony Roman Catholic Church of West Hoboken, to the members of his dramatic society, whose parents objected to their rehearsing for the play on the ground that it gave the young folks too great a chance to spark.

The society is composed of twenty handsome youths and pretty maids. Two weeks ago they began rehearsing for a play. The parents of the young people did not mind their being together on one evening, but after a while the girls and boys would go out every evening and as an excuse would merely say, "Rehearsal."

A petition accordingly was circulated by the parents and presented to the priest. It requested him to discontinue the rehearsals. They had heard of kissing and hugging behind the scenes, they declared, and even in the play a youth and a maid were allowed to embrace and osculate. The priest will not listen to the petition of the parents.

### THE KISS IN POLITICS.

BUTTE, Mont., Oct. 8.—Because State Senator William F. Meyers of Red Lodge stole a kiss from a pretty society girl of Carbon County a few days ago President Roosevelt, it is claimed here, may lose Montana, and the Republicans also are liable to lose control of the State Legislature and thereby fail to elect a Republican United States Senator.

The Red Lodge Picket, a Republican paper, has booted the ticket because of the stolen kiss and L. O. Cagswell, candidate for County Attorney, has withdrawn from the ticket, because he will not run on the same ticket with the kiss stealer, and is out to fight him. The chairman of the County Central Committee also threatens to resign, and says he will not support Meyers. Ex-Senator T. H. Carter and Lee Mantle have been appealed to pull Meyers off the ticket.

### RUSSIANS MUTINY.

ST. PETERSBURG, Oct. 8.—While the Bugulma Regiment, ordered to the front from Samara, was en route to Ufa, a mutiny broke out. The colonel of the regiment and a sergeant were killed and their corpses thrown from the train. Another mutiny occurred among the Penda reservists, who maltreated their colonel.

Even Don Cossacks are mutinous. Captain Mironoff, an officer of the Imperial Guard, a Cossack regiment, was recently arrested for making a speech charging the government with responsibility for the war. General Klegel, the new military governor of Kiev, ordered 16,000 Tserivists under his command to be searched. All the regiments were subjected to this humiliating process the same day. Klegel thought he would find seditious literature among them. Only trifling discoveries were made. The officers of the regiments have joined in a vehement protest against the indignity.

### LEAVES MONEY TO BURN.

BOZEMAN, Mont., Oct. 11.—A unique will, that of J. N. Tilton, a well-known merchant of this city, has been admitted to probate. One of the provisions of the testament provides that the income of the estate, which will amount to several thousand dollars annually, shall be devoted exclusively to the proper celebration of the Fourth of July, and specifying the purchase of ample quantities of fireworks, flags and bunting.

Tilton was intensely patriotic during his life and was one of the first of the merchants to promote anything in the way of public celebrations. There appears to be no disposition on the part of Tilton's relatives to combat the odd request of the deceased.

### A KING AS A FIREMAN.

MILAN, Italy, Oct. 10.—The King of Italy appeared on two occasions recently as an amateur fireman. On the night of Saturday and Sunday last fires were discovered on two farms at Racconigi, one of which is situated in the Royal Park and the other at a little distance. The King arrived at the fires in an automobile, and gave his advice and aid in extinguishing the fires. One soldier was injured while fighting flames but was rendered happy by words of encouragement from the King.

### GUARDING BATTLESHIPS.

BOSTON, Oct. 10.—Owing to the three determined efforts to destroy the new battleship Connecticut at the Brooklyn navy yard, other constructors of war vessels throughout the country have become nervous over the safety of the great vessels now building, and two yards, that of the Bath Iron Works and the Fall River Shipbuilding Company, have taken measures to protect the battleships Georgia and New Jersey, nearly finished, at these respective places. Armed guards have been stationed about the yards, inside and outside, and about the vessels themselves. A dead line has been established and any one attempting to get near the

DR. NOBLITT IS NO MORE

Died Yesterday Of The Typhoid Fever.

### (From Thursday's Advertiser.)

Dr. W. S. Noblitt died of typhoid fever yesterday afternoon at 5:30 o'clock at his residence, corner of Hotel and Alakea streets, after a month's illness. Death came somewhat suddenly, as the physician had been feeling a little better the day before and even yesterday morning. No funeral arrangements have been made yet, but, in all probability the remains will be cremated.

Dr. Noblitt left the islands during the summer and went to St. Louis as a delegate from Hawaii to the Democratic National Convention at St. Louis. He returned to Honolulu on August 26, and complained then of not feeling well. Four weeks ago yesterday the physician was compelled to take to his bed, he believing at the time that he was suffering from muscular rheumatism. Drs. Taylor and Rhodes, however, found him to be ill with typhoid fever.

The deceased was born in Orange County, Indiana, and was 36 years, five months and nineteen days of age at the time of his death. He took a professional course at the Hospital College of Medicine of the Central University at Louisville, Ky., and afterwards practiced medicine in the Indiana Territory, where he was for some time a government physician. He came to Honolulu about six years ago, and has practiced here almost continuously since. He was well known to the Hawaiians among whom he had many friends.

### A FEW YEARS AGO DR. NOBLITT AND THE BOARD OF HEALTH HAD A DIFFERENCE OF OPINION CONCERNING DR. NOBLITT'S LICENSE, AND THE MATTER WAS CARRIED INTO THE COURTS. DR. NOBLITT CAME OUT ALL RIGHT IN THE END.

Dr. Noblitt leaves surviving him a widow and six-year-old son, and his mother, who arrived here recently to visit with him. Mrs. Noblitt's mother is also a visitor here.

vessels without proper credentials is liable to be shot first and questioned afterward. Even an employe cannot enter the gates of the plants without surrendering to the guard at the gate a brass check bearing a number. If he loses the check he loses his job. All wagons are stopped and inspected before they are allowed to pass within the gates, and the driver is asked to show his check. None but workmen are allowed on the vessels.

### TRAINING BY HYPNOTISM.

NEW YORK, Oct. 10.—Dr. Quackenbos' paper on the training and reformation of children by hypnotism, read at Sand Hill last week, at the New York State convention of Mothers' Clubs, was criticized by Mrs. Harry Hastings today in her report to the New York City Mothers' Club.

"Dr. Quackenbos advised the giving of hypnotic drugs," she said, "and I am very sorry he gave so many mothers that advice." Besides, I can't find out what hypnotic drugs are. I've asked half a dozen doctors since I came home from the convention, and they do not know."

Dr. Quackenbos said tonight that he evidently had been misunderstood. He had distinctly stated, he said, that the drug in such cases should be suggested by the family physician. In describing the treatment for a troublesome child, Dr. Quackenbos said:

"Let the mother take her place by the bedside at night, when the child is asleep, and begin in a firm, low voice to repeat the desired suggestions. If the child is nervous and awakens at the sound in each of several trials, administer some simple hypnotic suggested by the family physician and wait the action of the drug. If correction by precept and castigation has failed to check the vicious propensities of your boy, do not hesitate to give him a hypnotic, and formulate the suggestion that he is no longer disrespectful, untruthful and disobedient, but that he will be affectionate and attentive to the requests of his mother and teacher. A sudden change of attitude will be noticeable. The same treatment will cure your boy of cigarette smoking."

### RIIS' LIFE OF ROOSEVELT.

COUNCIL BLUFFS, Oct. 11.—On the ground that it is a political work, Jacob Riis' life of Roosevelt was today rejected by the trustees of the public library, who were engaged in a revision of the list of books to fill the shelves of the new Carnegie building. The list under consideration had been prepared by the librarian, who urged that there had been a number of calls for the work. The question was raised by a Republican trustee, "What do you Democratic members think of this book?"

Trustee Binder replied: "If you put it that way I say throw it out of the window. We cannot afford to buy political works for this library." The book was thrown out.

ANDRE'S MONUMENT SOLD.

NEW YORK, Oct. 12.—The monument erected by the late Cyrus W. Field at Tappan, N. Y., to the memory of Major Andre was sold for non-payment of taxes today at New City, Rockland county. The monument stands on Andre Hill, exactly over the spot where the unfortunate British officer was buried after his ignoble death by hanging.

Since the death of Field the family has neglected to pay taxes on the plot of ground, 100 feet square, within which the monument stands. This property was one of several pieces sold by County Treasurer W. J. Randolph, but when it was put up there were no bidders. The amount of taxes due is \$63, and for the sum the ground and monument were bought in by the Treasurer for the county.

# JUSTICE HAS AN INNINGS

## Federal Offenders Are Sentenced To Prison.

(From Wednesday's Advertiser.)  
Justice had her innings in the Federal Court yesterday when a large number of offenders against the laws of the United States were either found guilty or pleaded guilty to the charges against them. The Grand Jury reported on a large number of cases, after which that body was discharged from further service this term with the thanks of Judge Dole.

E. McPhetridge, clerk at the United States Army Quartermaster's depot in this city, pleaded guilty to the charge of smuggling, and sentence was reserved until Thursday morning. The offense for which McPhetridge was indicted was the smuggling ashore from an army transport of several thousand Manila cigars.

D. A. Mackintosh also pleaded guilty to the charge of adultery, Clara Nieb-ersding being named in the matter. Sentence was also reserved in this case until Thursday morning.

Fourteen true bills of indictment were returned by the grand jury. Five of these were placed on the secret file for the present, in order to give the officers an opportunity to place the persons named in custody. One of these refers to a case of perjury, two for conspiracy in endeavoring to have a moral offense committed, and two violations of the liquor law, "No Bills" in five cases were reported as follows:

Toraichi Sato and Ryojo Utomora, in which adultery was alleged; Lick Chun, perjury; Leong Shing Lee, violation of Section 8, Immigration Act of March 3, 1903; Yoshikichi Sato and two others, conspiracy to cause adultery to be committed; and Lick Sing Bo, perjury.

Among the true bills found the following were reported:  
J. Kerr, assault on the high seas, allegedly committed on May 19, 1904, aboard the transport Buford, on Frank Ramos, a coal passer, Kerr being third engineer aboard the vessel.

Solomon Keapuni, alleged forgery of a postal order for \$5, alleged to have been committed at Kailua on February 23, 1904, the name of Mrs. N. K. Hips being used.

Donald Aeneas Mackintosh, adultery, the indictment naming February 20, 1904, as the day the offense was committed, the particulars appearing above. Mackintosh has been held at Oahu Prison for several months pending his trial.

E. McPhetridge, violation of the U. S. Revised Statute 3082, intent to defraud revenue. He is charged with having brought into the territory from the transport Sherman 3250 cigars, valued at \$248.03, on July 11, 1904.

Mannel Lucero, alleged assault on the high seas, aboard the steamship Sonoma, July 28, on First Assistant Engineer J. F. McIntosh.

Inoue, violation of moral laws, two counts; Kuramoto, ditto.  
Levi P. Kauohe, alleged embezzlement and neglect to deposit two counts; the defendant was postmaster at Kapaun, Kauai, in charge of the money order department, among others. He is charged with having failed to deposit \$1895.

Ichibaro Kanemura and Toyozo Kanemura, alleged conspiracy to cause an immoral act to be committed.  
The Grand Jury which has completed its work was composed of the following men:  
Isaac Noar, W. C. Sproule, H. Kreuzer, E. H. Newnes, N. D. Naylor, E. L. Huddy, L. H. Dee, W. F. Hall, John Kidwell, C. A. Simpson, H. E. Murray, F. P. McIntyre, R. D. Lockwood, K. R. G. Wallace, A. B. Bolster, John Cassidy, H. L. Kerr, C. R. Collins, E. E. Hartman, T. W. Hobron, H. B. Saylor.

There were several charity cases and Judge Dole passed them around among a half dozen attorneys. Among those so favored were Lyle Dickey, W. T. Rawlins, W. T. Whitney and Judge Weaver.

**ROSE PLEADS GUILTY.**  
Edwin K. Rose, who was indicted for taking a \$7 Panama hat from the Hilo postoffice where the young man had formerly been an employee, pleaded guilty to the charge. The minimum penalty was imposed by Judge Dole, being one year's imprisonment at hard labor.

Attention was called to the extreme youth of Rose, and the fact that he had been only a temporary employee in the postoffice. The Panama hat had been damaged in transit and was rejected by the addressee and was lying around the office when young Rose appropriated it. His attorney, Frank Thompson, and the District Attorney as well, both pleaded for the leniency of the court. Judge Dole said he had but one sentence to impose and that was one year, being the minimum described by law. Both Rose and his sister, who was at his side, were much affected.

**DILLON IS SENTENCED.**  
Former attorney, Thomas I. Dillon, since a promising member of the bar, whose professional career in Honolulu came to an abrupt end last April when he was arrested for the embezzlement of \$150, the property of the bankrupt estate of K. Kajiia of which he was trustee, was sentenced by Judge Dole, yesterday to forty-eight hours' imprisonment in Oahu Prison.

been held in Oahu Prison ever since his arrest in April. Several attorneys spoke in his behalf. In passing sentence Judge Dole spoke feelingly of the prisoner's loss of position. Taking into consideration the length of time already passed in prison by Mr. Dillon, the Judge imposed but two days' sentence.

**SAMOA SENTENCED.**  
Judge Dole yesterday sentenced John Samoa to sixty days' imprisonment and to pay a fine of \$100 for illicit distilling of liquor. Samoa stated he had gone into the business for the sake of his wife and children.

## HACKFELD WINS "LITTLE JOCKER" CASE

(From Wednesday's Advertiser.)  
Judge Gear yesterday filed a decision in the case of Isidor Rubenstein, doing business as I. Rubenstein & Co., vs. H. Hackfeld & Co., Ltd., bill for injunction in re the right to the exclusive right in the use of the brand of tobacco known as the "Little Jocker" tobacco, finding for the defendant on the ground that the plaintiff has made out no case. The Judge ordered the preliminary injunction dissolved. Hyman Bros., the predecessors of Rubenstein & Co., originally had the right to the use of the said brand in this Territory, and by extensively advertising it had made it a lucrative business. When the firm changed hands, Hackfeld & Co. secured possession of the brand. The court holds that the American Tobacco Co. gave no rights to Hyman Bros., which they could assign to their successor, Rubenstein & Co.

The decision in part is as follows:  
This is a case of novel impression. Diligent research has not enabled the Court to find any authority directly in point so far as the facts of this case are concerned. The complaint upon which preliminary injunction was granted alleges that the firm of Hyman Brothers, the predecessor in interest of the plaintiff, during the year 1892 acquired an exclusive right in the brand of tobacco known as the "Little Jocker" tobacco, and acquired the exclusive right in said brand, and in the vending thereof, in and for Hawaii, from the manufacturer thereof; and that since 1892 have sold "Little Jocker" in their own right.

The complaint further alleges that since 1892 and up to December 1st, 1903, the firm of Hyman Brothers consisted of H. W. Hyman, Michael Hyman, Morris Hyman, J. Hyman and the plaintiff, I. Rubenstein; that on or about Dec. 1st, 1903, "the aforesaid partnership transferred unto complainant the entire business.

The complaint further alleges that the defendant firm, Hackfeld & Co., "has recently and is now unlawfully and without permission of your orator, selling and offering for sale, in Honolulu and elsewhere within said Territory said brand of tobacco," and threatens to continue to do so, unless enjoined from so doing.

The defendant has moved to dissolve the injunction, granted as a preliminary injunction, upon several grounds stated in the motion.

Upon the hearing of the motion to dissolve the plaintiff was examined as a witness by the defendant, and he produced a letter which the plaintiff stated was the only written document he had any positive knowledge of, giving his predecessor the alleged exclusive right set out in the bill. The letter is from the "American Tobacco Company," whom the evidence shows is the "manufacturer" referred to in the complaint. The letter is in part as follows:

New York, Aug. 16th, 1900.  
Messrs. Hyman Bros.—Referring to the conversation had with your Mr. Hyman relative to the Honolulu territory, would say that it has been decided to leave the following brands in your hands under conditions noted, giving you sole control of same for the Hawaiian Islands, so long as you handle them to the entire satisfaction of this company.

The letter is signed by the American Tobacco Company.

The first question which naturally presents itself is as to the right of the plaintiff to claim the "exclusive right" to sell and control the "Little Jocker" tobacco in this Territory.

While perhaps the firm of Hyman Bros., were it now in existence, might complain of the act of the American Tobacco Company in giving the agency of the tobacco to the defendant, on the ground that the American Tobacco Company could not arbitrarily change the agency unless there existed reasonable grounds for dissatisfaction, can a purchaser of their business, after their dissolution of the partnership, insist that he should be accorded the same right?

It seems to me that the letter of the American Tobacco Company gave Hyman Brothers no rights which they could assign to their successor. It gives to Hyman Brothers the control of the brand of tobacco in question, without any words showing an intent to extend the right to an assignee. The contract seems to me to be one which involves a relation of personal confidence such as must have been intended to be exercised only by Messrs. Hyman Brothers. Not only is this true, but it is also apparent that even Hyman Brothers were at liberty at any time to terminate their relations with the American Tobacco Company, whenever they wished to do so.

**MISTAKEN DIAGNOSIS.**  
There are many people who have pain in the back and imagine that their kidneys are affected, while their only trouble is rheumatism of the muscles, which can be cured by a few applications of Chamberlain's Pain Balm, or by dampening a piece of flannel with the Pain Balm and binding it over the affected parts. A pain in the side or chest should be treated in the same manner and prompt relief is sure to follow. For sale by all druggists and dealers. H. W. South & Co., Ltd., agents for Hawaii.

Fifty Japanese army recruits left for home in the Mongolia over a call. It is stated that recruits among Japanese arriving here in 1904 and subsequently who are said to number hundreds, are likely soon to be called home for the army and navy.

# TO ENFORCE THE LAW

## Governor Announces His Homestead Policy.

(From Wednesday's Advertiser.)  
The homestead controversy is being taken up by Governor Carter with the firm determination to have the law enforced. The charge of favoritism, says the Governor, will have no foothold, for orders have been issued to enforce the law in its fullest interpretation.

"It is one of the idiosyncrasies of office," said the Governor yesterday, "to see the changes that occur. A few years ago when the Commission was here, from the evidence given by the people of Hawaii, it was fair to assume that their principal objection to the Territory's handling of lands was that there was favoritism and arbitrary discretion on the part of the Governor, and that in specific cases where the law had not been complied with, title had been granted. Through Mr. Pratt we took hold of this thing to enforce the law and not leave it open to arbitrary discretion. This will be done by a pure interpretation of the law.

"Now, the people over there seem to be very much aroused. The Board of Trade here is taking hold of the matter and they say they don't want the law carried out.

"That is what I call one of the idiosyncrasies of office."

# WILHELM PASSES TO THE BEYOND

(From Wednesday's Advertiser.)  
After a serious illness of several weeks, F. J. Wilhelm, the contractor and builder, died yesterday forenoon at 11:30 o'clock at his residence corner of Keeaumoku and Young streets.

The funeral will take place this afternoon at 3:45 from his late residence, the interment to be held in Nuuanu Valley. A funeral service will also be held at the Masonic Temple at 3:30, under the auspices of Hawaiian Lodge, of which the deceased was a member. The services will be completed in time to permit the Masons to join the friends at the residence to participate in the procession to the cemetery.

The deceased leaves a daughter, who resides here, and brother who lives on Maui.

Mr. Wilhelm was one of the oldest of the contractors and builders in Honolulu having come here from Germany about thirty-four years ago. He worked on arrival with Mr. Fisher, who conducted an establishment on Hotel street opposite the Arlington Hotel. He afterwards worked for L. Wey and Mr. Lucas, father of the Lucas Bros. Mr. Wilhelm was a prosperous and respected citizen.

**Cricket on Maui.**  
It is proposed to have a cricket match between the Honolulu Cricket Club and the Maui Cricket Club. The former club held a meeting on Monday evening at which the challenge of the Maui club was accepted. The local cricketers will probably leave for Maui the middle of November and the game will probably be played on the new athletic grounds at Punene which H. P. Baldwin is constructing.

# BAD COMPANY

Not a Home in Honolulu Where This Visitor is Welcome.

The most unwelcome visitor in Honolulu. Is any itching skin disease. Itching piles is known in nearly every household. And eczema is no stranger. They're both bad company. They come early—stay late. We always say "good riddance" when they go.

Know how to keep them away? Use Doan's Ointment. Doan's Ointment cures piles and all itches of the skin. A Victoria, Australia man endorses our claims.

Mr. William Preston has been a resident of Victoria for over half a century and therefore will be known to many of our readers. Mr. Preston is at present residing at No. 68 Argyle St., St. Kilda. He says: "For some considerable time I have been troubled with Eczema on my legs. The irritation at times was very great especially at night, and it caused me considerable annoyance. I obtained a pot of Doan's Ointment and I must say that it allayed the irritation almost immediately. Doan's Ointment is a good remedy and I can highly recommend it for Eczema."

Doan's Ointment is splendid in all diseases of the skin, eczema, piles, hives, insect bites, sores, chilblains, etc. It is perfectly safe and very effective. Doan's Ointment is sold by all chemists and druggists at 50 cents per box (six boxes \$2.50) or will be mailed on receipt of price by the Hollister Drug Co., Agents for the Hawaiian Islands.

There are many imitations of Sarsaparilla. Ayer's Pills will greatly aid the action of the Sarsaparilla. They are all vegetable, mild, sugar-coated, and easy to take. Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

# TO AVOID THE NOOSE

## Murderer Pleads Guilty Second Degree.

(From Thursday's Advertiser.)  
Yoshikawa Dengiro preferred a possibility of imprisonment for life to a probability of being hanged. After a jury had been secured with considerable difficulty to try him for his life, Dengiro changed his plea of not guilty to indictment for murder in the first degree to a plea of guilty of murder in the second degree. The jurors were discharged and the sentence of Dengiro was set for Monday morning next at 10 o'clock.

In empanelling the jury yesterday morning, Deputy Attorney General Prosser waived most of the prosecution's six challenges. A few minutes before twelve o'clock the list was exhausted when the defense had but one challenge left. There were not enough names left on Judge Gear's panel to make up fifteen for a special venire, and a request was sent to Judge Robinson with the court's compliments for the use of names on his panel. The special venire was made returnable at 2 p. m., and a few minutes after that hour the following jury was accepted and sworn to try the case: J. F. Soper, W. F. Fletcher, Guy Owens, H. A. Parmelee, A. Nelson, H. Carl, H. P. Kaohi, E. J. Stone, F. H. Armstrong, A. C. Dowsett, Jessin Andrade and Lewis C. King.

Charles Creighton, the attorney who defended Dengiro on Kauai, at this stage announced that he had an important statement to make on behalf of the defendant and asked that the jury be excused until it was made. The jury retired in sworn charge of Billie Ellis and a policeman, when Mr. Creighton announced that the defendant voluntarily wished to change his plea to that of guilty of murder in the second degree.

Judge Gear called on the defendant to stand up while his attorney's statement was interpreted to him. Dengiro said he understood and consented. Judge Gear then said:

"Tell him that the penalty for murder in the second degree may be imprisonment at hard labor for life and must be imprisonment for at least ten years, according to the law. Is he still willing to plead guilty?"

Dengiro, on hearing the words interpreted, readily declared that he was still willing so to plead.

Henry Hogan, the associate counsel who had conducted the examination of jurors on behalf of the defense, then desired to offer a few remarks. In associating himself with Mr. Creighton, he said, it was done on account of Mr. Creighton's ill health and his friendship for him. The question defendant's counsel had to consider was mainly that of the admissibility of certain testimony. They would not have advised any man to make such a plea as that offered except for the gravest of reasons. Neither entreaty nor persuasion had been used to induce the defendant to change his plea. At the noon hour, accompanied by the official interpreter, Mr. Creighton and himself had visited the defendant in his cell. They told him that he was once convicted of murder in the first degree, but the verdict was set aside merely on account of an error committed by the trial court. No persuasion was employed, but the defendant of his own free will chose the alternative of standing trial for his life. Mr. Hogan asked that sentence be deferred until Monday next, so that the court might have an opportunity of perusing the testimony from the first trial.

Mr. Prosser, answering the court's question, stated that the prosecution would accept the changed plea.

Mr. Creighton asked that the jury be called in and discharged. When this was done, Dengiro repeated his plea in presence of the jury.

Judge Gear ordered the new plea entered, continued sentence until Monday and discharged the jurors from further consideration of the case.

**DENGIRO'S CRIME.**  
The crime for which Dengiro has narrowly escaped the gallows was one of peculiar atrocity, ranking close to that of parricide. He killed his uncle, who was also his foster father, in a cool and deliberate manner. It was a crime, also, in which ingratitude and treachery strongly figured.

His uncle had brought him up in Japan and paid his expenses out to these islands. Then he maintained him in idleness for six months at Makee Sugar Co.'s plantation. At length the old man's patience with the lad became exhausted and giving him twenty dollars, he told him to go to Honolulu and hunt up work.

Instead of going to Honolulu, Dengiro went into the village of Kapaa and bought a five-shooter revolver and ammunition. Then in the dead of night he went to the door of his uncle's house and knocked. The old man opened the door, when he was plugged four times with bullets from his nephew's pistol. He fell to the ground. Dengiro went away and reloaded his weapon full, and returning to the house discharged all five bullets into the body of his victim. At his first trial at Lahoe, Kauai, he claimed self-defense, but it was proved that the old man had not had a weapon in the house.

The testimony that Dengiro's counsel had under discussion at recess yesterday was that of the murdered man's widow, who is now absent in Japan. They concluded that its admission could not be successfully opposed and considered that its effect on the jury would be stronger than if given in person by the witness with opportunity for cross-examination.

**FEDERAL JURORS EXCUSED.**  
Originally excused until this morning, the Federal jurors were further excused yesterday by Judge Dole until 10 o'clock on Monday morning. Pleas of guilty having been entered in certain cases, no others would be ready for trial this week.

Inone, for an immoral offense, was sentenced to two months at hard labor. Shokichi Kitazaki, for conspiracy to induce crime, was sentenced to pay a fine of \$1000 and to be imprisoned at hard labor nine months.

**COURT NOTES.**  
Defendant's motion for a new trial in the case of Harry Johnston vs. Lee Toma & Co. was argued yesterday afternoon before Judge Robinson, who reserved decision.

The Cochran divorce case is set for 9 o'clock this morning before Judge Robinson.

There was a session of the Tax Appeal Court yesterday afternoon, to hear the case of Pacific Hardware & Steel Co., a foreign corporation.

Edith Eldridge Pond has petitioned the Court of Land Registration for a title to lot 55 on Anapuni street, 75 feet frontage and 125 feet depth. This is the twenty-third application for title since the Torrens system came into operation here.

**A Fishy Tale.**  
TACOMA (Wash.), October 12.—The Russian ship Glenard, just arrived here from San Francisco, claims to have been overhauled when about 200 miles outside of the Golden Gate by a Japanese cruiser and, after examination, allowed to proceed to her destination. After ascertaining that the Glenard was merely in ballast, without any cargo worthy of carrying away as a prize, the ship was allowed to proceed. The Japanese vessel shortly afterward disappeared in a southerly direction. Captain Enlund was unable to give any reason why the Japanese vessel allowed him to proceed, as under the ordinary rules of war, the Glenard would have been confiscated. He thinks, however, that the Japanese vessel did not want to be bothered with a windjammer.

The afternoon papers here have scare heads on the story, but local marine men do not know what to make of the details given. Enlund cannot give the name of the vessel beyond that it is a long Japanese one. Marine men hint that some Japanese commercial liner bound either to or from San Francisco may have run close to the Russians and scared him.

**The World.**  
At a rough calculation the population of the world is more than one billion souls. These speak some 3,064 languages, and are worshippers of more than 1,100 religions. The average length of life is 33 1-3 years. One fourth of mankind die before the seventh, and one half before the seventeenth year. Only one sixth live beyond the age of 60. Thirty-three million die annually, 91,000 daily, 3,720 every hour, 60 every minute. While one fourth are capable of bearing arms, only one in a thousand is naturally inclined to the profession.

**Texas's Cargo.**  
SAN FRANCISCO, Oct. 8.—Alvices have been received here that part of the cargo of the big freighter Texan, which has been chartered by Frank Waterhouse of Seattle for one trip to Seattle, will consist of fifty cars of steel plates. These plates are to be used in the building of torpedo boats and cruisers for the Japanese navy. The steamer Texan is one of the fleet of freight carriers which ply between this Coast, Honolulu and New York, and is one of the finest freighters in the world. It is the general opinion that a handsome price must have been offered by the charter parties to secure the vessel.

# All Tired Out

Pale, Thin, Poor Blood, No Energy  
These are the symptoms of impure blood, starved blood. Take out the impurities, feed the blood, and health quickly returns.

Mrs. George Mitchell, of Yulle St., Duninyong, Victoria, sends us her photograph with the following story:  
"I suffered terribly from debility. I had no energy. I was tired in the morning as at night. It did not seem possible for me to keep up. I was thin and pale, and my blood was very poor. I had no appetite. I gradually grew weaker and weaker. When almost completely exhausted I read about

**AYER'S Sarsaparilla**  
Immediately tried it, and began to improve at once. A few bottles completely restored me to health.

There are many imitations of Sarsaparilla. Ayer's Pills will greatly aid the action of the Sarsaparilla. They are all vegetable, mild, sugar-coated, and easy to take. Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

**HOLLISTER DRUG CO., Agents.**



# "The Cultivation of the Sugar Cane"

A treatise on the fundamental principles of growing Sugar Cane, should be in the hands of every planter. The value and use of Nitrate of Soda (THE STANDARD AMMONIATE) in increasing and bettering the growth of Sugar Cane is now so well understood that the real profit in sugar growing may be said to depend upon its use. This Book and other valuable Bulletins of value to every one engaged in agriculture, are sent entirely free to anyone interested. Send your name and complete address on Post Card, Wm. S. Myers, Director, 12-16 John St., New York.

# Bomburg-Bremen Fire Insurance Co

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of F. A. SCHAEFER & CO., Agts.

# North German Marine Insur'ce Co. OF BERLIN.

Fortuna General Insurance Co. OF BERLIN.  
The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms. F. A. SCHAEFER & CO., General Agents.

# General Insurance Co. for Sea, River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms. F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

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# CHAS. BREWER & CO'S. NEW YORK LINE

Bank Nuuanu sailing from New York to Honolulu about Nov. 15th. FREIGHT TAKEN AT LOWEST RATES. For Freight Rates apply to CHAS. BREWER & CO., 37 Kilby St., Boston, Or C. BREWER & CO., 148, Honolulu.

CASTLE & COOK CO., LTD. HONOLULU. Commission Merchants SUGAR FACTORS.

AGENTS FOR The Ewa Plantation Company, The Waialua Agricultural Co., Ltd., The Koloala Sugar Company, The Waialeale Sugar Mill Company, The Fulton Iron Works, St. Louis, Mo., The Standard Oil Company, The George F. Blake Steam Pump & Weston's Centrifugals, The New England Mutual Life Insurance Company, of Boston, The Aetna Insurance Co., of Hartford, Conn., The Alliance Assurance Company, of London.

INSURANCE. Theo. H. Davies & Co. (Limited.) AGENTS FOR FIRE, LIFE AND MARINE INSURANCE.

Northern Assurance Company OF LONDON, FOR FIRE AND LIFE. Established 1835. Accumulated Funds .... £1,975,000.

British and Foreign Marine Ins. Co. OF LIVERPOOL, FOR MARINE. Capital ..... £1,000,000. Reduction of Rates. Immediate Payment of Claims.

THEO. H. DAVIES & CO., LTD. AGENTS.

Castle & Cooke, LIMITED. LIFE and FIRE INSURANCE AGENTS. . .

AGENTS FOR New England Mutual Life Insurance Co. OF BOSTON, Aetna Life Insurance Company OF HARTFORD.

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Empress Line of Steamers from Vancouver Tickets to All Ports in Japan, China, India and Around the World. For tickets and general information apply to THEO. H. DAVIES & CO., LTD. Agents Canadian-Australian S. S. Line, Canadian Pacific Railway.

THE NEW FRENCH REMEDY. THERAPION. This successful and popular remedy, used in the Continental Hospitals by Haeud, Brody, Jobert, Volpaz, and others, combines all the desiderata in a medicine of this kind, and surpasses everything hitherto employed. THERAPION No. 1 maintains its world-wide and well-merited reputation for derangement of the kidneys, pain in the back, and blooded ailments, affording prompt relief where other well-tried remedies have been powerless. THERAPION No. 2 is for impurity of the blood, scurfy, pimples, spots, blotches, pains and swelling of joints, gout, rheumatism, and all diseases for which it has been too much a fashion to employ mercury, arsenic, etc., to the destruction of sufferers' health and ruin of life. This preparation purifies the whole system through the blood, and thoroughly eliminates all poisonous matter from the body. THERAPION No. 3 is for exhaustion, sleeplessness, and all distressing consequences of overindulgence in wine, beer, etc. It possesses surprising power in restoring strength and vigor to those suffering from the enervating influence of long residence in hot, unhealthy climates. THERAPION is sold by the principal Chemists and Dispensaries throughout the world. Price in England, 3s. 6d. and 4s. 6d. In ordering state which of the three numbers is required, and observe that the word "THERAPION" appears on the British Government Stamp (in white letters on a red ground) affixed to every genuine package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.

REAL ESTATE TRANSACTIONS.

Entered for Record Oct. 17, 1904. Charles Poonia et al to Geo J Campbell. . . . . Arrmt Manuel S Capellas to Candido S Capellas. . . . . D Manuel S Capellas to Eugene S Capellas. . . . . D Maria da S Canario to Joao de Souza. . . . . Rel Wong Fung and wf to Kaitie Handley. . . . . D Est of C E Richardson by Executors Kaitie M Hapai. . . . . Rel Kaitie Hapai and hsb to Louise Hapai. . . . . D Louise Hapai to Marie of Est of C E Richardson. . . . . M Kaitie Hapai and hsb to Marie of Est of C E Richardson. . . . . M Alice to Barbara Hunter. . . . . M Ana Henriqueta to Helena Kiani. . . . .

Verrea and wf to John Fitzgerald. . . . . M Amelia A Victor to Emma R Victor. . . . . D Amelia A Victor to Annie A Victor. . . . . D Amelia A Victor to Lucy P Watson. . . . . D Ahia W Akau and hsb to Meka West. . . . . PD Ahia W Akau and hsb to Hilo Mer Co Ltd. . . . . AM Wong Fung to F Weber. . . . . AM Est Kaleippa Kanoo by Tr to H K Kahala. . . . . L Noda (k) to Huki (k). . . . . D Huki (k) to Noda (k). . . . . D Henry A Juen to Ida C Burnett. . . . . D Christovao Farja to J A Gonalves. . . . . BS Claus Spreckels & Co to R A Wadsworth. . . . . AM Est of S G Whiter Ltd to Kittle E Ashley. . . . . Rel Kittle E Ashley by atty and hsb to Western & Hawin Invest Co Ltd. . . . . M O Burans to Tr of Maui Agrol Co. . . . . L Kenahu Brenig to Cecil Brown Tr. . . . . AM Akfona and wf to Carrie Nalwi et al. . . . . PA Mrs Yee Chew Fan to See Kang. . . . . PA Mrs Yee Chew Fan to See Kang. . . . . PA First Amer Sav & Tr Co Ltd to Hawin Trust Co Ltd Tr. . . . . AM Haleakala Ranch Co to Maud B Cooke. . . . . D Entered for Record Oct. 18, 1904. Kapoliani Estate Ltd to I Farla. . . . . L G Uana and wf to W B Lyett et al. . . . . D Jaw Chew Kwai et al to Lau Ang Kon. . . . . BS Bank of Hawaii Ltd to W C Aehl. . . . . Par Rel W C Aehl by Tr to Manoel J Carmar. . . . . D Island Realty Co Ltd et al by Com to Henry E Cooper. . . . . D Edith E Pond to Notice. . . . . Notice E Colt Hobron and wf to William J England. . . . . D W J England to E Colt Hobron. . . . . M Recorded Oct. 11, 1904. Henry Roberts to Hoopi Kahuau (k) et al. . . . . D por R P 642, Kul 3489, Keahupolu, Waialuku, Maui; \$167.50. B 258, p 423. Dated Jan 8, 1896. Hoopi Kahuau and wf et al to J Burns. . . . . D int in R P 3489, Kul 6432, Keahupolu, Waialuku, Maui; \$160. B 258, p 424. Dated Oct 1, 1904. Punohu (k) to Waipuliani Kumukahi (k). . . . . D; 1-3 int in lot 53 of Patent 8202B, Ooma, N Kona, Hawaii; \$30. B 261, p 431. Dated Oct 7, 1904. Sociedade de Fundos de Papaikou by Tr to Jose J Egueras; Rel; lot 55 of Gr 4499, Kaiwika, Hilo, Hawaii; \$500. B 237, p 381. Dated Oct 4, 1904. F S Lyman to Mary J Alexander; M; lots 1 and 2 of Gr 177, Young and King Sts, Honolulu, Oahu; \$2000. B 262, p 90. Dated Oct 6, 1904. Ellikaepa K Kamakea to T Ueoka; L; int in R Ps 2873, 796 and 795, Aiea, Ewa, Oahu; \$15 yrs @ \$200 per yr. B 263, p 55. Dated Oct 11, 1904. Kate C Braymer to Arthur A Braymer; PA; general powers. B 265, p 221. Dated Sept 23, 1904. Bank of Hawaii Ltd to W C Aehl; Par Rel; lot 11, blk 20, Kahulani Tract, Honolulu, Oahu; \$75. B 262, p 92. Dated Oct 10, 1904. W C Aehl by atty of Tr to Virginia Teixeira; D; lot 11, blk 20, Kahulani Tract, Honolulu, Oahu; \$200. B 258, p 423. Dated Oct 10, 1904. Henry Waterhouse Tr Co Ltd to Western & Hawin Invest Co Ltd; AM; mtr J Ouderkerk on por R P 6305, Makiki St, Honolulu, Oahu; \$2000. B 243, p 442. Dated Oct 7, 1904. Recorded Oct. 12, 1904. Est of S C Allen by Trs to W F Heilbron; Rel; lot 503 and port lot 504 of Gr 3568, bldgs, etc, S slope Punchbowl Hill, Honolulu, Oahu; \$9500. B 221, p 287. Dated Oct 10, 1904. Young Chew Co; Co-P D; dealers in fish in stalls 36 and 37, New Fish Market, Honolulu, Oahu; Cap Stock \$3600. B 255, p 222. Dated July 1, 1904. Fook Hing Tong to Young Kong; BS; int in share in Kwong Chong Lung (firm), cor Hotel and Kekoauike Sts, Honolulu, Oahu; \$1000. B 265, p 224. Dated Sept 27, 1904. Beatrice B Ross and hsb (R G) to Mary N Lucas; D; int in lands, shares in hul land, leaseholds, water rights, rents, etc, Kahili, etc, Kauai. B 258, p 427. Dated Oct 12, 1904. Recorded Oct. 13, 1904. Kittle E Ashley to James W Pratt; PA; general powers. B 265, p 225. Dated Aug 5, 1904. K Kato to E Sumino; PA; general powers. B 265, p 226. Dated Oct 7, 1904. J Alfred Magoon to Richard H Trent Tr; AM; mtr H L Pooloa on Kul 839, bldgs, etc, King St, Honolulu, Oahu; \$2700. B 192, p 193. Dated Oct 12, 1904. Mary C Widdfield to Robert W Shingle Tr; Tr Sale; int in cash devise of \$5000; \$1, etc. B 265, p 228. Dated Oct 7, 1904. Lee Quon to Lee Shin Kee; PA; general powers. B 265, p 229. Dated June 4, 1904. Jane Mist by atty to Western & Hawin Invest Co Ltd; AM; mtr H J Hitchcock on por Ap L, Kul 6450, Kalili Road, Honolulu, Oahu; \$2000. B 237, p 147. Dated Oct 7, 1904. Gear, Laasing & Co by Creditors to David W Anderson; Appmt Tr; Tr under Tr D in Liber 231, fol 2 to 22. B 265, p 231. Dated Oct 5, 1904. Kuna and wf to Henrietta Amosona; M; R Ps 8013 and 2406, Kaliua, Koolau, Oahu; 1/2 int in R P 2529, Kanaohe, Koolau, Oahu; \$150. B 262, p 93. Dated Oct 13, 1904. Recorded Oct. 14, 1904. Charles Gay and wf to Henry Waterhouse Tr Co Ltd; D; R P 4475, Kul 7713 or 6309, Kuis 6553, 11272 and 2 pen land, Kilauea, etc, Waimea, Kauai; 1/2 int in Kul 2551, Palihali, Waimea, Kauai; \$16,000. B 254, p 429. Dated Oct 14, 1904. E Kekuewa and hsb et al to Hawn Agrol Co; L; 1-3 int in Gr 2994, Maunala, Kau, Hawaii; 15 yrs @ \$20 per yr. B 263, p 57. Dated Oct 14, 1904.

Recorded Oct. 11, 1904. Henry Roberts to Hoopi Kahuau (k) et al. . . . . D por R P 642, Kul 3489, Keahupolu, Waialuku, Maui; \$167.50. B 258, p 423. Dated Jan 8, 1896. Hoopi Kahuau and wf et al to J Burns. . . . . D int in R P 3489, Kul 6432, Keahupolu, Waialuku, Maui; \$160. B 258, p 424. Dated Oct 1, 1904. Punohu (k) to Waipuliani Kumukahi (k). . . . . D; 1-3 int in lot 53 of Patent 8202B, Ooma, N Kona, Hawaii; \$30. B 261, p 431. Dated Oct 7, 1904. Sociedade de Fundos de Papaikou by Tr to Jose J Egueras; Rel; lot 55 of Gr 4499, Kaiwika, Hilo, Hawaii; \$500. B 237, p 381. Dated Oct 4, 1904. F S Lyman to Mary J Alexander; M; lots 1 and 2 of Gr 177, Young and King Sts, Honolulu, Oahu; \$2000. B 262, p 90. Dated Oct 6, 1904. Ellikaepa K Kamakea to T Ueoka; L; int in R Ps 2873, 796 and 795, Aiea, Ewa, Oahu; \$15 yrs @ \$200 per yr. B 263, p 55. Dated Oct 11, 1904. Kate C Braymer to Arthur A Braymer; PA; general powers. B 265, p 221. Dated Sept 23, 1904. Bank of Hawaii Ltd to W C Aehl; Par Rel; lot 11, blk 20, Kahulani Tract, Honolulu, Oahu; \$75. B 262, p 92. Dated Oct 10, 1904. W C Aehl by atty of Tr to Virginia Teixeira; D; lot 11, blk 20, Kahulani Tract, Honolulu, Oahu; \$200. B 258, p 423. Dated Oct 10, 1904. Henry Waterhouse Tr Co Ltd to Western & Hawin Invest Co Ltd; AM; mtr J Ouderkerk on por R P 6305, Makiki St, Honolulu, Oahu; \$2000. B 243, p 442. Dated Oct 7, 1904. Recorded Oct. 12, 1904. Est of S C Allen by Trs to W F Heilbron; Rel; lot 503 and port lot 504 of Gr 3568, bldgs, etc, S slope Punchbowl Hill, Honolulu, Oahu; \$9500. B 221, p 287. Dated Oct 10, 1904. Young Chew Co; Co-P D; dealers in fish in stalls 36 and 37, New Fish Market, Honolulu, Oahu; Cap Stock \$3600. B 255, p 222. Dated July 1, 1904. Fook Hing Tong to Young Kong; BS; int in share in Kwong Chong Lung (firm), cor Hotel and Kekoauike Sts, Honolulu, Oahu; \$1000. B 265, p 224. Dated Sept 27, 1904. Beatrice B Ross and hsb (R G) to Mary N Lucas; D; int in lands, shares in hul land, leaseholds, water rights, rents, etc, Kahili, etc, Kauai. B 258, p 427. Dated Oct 12, 1904. Recorded Oct. 13, 1904. Kittle E Ashley to James W Pratt; PA; general powers. B 265, p 225. Dated Aug 5, 1904. K Kato to E Sumino; PA; general powers. B 265, p 226. Dated Oct 7, 1904. J Alfred Magoon to Richard H Trent Tr; AM; mtr H L Pooloa on Kul 839, bldgs, etc, King St, Honolulu, Oahu; \$2700. B 192, p 193. Dated Oct 12, 1904. Mary C Widdfield to Robert W Shingle Tr; Tr Sale; int in cash devise of \$5000; \$1, etc. B 265, p 228. Dated Oct 7, 1904. Lee Quon to Lee Shin Kee; PA; general powers. B 265, p 229. Dated June 4, 1904. Jane Mist by atty to Western & Hawin Invest Co Ltd; AM; mtr H J Hitchcock on por Ap L, Kul 6450, Kalili Road, Honolulu, Oahu; \$2000. B 237, p 147. Dated Oct 7, 1904. Gear, Laasing & Co by Creditors to David W Anderson; Appmt Tr; Tr under Tr D in Liber 231, fol 2 to 22. B 265, p 231. Dated Oct 5, 1904. Kuna and wf to Henrietta Amosona; M; R Ps 8013 and 2406, Kaliua, Koolau, Oahu; 1/2 int in R P 2529, Kanaohe, Koolau, Oahu; \$150. B 262, p 93. Dated Oct 13, 1904. Recorded Oct. 14, 1904. Charles Gay and wf to Henry Waterhouse Tr Co Ltd; D; R P 4475, Kul 7713 or 6309, Kuis 6553, 11272 and 2 pen land, Kilauea, etc, Waimea, Kauai; 1/2 int in Kul 2551, Palihali, Waimea, Kauai; \$16,000. B 254, p 429. Dated Oct 14, 1904. E Kekuewa and hsb et al to Hawn Agrol Co; L; 1-3 int in Gr 2994, Maunala, Kau, Hawaii; 15 yrs @ \$20 per yr. B 263, p 57. Dated Oct 14, 1904.

GLIMPSES OF THE BESEIGED FORTRESS

The Japan Gazette says: At the commencement of our investment of Port Arthur, it was estimated that the strength of the Russian garrison there was about two and a half divisions of over 20,000 officers and men, exclusive of the marines from the war vessels. Several months having since elapsed, during which time many severe engagements have been fought, it is reasonable to suppose that the number of the Russian sick and wounded is considerable, and it is therefore surmised that the present strength of the garrison does not exceed 20,000. As for the marines, it may be inferred that they have been joined by the men from those war vessels which have been either sunk or rendered hors de combat. Among the Port Arthur forts, there are several which have, since the Russian occupation, been erected according to General Kuropatkin's plans. It is these forts that are offering stubborn resistance to our investing army. An Yinkow despatch of the 23rd inst. to the Tokyo Asahi, states that there are indications that the Russians at Port Arthur have for some time past been in communication with the Japanese by means of wireless telegraphy, and that a French missionary is said to be concerned in the matter. The following Chefoo telegram under date of Sept. 21, has been received by the Tokyo Asahi: It is reported that the Russians recently hired some Chinese junk on Yang-ma-tao (an island about 16 nautical miles east of Chefoo), and are about to sail to Kiao-chow, whence they design to smuggle provisions and ammunition into Port Arthur. There is evidence showing that the Union, of which a certain German firm is the agent and which was wrecked at Ta-kin-tao on the 15th August, had on board provisions and ammunition consigned to Port Arthur. Her cargo which was landed on the above island is being gradually sent to Port Arthur by junk. Three of the latter seem to have so far succeeded in reaching their destination safely. The Yenai, another steamer connected with the Germans, is evidently engaged in carrying Russian messengers and mails to and from Port Arthur. A certain officer returning from the front on the 14th inst. says that the remnants of the Russian squadron at Port Arthur consist of five battleships and nine destroyers and that they are anxiously awaiting an opportunity to run our blockade. The officer does not believe the report that the Russian battleships were rendered unserviceable by the battle of August 10 and that their guns as well as their crews have been landed at Port Arthur in order to assist the land forces. He, however, admits that these vessels were seriously damaged during the above engagement, but not so seriously as to defy temporary repairs, at which work the Russians are exceptionally adept. Considering the fact, the officer concludes, that the Cosarevitch, which at one time was reported to have been converted into a "floating fort," constituted one of the most powerful units of the Russian squadron in the battle on the 10th ult., even temporary repairs, conducted by skilled hands, can by no means be despised. Press despatches from Sasebo state that the Russians at Port Arthur, taught by the bitter lessons afforded by the work of dragging for mines in which they have so far lost several steam-launches, have now devised a clever method. Each mine-clearing vessel is preceded by two boats, which first locate the mines, the clearing then being effected by the vessel. Our blockade at Port Arthur has recently become much stricter than hitherto. Reconnoissances in force are of daily occurrence and are very valuable, though dangerous in accomplishment. During a reconnoissance on the 13th inst., our vessels were severely fired on by the shore batteries, resulting in heavy casualties on our part. Lieutenant Kanawami was struck by the fragment of a shell and swept overboard.

FRUIT PESTS MUST BE KEPT OUT OF ISLANDS

(Continued from page 3) ently take other aphids also. Sugar cane and bean (?) aphids were not excepted. A good stock of Vedalia cardinalis and Cryptolaemus montrouzei is being bred up. Most of these, however, are still in the immature stages. Rhizobius ventralis seems to be doing well, as his characteristic groy larvæ were found playing havoc with all the stages of Lecanium hemisphaericum that were supplied them. Ours australis placed upon the above scale, while still alive, as yet have apparently produced no progeny. Those specimens that died on the way or since coming, are being mounted up and labelled as fast as time permits, as the live-stock is given first consideration, and this takes considerable time. I have been promised by the Honorable Ellwood Cooper, Commissioner of Horticulture of California, colonies of beneficial insects for various pests found on these islands. As directed by you, I have entered into correspondence to secure colonies of insectivorous bats for the destruction of nocturnal insects. Respectfully submitted, (Signed) ALEXANDER CRAW, Superintendent of the Division of Entomology.

RIGID EXCLUSION RULES.

The Board adopted the following rules regarding the importation of fruits, insects and animals, which will be sent to Governor Carter for his approval: RULE AND REGULATION BY THE BOARD OF COMMISSIONERS OF AGRICULTURE AND FORESTRY, CONCERNING THE IMPORTATION OF FRUIT, INSECTS AND ANIMALS INTO THE TERRITORY OF HAWAII. Section 1. For the purpose of preventing and protecting the forests and the agricultural and horticultural interests of the Territory of Hawaii, all persons, companies and corporations are hereby prohibited from importing or introducing into the Territory of Hawaii or into any of its ports for the purpose of debarkation into the said Territory any live animal or parasite known as "Flying Fox" (Pteropus or

"Fruit-eating Bat," or any crustacean known as "Land Crab," or any other animal, bird, reptile or insect injurious, or liable to become injurious to forests, trees, plants, or other vegetation of value. Section 2. If any animal, bird, reptile or insect is imported or introduced into the Territory of Hawaii, or into any of its ports for the purpose of debarkation into the Territory of Hawaii, contrary to law or this regulation, the same shall, in the discretion of the Board of Commissioners of Agriculture and Forestry or its duly authorized agent, officer or inspector, be immediately destroyed or deported at the expense of the importer or introducer, and the person or persons or corporation introducing or importing the same shall be liable to the penalty or penalties provided by law. Section 3. This regulation shall take effect from and after the approval thereof by the Governor. Honolulu, Oct. 19, 1904.

RULE AND REGULATION BY THE BOARD OF COMMISSIONERS OF AGRICULTURE AND FORESTRY, CONCERNING THE IMPORTATION OF FRESH FRUIT FROM EAST AND WEST INDIES, ASIA, AUSTRALASIA, OCEANIA, MALAY, SIA, MEXICO, CENTRAL AND SOUTH AMERICA.

The Board of Commissioners of Agriculture and Forestry hereby make the following Rule and Regulation: Section 1. For the purpose of preventing the introduction into the Territory of Hawaii of fruit-flies, their larvae, or pupae and other insects injurious or liable to become injurious to trees, plants, fruit or other vegetation of value, all persons, companies and corporations are hereby prohibited from introducing or importing into the Territory of Hawaii, or into any of its ports for the purpose of debarkation into the said Territory, any fresh fruit from East or West Indies, Asia, Australasia, Oceania, Malaysia, Mexico, Central or South America. Section 2. If any fresh fruit shall be imported or introduced into the Territory of Hawaii, or into any of its ports for the purpose of debarkation into said Territory, contrary to law or this regulation, the same shall, in the discretion of the Board of Commissioners of Agriculture and Forestry or its duly authorized agent, officer or inspector, be immediately destroyed or deported at the expense of the importer or introducer, and the person or persons or corporation introducing or importing the same shall be liable to the penalty or penalties provided by law. Section 3. This regulation shall take effect from and after the approval thereof by the Governor. Honolulu, Oct. 19, 1904.

Not in the Play.

DENVER (Col.), October 10.—A party of Eastern tourists who were riding through the foothills yesterday near Colorado Springs came suddenly upon a realistic stage hold-up. They heard a shot fired and saw a man fall. Believing it was genuine, several tourists, who were armed, opened fire on the supposed bandits and William N. Selig of Chicago was shot and painfully wounded in the arm before the fusillade was stopped. For several days Selig and H. H. Buckwalter have been getting up moving pictures representing an exciting attack and robbery of the Leadville stage. Yesterday an ambush and attack were made at a lonely spot about five miles from Colorado City. After the robbery of the mail sacks, the imitation bandits started to run up the road. The tourists opened fire. Selig, who stopped and tried to compel them to cease firing by yelling and gesticulating, was struck by a bullet. Then Buckwalter ran back and explained the situation.

Wrecking a Gin Mill.

NEW YORK, October 11.—Infuriated by the news that another death had just been added to the long list of fatalities that have been traced to poisonous whisky sold on the West Side, a mob which contained several women tonight attacked the saloon on Tenth avenue whose owner, Rudolph Fitch, is under arrest. They bombarded the building with bricks, stones and sticks, wrecking the front of the establishment, and on the appearance of the police withdrew with a menace uttered by a man who appeared to be the leader in the attack that the performance was "only a starter." Investigations of the authorities warrant the belief that fully 100 persons have consumed recently to the bad whisky of the "sticker farm" district. The detectives are busy securing samples of whisky sold at all saloons in the district. Several insurance companies also are investigating the deaths. The Federal Government has also taken a hand in the investigation.

SPRING HUMOURS Complete External and Internal Treatment



Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA OINTMENT, to instantly allay itching, irritation, and inflammation and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the most torturing disfiguring skin, scalp, and blood humours, rashes, itchings, and irritations, with loss of hair, when the best physicians, and all other remedies fail.



MOST POPULAR PUBLICATION IN HONOLULU

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WAR NEWS, CHURCH NEWS, SPORTING NEWS, GENERAL NEWS AND ALL THE LATEST WORLD'S NEWS BY CABLE.

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Published by the Hawaiian Gazette Co., Limited. 65 S. King St., Honolulu, Hawaii.

PARCELS POST ORDER.

OFFICE OF THE POSTMASTER GENERAL, WASHINGTON, D. C., Oct. 6, 1904. ORDER NO. 1132. ORDERED—The Postal Administration of Germany having concurred therein— 1. That on and after the 15th of October, 1904, the maximum value of a package admissible to the Parcels-Post mails exchanged between the United States and Germany shall be fifty dollars; and— 2. That from the same date, undeliverable "parcels" shall not necessarily be returned to the country of origin, but may be disposed of in accordance with the customs laws and regulations of the country of destination. Postmasters will take notice of, and give publicity to, the facts that on and after the 15th instant no package exceeding fifty dollars in value will be mailable to Germany by Parcels-Post; and that undeliverable Parcels-Post packages will not necessarily be returned from the United States to Germany or from Germany to the United States but will be disposed of in accordance with the customs regulations of the country in which they are found to be undeliverable. R. J. WYNNE, Acting Postmaster General.

THE OLD RELIABLE



ROYAL BAKING POWDER Absolutely Pure THERE IS NO SUBSTITUTE

NEWS OF THE WORLD

WASHINGTON, October 9.—George A. Knight is in Washington en route to West Virginia. He will speak in several other states, going thence to New York city to speak in Madison square Garden, with several other orators of national reputation.

WASHINGTON, October 9.—Three large spots were discovered upon the sun this afternoon by Father Ricardo, director of the meteorological observatory at Santa Clara College. One of the spots is several times larger than the earth, and the other two are of still greater magnitude.

NEW YORK, October 10.—The Republican Guard, the national military band of France, will return under arrest to New York from St. Louis tomorrow and be quartered aboard the French liner La Touraine. The band men are prisoners by order of the French Minister of War for refusal to play the German national anthem on German day at the World's Fair last week.

REBUKE TO BRITISH MATRONS. LONDON, October 8.—The church congress which has been in session in Liverpool during the past week yesterday took the modern parent severely in hand. Canon Lytton, Canon McCormick, Bishop Milne, Lady Frederick Cavendish and others testified to the melancholy state of affairs. If their picture of the British home can be trusted the time for protest has certainly come.

VENICE BEING ROBBED. NEW YORK, October 9.—Venice is being robbed every day of its treasures, with the exception, it is said, of the government officials. They after they have looted with boundless marble ornaments and monuments sail for an-

METEOROLOGICAL RECORD FOR MONTH OF SEPTEMBER

U. S. DEPARTMENT OF AGRICULTURE, WEATHER BUREAU. Following is the summary of meteorological conditions in the Hawaiian Islands during September, 1904:

Table with columns for location (Hawaii, Oahu, Maui, Kauai, Kaula) and weather statistics (Rainfall, Wind, etc.).

TEMPERATURE TABLE

Table showing temperature readings for various stations across the Hawaiian Islands.

RAINFALL FOR SEPTEMBER, 1904

Table showing rainfall measurements in inches for various locations.

Table showing wind direction and force for various locations.

known destinations. Many beautiful marble windows which once ornamented historical palaces, statues taken from churches now closed to worshippers, marble wall inclosures of Byzantine origin, medallions, coats of arms and columns have recently disappeared, and it is said they have been shipped to America to adorn the palaces of millionaires.

ROME, October 8.—The Pope is instituting a number of economies at the Vatican. He has abandoned the escort of honor during his walks, ordered the horses of the noble guard sold, and directed that the collection of birds in the gardens be no longer maintained.

CHICAGO, October 9.—One of the most magnificent private mausoleums in the world is to be built within a year to the memory of the late Potter Palmer, the millionaire hotel man who died two years ago. Members of the family have decided that \$60,000 shall be spent on the structure, and have given the contractor and architect full sway to design and build a monument in Graceland Cemetery which shall be a work of art as well as an imposing pile of marble and granite.

Much like Italian marble is to be imported, but the main body will be of Vermont marble. The sarcophagi within the tomb will be richly carved. There will be crypts for fourteen bodies in solid granite. Mr. Palmer's body will be removed from the temporary crypt, which is itself a costly one, and be entombed as soon as the mausoleum is completed. Other members of the family will eventually find resting-places, until all fourteen crypts are occupied. A companion mausoleum for the Honore family, of which Mrs. Palmer is a member, will be built near the Palmer pile. This also will be imposing but not so expensive. The Palmer mausoleum will rival that of the late John Mackay, president of the Postal Telegraph company in New York.

SECRET TREATY BOMB. ST. PETERSBURG, Oct. 10.—The rumor of the existence of a secret treaty concluding between Russia and Germany, covering the Far East, has again been revived. According to the latest version Germany gives certain guar-

antees to Emperor Nicholas regarding the German frontier which will enable Russia to withdraw troops from the big garrisons maintained in Russian Poland and dispatch them to the Far East, besides agreeing to support Russia in the peace negotiations at the end of the war.

Germany's compensation, in addition to the concessions made in the commercial treaties already negotiated, is to be the support of Russia in the attempt to incorporate the Netherlands in the German confederation in the event of the death of Queen Wilhelmina without a direct heir.

Diplomatic circles are discussing the story with interest. While it is classed in the same category as other similar stories by most of the diplomats, it finds more credence in quarters particularly noted for friendliness either to Russia or Germany. It being even asserted that the recent visit of Grand Duke Vladimir to Berlin ostensibly to consult a specialist, in reality was to confer with Emperor William in person on this question. Nothing confirmatory of the report is obtainable in responsible Government circles, where the story is dismissed as being the invention of enemies of both countries.

KANSAS IS CRAZY. IOWA CITY, Oct. 11.—"Western Kansas," said Professor Wilcox of the department of history of the University of Iowa in an address to his students today, "is more than half the time crazy, and this I declare to you because of its geographical position. If it were not just where it is it would in all likelihood be as sane as any other part of the country."

"History is more often determined by the geographical position of the countries in which it is made than by the acts of the men high in power in their Governments. I state with all earnestness and confidence that the Alps have had more to do with shaping the political enterprise and complexion of Europe than have the acts of any ruler or despot, however great or powerful. So the geographical position of the western half of Kansas, I say, has had more to do with shaping the political and social complexion of that region than any other agency whatsoever."

ACUTE INSOMNIA. NEW YORK, Oct. 11.—Jacob Castlerine, 61 years old, employed as a laborer by the Passaic (N. J.) Water Supply, says he has not slept for twenty years. Castlerine's neighbors bear witness to his somnolence. He says that although he has consulted physicians here and elsewhere, no one has been able to relieve him.

Castlerine goes to bed, but lies awake thinking. Although somewhat rested when he arises he is far from feeling as comfortable as when he could sleep. Each morning he has violent headache and feels sick. He dresses as quickly as possible and goes out into the open air. When he has inhaled a few breaths of fresh air the headache and dull feeling depart and he returns for his breakfast.

Physicians who have examined Castlerine are puzzled by his case.

ST. PAUL (Minn.), October 11.—A special to the Dispatch from Minot, N. D., says: Two knocked down submarine torpedo boats en route over the Great Northern to Seattle have been wrecked near Tower through the breaking of the forward journal on the truck containing part of one of the boats. The train passed through Rugby at an early hour on a special, schedule following the Great Northern flyer. It is presumed that the journal was tampered with at Rugby.

During the summer a number of Russians have been employed on the section crew at Tower. Some of them, it is said, have disappeared. It is known that the Russian and Japanese governments have had spies in this country with a view of watching suspicious shipments to the Orient.

The wreck did not materially injure the steel work on the boats, but practically destroyed the woodwork located over the front trucks of the car, so that it will have to be reconstructed. The steel material has been piled up to one side.

CHICAGO, October 10.—John Parsons, a San Francisco boy, who was among the cadets on the nautical training school ship Pennsylvania, for which an elaborate cruise of ten months had been planned, but which was abandoned and went into the hands of a receiver thirteen days after it started, has been stopping in Chicago for a couple of days, and is now visiting his uncle on a farm near Springfield, Ill., while waiting for funds from his father to take him home.

While in Chicago he was the guest of Winston P. Henry, son of R. L. Henry of 3656 Grand boulevard. Mr. Henry was one of the twelve Chicagoans who sent his son on the cruise. To-day he received a letter from Roe & McCombs, attorneys of New York, who have been retained by a number of those who paid \$250 to the school. The letter indicates that none of the money received by the school remains, and the only hope of regaining any of the money spent seems to be from the backers of the enterprise.

PHOTOGRAPHING HIGH ALPS. PARIS, Oct. 9.—The Aero Club of this city is to hear a lecture by Captain Spelterini on his recent attempt to cross the Alps in a balloon, and who, although unsuccessful, obtained many beautiful photographs of Alpine views from various altitudes up to 18,000 feet.

He made the ascent from Jungfrau station at Eigel glacier, accompanied by Mr. Stoefler, an engineer of Stuttgart in the presence of hundreds of tourists. As the balloon passed the mountain tops it started toward Canton Valais, but was caught in the clouds, and as the Captain could not locate his position, he slowly descended, being carried by the winds toward Berne, where the balloon was stopped by the side of Adeldoden mountain, compelling the aeronauts to make a landing.

DELAYED REPORTS FOR AUGUST. PANAHOU (mauka) 2.02, HALAWA 3.69, OLAH MILL 12.96, NAHIKU 17.54, HALEAKALA RANCH 2.77.

OUT AGAINST THE BEAR-HUG. BALTIMORE, October 8.—A society for reforming the present styles of dancing has been organized here by the leading dancing masters of the city.

"We propose," they announce, "to abolish this bear-hug fashion of dancing. We strictly oppose half-time dancing and romping. We won't approve of dancing a sort of two-steps to the waltz and shall teach our classes to dance to the music."

ANHEUSER-BUSCH'S MAN A GER CURED OF A HEAVY COLD. Mr. Albert E. Stansney, manager Anheuser-Busch Brewing Association, Cape Town, Africa, says: "During my trip in the Transvaal I contracted a severe cold, and am pleased to state that in Chamberlain's Cough Remedy I found prompt relief and after continuing it for a few days was entirely rid of the distressing indisposition." For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

BY AUTHORITY. WATER RIGHTS NOTICE. BEFORE THE COMMISSIONER OF PRIVATE WAYS AND WATER RIGHTS, ISLAND OF OAHU, COMPRISING THE FOURTH AND FIFTH REPRESENTATIVE DISTRICTS. NOTICE OF WATER CONTROL.

and also to determine the apportionment of said waters, and to regulate the methods by which said water may be obtained and its supply controlled for and in behalf of the owners thereof.

Given under my hand this 12th day of October, A. D. 1904. EMMA M. NAKUINA, Commissioner of Private Ways and Water Rights in and for the Island of Oahu, comprising the Fourth and Fifth Representative Districts. 2633—Oct. 14, 21, 28, Nov. 4.

NOTICE TO CREDITORS. ESTATE OF W. E. H. DEVERILL.

The undersigned, having been duly appointed as Administratrix with the Will Annexed of the Estate of W. E. H. Deverill, late of Hanalei, Island of Kauai, deceased, hereby gives notice to all creditors of said deceased to present their claims, duly authenticated, and with proper vouchers, if any exist, even if the claim is secured by mortgage upon real estate, to her, either at her residence or place of business, within six months from the day of this publication, or within six months from the day they fall due. If not so presented they will be forever barred. And all persons owing the said deceased are requested to make immediate settlement with the undersigned.

SARAH B. DEVERILL, Administratrix With the Will Annexed of the Estate of W. E. H. Deverill, deceased. Hanalei, Kauai, Oct. 6, 1904. 2633—Oct. 14, 21, 28, Nov. 4.

FORECLOSURES. ZELUBABERA KAKINA AND WIFE. MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

Notice is hereby given that by virtue of a power of sale contained in a certain mortgage made by Zelubabera Kakina and Kaal Z. Kakina, his wife, of Kawaihau, Island of Kauai, Territory of Hawaii, mortgagors, to Albert S. Wilcox, mortgagee, of Lihue, said Island of Kauai, dated October 16, 1900, and recorded in the Register Office, Oahu, in Liber 215, pages 207 to 209, the said mortgage, Albert S. Wilcox, intends to foreclose said mortgage for breach of the conditions therein named, to wit: non-payment of principal and interest when due.

Notice is further given that the property conveyed by the said mortgage, and hereinbelow described, will be sold at public auction at the auction rooms of Jas. F. Morgan, Kanuhumanua street, Honolulu, Island of Oahu, Territory of Hawaii, on Saturday, the 5th day of November, A. D. 1904, at 12 o'clock noon of said day.

The property to be sold, hereinabove referred to, is described as follows: First: All that parcel of land containing an area of one (1) acre situated in the Ahupuaa of Oloheua in said Island of Kauai, being the same premises described in deed from Mrs. Wahneka to said Kaal Z. Kakina, dated March 23, 1898, and recorded in the Registry of Deeds in Honolulu, Island of Oahu, in Liber 210 on pages 241 and 242.

Second: All the right, title, interest and estate of the said Zelubabera Kakina and said Kaal Z. Kakina in and to the Ahupuaa of Wainiha, District of Hanalei, in said Island of Kauai, and in and to the Hui Kua'i Alma o Wainiha and its property, being the same as described in deed from Josiah Lauakea and his wife, Mrs. Merena Lauakea, dated January 18, 1883, and recorded in said Registry in Liber 78, pages 167 and 168, and in deed from A. Pahee to said Zelubabera Kakina recorded in said Registry on the 10th day of June, 1889, in Liber 118, page 23.

Terms: Cash, United States Gold Coin. Deeds at expense of purchaser. For further particulars apply to Smith & Lewis, attorneys for Mortgagee, 207 Judd Building, Honolulu. Dated Honolulu, October 19, 1904. ALBERT S. WILCOX, Mortgagee. 2633—T & F

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The most ideal LIVER, STOMACH and BOWEL REGULATOR and TONIC BEVERAGE. Effervescent, Palatable and guaranteed harmless. It will immediately relieve and cure Biliousness, Constipation, Indigestion and Headache from any cause, overindulgence in eating, drinking or smoking.

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