

The Pacific Commercial Advertiser

U. S. WEATHER BUREAU, October 19.—Last 24 Hours' Rainfall, .02.
Temperature, Max. 81; Min. 71. Weather, variable.

ESTABLISHED JULY 2, 1856.

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HONOLULU, HAWAII TERRITORY, TUESDAY, OCTOBER 20, 1908.

PRICE FIVE CENTS.

EMBEZZLED COSTS IN ONE CASE-- WITHHELD COLLECTIONS IN ANOTHER

Two More Striking Instances in the Career of a Legal Beast of Prey--More Reasons Why J. W. Cathcart Should Be Defeated and Disbarred.

EIGHTH CHARGE—Four years ago, his son having been arrested on a criminal charge, indicted by the grand jury, and convicted in the Circuit Court, William R. Chilton, the Hotel street barber, and a man well known in Honolulu, retained J. W. Cathcart to bring the matter before the Supreme Court on appeal.

Mr. Chilton paid Mr. Cathcart a retaining fee of fifty dollars, and further gave him forty dollars to be used as court costs and the cost of transcribing the evidence for the bill of exceptions, this being the amount asked for by Mr. Cathcart for such costs.

Relying on the promises of Mr. Cathcart, Mr. Chilton rested assured that the matter of an appeal was being attended to, his son meanwhile being at liberty on bonds.

The time during which an appeal might be perfected passed, and young Chilton was arrested on a bench warrant and taken to jail to serve his sentence.

Mr. Chilton protested against the arrest of his son, stating that the case was on appeal in the Supreme Court. He was informed, however, on inquiry at the office of the court officials, that the appeal had been noted but never perfected; that Cathcart had paid in no money collected by him for court costs, and had done nothing to protect the interests of his client in the case whatever.

Cathcart had pocketed the retaining fee of fifty dollars, had misapplied to his own use the forty dollars given him for the definite purpose of meeting the expenses of bringing the appeal, and had, without taking any steps to protect him, allowed his client to be arrested and taken to jail.

Mr. Chilton immediately secured the services of another attorney; had the facts of the case laid before A. L. C. Atkinson, then Acting Governor; had the Attorney-General advised of Cathcart's actions in the case and the injustice that had been done to his son through the misappropriation of the court costs and the neglect of Cathcart in the matter, and on the showing made Acting Governor Atkinson issued a full pardon to the son and restored his civil rights.

Mr. Chilton was reluctant to give any information in this matter, having agreed not to give the affair publicity. He vouches, however, for the truth of every statement given above.

In this case, as in the two Goo Wan Hoy cases and the Poppleton case, which follows, all is grist that comes to Cathcart's mill. It is a case of Cathcart first and the devil take the client.

RETAINED CLIENT'S MONEY

NINTH CHARGE—Prior to 1899, a man by the name of Ezra Poppleton ran a bakery on Fort street, opposite the Club stables. Poppleton went to the bad, financially, and about the time mentioned left Honolulu.

Before leaving the city he placed in the hands of Mr. Cathcart for collection a claim for \$200. Poppleton wrote to Cathcart a number of times in regard to the claim, and, failing to receive a reply to any of his letters, he wrote to the firm of M. W. McChesney & Sons, asking them to investigate for him.

Mr. P. W. McChesney put the matter in the hands of A. S. Humphreys, stating that Cathcart had collected the money many months before. Mr. Humphreys sent for Mr. Cathcart, who admitted that he had made the collection, but had spent it. He promised to square the account before the next outgoing vessel for the coast. This promise was several times repeated, but broken as often as it was made. Finally, Cathcart was informed by Humphreys that McChesney would not stand for any more delay in the matter, as Poppleton was in San Francisco, in destitute circumstances, with a large family on his hands. Humphreys then said to him: "Now, Cathcart, if you will treat this as a debt of honor, I will send McChesney my check for \$175, write him a letter, letting you down easy, give you the benefit of my charge of \$25, and you can repay me at the rate of \$25 a month." This proposition being gratefully accepted by Cathcart, Humphreys kept his word and settled the account with McChesney. About this time Cathcart was appointed Assistant Attorney-General, and, although he was in receipt of a good salary, he did not repay the money advanced to him until 1902, when, upon Humphreys' peremptory demand, he liquidated the account in three payments.

In this case, as in the two Goo Wan Hoy cases, Cathcart treated his employer's money precisely as though it were his own. He collected the money, failed to account for it, and spent it for his own purposes. When called to account, he had no excuse for non-payment except that he had spent the money and could not pay.

GOVERNOR FREAR AND KAUAI PARTY

**Mrs. Frear Will Accompany
Party to Garden
Island.**

Governor Frear has written to Secretary Mott-Smith stating that the party which will go to Kauai will consist of Forester Hosmer, Superintendent of Public Works Campbell, Alonzo Gartley, Mr. and Mrs. Newell and Governor and Mrs. Frear.

Forester Hosmer met the Governor's party at Lahaina on Saturday morning and accompanied them to Molokai and will arrive with them this morning on the Maui.

Mr. Newell will meet with the Territorial Conservation Commission and the Land Law Commission before he goes to Kauai, and Governor Frear will speak at the Orpheum.

Governor Frear in his letter compliments Secretary Mott-Smith on his compilation and annotation of the election laws of the Territory which has been recently published.

REPUBLICANS ALARMED OVER THE CATHCART SCANDALS

The position in which the members of the Republican committees find themselves, saddled with a candidate of a reputation so vulnerable as John W. Cathcart's, and the damage that his candidacy is doing the reputable men on the ticket, is evident from a number of statements made yesterday by members of the committees and by candidates themselves.

Charley Arnold, a prominent worker for the party in the Ewa precinct, stated at Republican headquarters that the Cathcart exposures were having a tremendous effect throughout his district, and have practically stopped all work for the party there, taking the heart out of the runners and the party supporters.

"Everyone I go to now asks me: 'What is the party going to do about Cathcart?' If he would only get off the ticket, we could get down to work and win out, but with him sticking on it and the stories about him coming out every day, I am afraid. If he had any regard for the rest of the ticket, he would quit."

S. P. Correa, a candidate on the ticket for Representative from the Fifth, said yesterday that throughout all the Fifth the Hawaiian Republicans were wavering and preparing to throw their strength to the Democrats and Home Rulers, stating that the Republicans on the committees had begun to draw the color line, putting off Kaea because he was a gambler, but leaving Cathcart, charged with embezzlement and blackmail, on the ticket; throwing off the Hawaiian lesser offender and keeping on the haole greater offender.

"If the Democrats today could fuse with the Home Rulers, they would make a clean sweep of the whole ticket," is the way Mr. Correa sizes up the situation.

Everywhere throughout the city prominent Republicans are discussing the

(Continued on Page Four.)

TALKING OVER DOCK SITES

**Pacific Fleet Naval Officers
See Pearl Harbor
Locations.**

The first excursion of naval officers to Pearl Harbor under the auspices of the local fleet entertainment committee was made yesterday, the excursionists visiting and inspecting Pearl Harbor by the water route aboard the U. S. tug Iroquois, and later visiting Waiawa by train.

To most of the naval guests the trip to Pearl Harbor was a novelty, and there were general expressions of admiration for the site selected for the future great naval station. The slight rainfall during the forenoon freshened up the landscape, and Pearl Harbor's shores and the back country looked their best.

The Iroquois threaded the winding channel dredged several years ago, and the guests had opportunity to witness the operations now being conducted by the army and navy in the channel and upon the shore, preparations for the vast work to be undertaken in real earnest in a few months.

The first enterprise that met their eyes was the dirt and rock promontory being built out into the channel about halfway between the entrance and Waipio point for the first of the big disappearing guns. Farther up the channel were the triangular floats which are being used by the engineers to get borings. Some of these floats were in rows and others grouped, especially in the vicinity of Waipio Point. Borings are being made on this point also, for it is the purpose of the Navy Department to get this projection out of the way so that the channel will be more straight and give a general width of 800 feet at that point.

(Continued on Page Five.)

NO NEW PHASE IN BODE CASE

The police detectives worked on the Bode case yesterday, but made little headway. The Japanese prisoner, Huiyashi, made no statement to the officers, other than to give notice of his intention to establish an alibi.

From statements made by Miss Griffiths and Mrs. Bode the police are positive that it was a Japanese who made the attack and feel sure that Huiyashi was the man.

It appears that while the struggle was on in the bedroom of the Bodes' that Miss Griffiths, who was aroused by the noise, switched on an electric light. This caused Huiyashi to run from the room, but as he did so Miss Griffiths obtained a fleeting glimpse of the intruder, and she is positive he was a Japanese.

DEMOCRATS HOLD TWO BIG RALLIES

**Speakers Warm Up on Party
Doctrine in Their
Talks.**

The Democrats held two meetings last evening. One at Kalihi on a large vacant lot makai of the Kamehameha IV road and the other at Joe Aea's place at Waikiki. Both were well attended and the speakers were greeted with enthusiasm. The Kalihi meeting was in charge of Wm. Kaai, who introduced the speakers.

Those who spoke at this meeting were E. M. Watson, Chas. Rose, Dan Kamahu, Judge Edings, W. P. Jarrett, A. V. Peters, H. T. Moore, Ed. Ingham, W. H. McClellan, M. E. Silva, J. C. Anderson, Ed. Like and others. The rain which fell late in the evening caused the meeting to disperse.

E. M. Watson, candidate for Senator, spoke as follows:

"We are told that Governor Frear, the chief executive of this Territory, is coming back to do politics for the Republican party. He it was who, at the Garfield meeting, declared against the 'yellow-dog' propaganda. Now he has heard the Macedonian cry for help and is hastening to the rescue of his perishing party."

"The objection to a Democratic Legislature indicates the likelihood of the introduction of questionable measures. The Democrats will not oppose any good measures, no matter by whom they are introduced. The paramount question with them will be whether a measure is good or bad. If good, they will support it; if bad, they will oppose it. What have the Republicans done that they can afford to cast slurs on the Democrats?"

"Because county government has been successful they claim all the credit for the County Act. Had it been a failure they would have blamed the Democrats."

"They brag about Republican prosperity because they have mortgaged the Territory to the extent of nearly four million dollars and have made no adequate provision for the redemption of their loans. If an individual mortgaged his property in the same ratio and made no better provision than they have done, his property would be foreclosed."

"But Republicans regard this as great financiering."

Mr. Watson called for support of L.

(Continued on Page Five.)

REPUBLICANS HOLD TWO MEETINGS

There was something less than the average attendance at the two Republican rallies held last night, the one at the corner of School and Liliha streets and the other at Atkinson Park, Kakaako. At the latter meeting the various candidates got good receptions, the speeches being along the lines of the earlier rallies of the campaign.

Dan Logan, candidate for Supervisor, took a fall out of the Labor party plank which promises \$2.50 a day for laborers on all public works, pointing out to the laborers present that such a policy would mean less work for them in view of the county finances. Under Laborite government there would be some fat days and then many lean ones.

Harry von Holt did some effective campaigning in his speech, and John C. Lane was cheered when he mounted the platform and was applauded vigorously at times during his speech.

The Liliha street meeting attracted a couple of hundred voters and others. Ben Zablan was chairman at this meeting and did some good work in presenting the candidates.

The Republican meetings tonight will be at Waikiki and on Kamehameha IV. road.

PROSPECTS OF A MIX-UP.

According to the lists of meetings of the Republicans and Democrats for Thursday night, each party will hold a meeting on Punchbowl and each will meet also at the Kalihi camp.

SPERRY WILL MEET EMPEROR AND CONVEY MESSAGE OF GOODWILL

**Tokio Reception Greatest of the Cruise--
Mutual Expressions of National
Friendship Resulting.**

(Associated Press Cablegrams.)

TOKIO, October 20.—The reception given Admiral Sperry and his officers and men here is the greatest of any during the cruise of the battleships, the Japanese endeavoring by every means to express their friendliness for America. The reception exceeds in enthusiasm and magnitude the welcome given Admiral Togo after his return from his victory in the Sea of Japan.

WILL MEET EMPEROR TODAY.

Admiral Sperry will be received at the Imperial Palace today, and will present to the Emperor the message entrusted to him by President Roosevelt. It is believed that the message is one conveying a spirit of friendliness from America to Japan.

SAILORS FRATERNIZING.

Three thousand sailors from the battleships are ashore daily, the American and Japanese bluejackets fraternizing.

BANQUETED LAST NIGHT.

A banquet was given last night by the American Ambassador in honor of the officers of the visiting fleet. Admiral Sperry, responding to a toast, spoke of the peaceful mission of his ships and the good will of America toward Japan.

TAFT CUTTING OUT DATES BECAUSE OF SORE THROAT

BALTIMORE, October 20.—Taft addressed a large meeting here last night. He is now preparing to begin his campaign through New York State. Some of the dates of his proposed meetings have had to be cancelled and the meetings abandoned because of trouble he is having with his throat.

MANILA HAS TRIPLE QUAKE

MANILA, October 20.—Three earthquake shocks were felt here yesterday. There was no damage.

FOREST FIRES RESULT IN LONG LIST OF DEAD

ALPENA, Michigan, October 20.—The death list from the forest fires which have been raging in this section amounts to forty-six, and the number of people homeless throughout the affected district is seventeen hundred.

INNOCENT MAN IN RUSSIAN PRISON

ST. PETERSBURG, October 20.—The Russian press is fighting for the release from prison of C. A. Fisher, an American, who has been held in jail for ten months on a charge of murder, although his innocence has been established.

BULGARIAN-TURKISH SITUATION IMPROVING

SOFIA, Bulgaria, October 20.—The Bulgarian-Turkish situation is improved. It is possible that delegates from each country will be appointed to adjust the differences arising from the Bulgarian declaration of independence.

GREAT CROWD GREET'S BRYAN

CHICAGO, October 20.—Bryan was greeted by a great crowd at his meeting here last night.

COMEDIAN ROGERS IS DEAD

NEW YORK, October 20.—Gus Rogers, of Rogers Brothers, the comedian, is dead.

EVANS GUILTY AND SENTENCED.

YOKOHAMA, October 19.—The findings of the court martial before which Lieutenant Evans was on trial were made public today. Evans is found guilty of disrespect to his superior and of leaving the deck while on duty. He is found not guilty of intoxication. He is sentenced to loss of one hundred and fifty numbers and a public reprimand.

FILIBUSTERING STEAMER CAUGHT.

BERLIN, October 19.—An Austrian torpedo boat has seized a British steamer in the Bay of Antilari, loaded with arms and ammunition for Montenegro.

ROOSEVELT TO BE EDITOR.

NEW YORK, October 19.—It is announced that President Roosevelt will become associate editor of The Outlook after March 4.

MAINE AND ALABAMA HOME.

PORTSMOUTH, New Hampshire, October 19.—The battleship Maine arrived here today. The Alabama is off Sandy Hook.

Vapo-Resolene
Established 1879

Whooping Cough, Croup, Bronchitis
Cough, Grip, Asthma, Diphtheria
Cresolene is a boon to Asthmatics

Does it not seem more effective to breathe in a remedy to cure disease of the breathing organs than to take the remedy into the stomach?

It cures because the air rendered strongly antiseptic is carried over the diseased surface with every breath, giving prolonged and constant treatment. It is invaluable to mothers with small children.

Those of a consumptive tendency find immediate relief from coughs or inflamed conditions of the throat.
Sold by druggists.
Send postal for booklet.
VAPOR-CRESOLENE CO.,
180 Fulton St.,
New York, U. S. A.



FOR SALE

**Fine Residence
on Tantalus**

Beautiful grounds, well kept, and everything in apple-pie order.

Bishop Trust Co., Ltd.

No. 924 Bethel Street.

CALIFORNIA OIL

The Millionaire Maker

We have just published "The Oil Book" profusely illustrated. It tells how 33 out of 55 listed oil companies are now on a dividend-paying basis. How California oil stocks are increasing in value. How California oil stocks pay 2 to 20 per cent. monthly dividends. Tells how

\$170 MADE A MILLION

How to make profitable investments. The "Oil Book" will fatten your pocket-book and add to your bank-book. One copy mailed free, postage prepaid, if you act promptly and send before the supply is exhausted. Write today.

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**CATHCART'S
BLUFF SUIT**

**He Makes Grand Stand Play
Against Advertiser and
Editor.**

Yesterday's developments in the Cathcart case began with the expected bluff libel suit by the accused County Attorney, of which the following is the text:

**IN THE CIRCUIT COURT IN AND
FOR THE FIRST JUDICIAL CIR-
CUIT, TERRITORY OF HAWAII.**

John W. Cathcart, Plaintiff, vs. Hawaiian Gazette Company, Limited, a Corporation, and Walter G. Smith, Defendants. — Action for Libel.

DECLARATION.

John W. Cathcart, plaintiff above named, for cause of action against the Hawaiian Gazette Company, Limited, and Walter G. Smith, defendants above named, alleges:

1. That plaintiff since the year 1883 has been an attorney and counselor at law, and since the year 1898 has practiced his profession of attorney and counselor at law in the Hawaiian Islands, being entitled since said year 1898 to practice in all the courts of said Islands. That from the month of June, 1900, to the month of February, 1902, plaintiff was Deputy Attorney General of the Territory of Hawaii, and since the month of January, 1906, has been and now is the duly elected, qualified and acting County Attorney of the County of Oahu, Territory of Hawaii. That on the 19th day of September, A. D. 1908, plaintiff was duly and regularly nominated at the Republican County Convention for the County of Oahu, Territory of Hawaii, for the office of City and County Attorney of Honolulu, Territory of Hawaii, for the two years commencing January 4, 1909. That plaintiff thereafter accepted such nomination and duly filed his nomination papers and paid the fee required by law, and is now a candidate for such office upon the regular Republican ticket. That the election for said office will be held in said County of Oahu on the 3rd day of November, A. D. 1908. That plaintiff has no source of income or means of livelihood, except such as may be secured from the practice of his profession as an attorney and counselor at law.

2. That the said defendant, Hawaiian Gazette Company, Limited, is now and at all of the times herein mentioned has been a corporation duly organized and existing under and by virtue of the laws of the Territory of Hawaii, and now is, for many years last past has been, and at the time of the publication hereinafter complained of, was engaged among other things in the publishing of a certain morning newspaper known as the Pacific Commercial Advertiser, said newspaper being published at Honolulu, County of Oahu, Territory of Hawaii, and having a general circulation in the Territory of Hawaii and elsewhere. That the defendant Walter G. Smith is now, and for many years last past has been, and at the time of the publication hereinafter complained of, was the editor of the said newspaper, the Pacific Commercial Advertiser.

3. That on Saturday, the 17th day of October, A. D. 1908, the said defendant, the Hawaiian Gazette Company, Limited, as publisher, as aforesaid, and the said defendant, Walter G. Smith, as editor, as aforesaid, of said Pacific Commercial Advertiser, contriving and wickedly and viciously intending to injure plaintiff in his said profession and otherwise, and with the further purpose and design, by unfair, false and malicious charges and means, of defeating the election of plaintiff for said office of City and County Attorney of Honolulu, did publish and cause and procure to be published at said Honolulu, in said Pacific Commercial Advertiser, of and concerning plaintiff and of and concerning plaintiff in his said profession as attorney and counselor at law, certain libelous and defamatory words and matters and things, as follows, to wit:

"THE CASE OF CATHCART.
"The Advertiser begins a series of exposures this morning of the official and professional record of John W. Cathcart, which will cause astonishment that the Republican managers did not see fit to deal with him as summarily as they did with the lesser offender, George Kaea.

"Today's charge shows that Mr. Cathcart misappropriated a client's money. The ugly word for such an offense is embezzlement.

"The Advertiser has worked upon this case for some weeks, and is sure of its ground. Mr. Cathcart was given ample warning of what to expect if he ran, and so were his managers. His first refuge was in appeals to friendship and good will. He called upon the editor of the Advertiser and begged for immunity; failing in that, he made hint of threats. Then he went to the owner of this paper and importuned him. At his instance Mr. Peters came to this office to argue the case, but without avail. Desperate at the situation, Mr. Cathcart even stopped a reporter, Mr. Taylor, in the street and asked him not to be 'hard' in the matter. Finding all this abortive, he tried to draw a herring-bone across the scent of his iniquities, and in the case of Goo Wan Hoy besought Mr. Lightfoot to help him reach that complainant before the Advertiser could do so. Unable to connect with Goo Wan Hoy, Mr. Cathcart took refuge in denials and threats of libel suits.

"The Advertiser was as undisturbed by menace as it had been uninfluenced by cajolery; but in behalf of fair play and having no wish to win by exposure what might be reached by negotiation, it laid the case, as far as it had been prepared, before a committee of Republican managers, at their request, proposing that Cathcart quietly withdraw; that the committee, as in the case of Kaea, choose some good man in his place; and that the party then unite for victory. It was understood that Mr. Long would, for the sake of harmony, sacrifice his own growing chances of election and retire. For a time it looked

as if some such compromise could be reached; but the committee of managers finally concluded to give Mr. Cathcart the benefit of every doubt and to extend no further relief to the tickled, thus letting it carry its one remaining Jonah to the end. That left the Advertiser no recourse but to appeal to the voters, confident that those who defeated A. M. Brown on a far less formidable indictment will also defeat the man whom Brown and his flying wedge or sixty-five ex-police delegates compelled the convention, very much against its will, to accept.

"This morning the Advertiser presents the case of Goo Wan Hoy, a client whom Cathcart betrayed and robbed. This story will be followed by others of a similar tenor. We mean to prove to the satisfaction of the honest voter that the renomination of Cathcart was an affront to common honesty and one which calls for a party rebuke that will serve as a lesson and a warning, for years to come, to the men who make up Republican slates for the electors of this County or this Territory to pass upon."

4. That the words and matters and things so published and caused to be published by the said defendants as aforesaid were published maliciously and without legal excuse, and such words and matters and things and more particularly those words and matters and things wherein plaintiff is charged with misappropriating or embezzling the money of a client, and wherein plaintiff is charged with having betrayed and robbed one Goo Wan Hoy, an alleged client of plaintiff's, are in each and every particular absolutely false.

5. That by reason of the libelous, defamatory, malicious and false publication as above alleged, plaintiff has been damaged in the sum of Twenty Thousand (\$20,000.00) Dollars.

Wherefore, plaintiff asks the process of this Court to cite the said defendants, and each of them, to appear and answer this complaint before a jury of the country, at the term of this Court pending immediately after the expiration of twenty days after the service of said process, or if no term be pending at such time, then at the next succeeding term thereof, unless otherwise sooner disposed of by judicial authority.

Plaintiff further prays judgment against the said defendants, Hawaiian Gazette Company, Limited, and Walter G. Smith, for the sum of Twenty Thousand (\$20,000.00) Dollars, and for his costs in this action.

JNO. W. CATHCART,
Plaintiff above named.
A. G. M. Robertson and Fred W. Milverton, attorneys for plaintiff.

Territory of Hawaii,
County of Oahu—ss.

John W. Cathcart, being first duly sworn, deposes and says:

That he is the plaintiff named in the above entitled action; that he has read the foregoing declaration in his action for libel against the Hawaiian Gazette Company, Limited, and Walter G. Smith, and knows the contents thereof and that the matters and things stated in said declaration are true of his own knowledge.

JNO. W. CATHCART.
Subscribed and sworn to before me this 19th day of October, 1908.

P. SILVA,
Notary Public, First Judicial Circuit,
Territory of Hawaii.

(Seal)

Cathcart to Speak.

The Republican Executive Committee of the Central Committee, in furtherance of a demand upon John W. Cathcart for an answer to the Advertiser's charges, has arranged for a meeting at the Orpheum Friday evening at which Mr. Cathcart will speak.

Hasn't Read Charges.

Mr. Cathcart made the astonishing statement on Monday morning to one of his organs that he had not read the charges in the Sunday Advertiser. We quote:

"I have not yet read the Sunday Advertiser, but am informed that Goo Wan Hoy makes a charge that in 1899 I embezzled a \$90 judgment that I had obtained for him," said John W. Cathcart this morning. "This is false. Any sane person knows that if I had embezzled \$90 in 1899 from Goo Wan Hoy some mention would have been made of it before now. It certainly would have appeared in the action that Humphreys brought for him.

"As to the statements of Colburn, if there was any truth in them, Mr. Kinney would certainly have taken some action at the time, either by bringing the matter before my superior, the Attorney-General, or before the Bar Association. Kinney would, in all probability, have used this in my contest of two years ago, as he was then chairman of the Democratic Committee. The alleged blackmail is a transparent lie. The public will notice that all of the Advertiser's charges are years old. If I had been guilty of them, it is possible that they would not have been brought to light long before now!

"The public knows Colburn, Goo Wan Hoy, et al., and it is now apparent to what depths of baseness Walter G. Smith will sink to gratify his personal malice and hatred. The truth of these charges will have to be established in court."

"Cathcart stated further that it was his intention to follow up all further libelous statements by the Advertiser by fresh libel suits. He had not read the Sunday paper alleging that he had misappropriated \$90 belonging to Goo Wan Hoy, but he believed it to be libelous. The charge of blackmail made this morning he did consider libelous."

PROPER TREATMENT FOR DYSENTERY.

The great mortality resulting from dysentery is due to a lack of proper treatment. Not one case in a thousand will prove fatal when Chamberlain's Colic, Cholera and Diarrhoea Remedy is given at the first onset of the disease. For sale by Benson, Smith & Co., Ltd., agents for H. I.

**FAIRCHILD HAS
CINCH ON KAUAI**

**Supreme Court Says Chandler
Was Too Late With
Nomination.**

The Supreme Court yesterday rendered a decision in the mandamus proceeding of John S. Chandler against Secretary E. A. Mott-Smith to compel the latter to receive his nomination papers and place his name on the official ballot. The Secretary had refused to do so because the nomination was not tendered to him until Monday, October 5, while the Secretary, and now the Supreme Court, holds that Sunday, October 4, was the last day on which such nominations could be filed according to the law.

The court holds that the act requiring nominations to be filed not less than thirty days before an election is not in conflict with the Organic Act and is valid.

As there was no dispute as to the facts, the principal point to be decided was how the thirty days mentioned in the statute were to be counted. The Supreme Court held in accordance with previous decisions that if the nomination was filed on Monday, October 5, it would only leave twenty-nine days before the election, when the statute requires thirty.

This upholds Secretary Mott-Smith and knocks out Chandler as a candidate. The result is that George H. Fairchild is the only nominee for Senator from the Island of Kauai, and his election, if nothing unforeseen happens, is a foregone conclusion.

**BALL OF THE CHIEF
PETTY OFFICERS**

The ball of the Chief Petty Officers of the Pacific Fleet at the Young Hotel tonight promises to be a splendid affair. There will be dancing in both pavilions of the roof garden. A committee of fifty townspeople will cooperate with a committee from the ships. G. W. R. King as chairman will be in charge and James Lynch and E. M. Cheatham be the respective floor managers for the two ballrooms.

The invitations were sent out hurriedly. The committee or Mr. Cheatham will be glad to send invitations to any who may not have received theirs.

The following list Honolulu matrons are the patronesses: Mrs. H. H. Williams, Mrs. C. Du Roi, Mrs. J. Cornwell, Mrs. G. W. R. King, Mrs. Augustus Murphy, Mrs. E. C. Brown, Mrs. Theo. Hoffmann, Mrs. S. B. Kingsbury, Mrs. Harry B. Brown, Mrs. E. J. Lord, Mrs. James J. Crockett, Mrs. Chas. Herriek, Mrs. C. M. Schmidt, Mrs. Anna S. Wright, Mrs. Alex. Pratt, Mrs. K. F. Mackie, Mrs. C. L. Rhodes, Mrs. A. C. Wall, Mrs. Tenney Peck, Mrs. W. F. Heilbron, Mrs. Captain Miller, Mrs. Clarence Crabbe.

Following are the names of the town committee: George W. R. King, Miss Grace Carroll, Miss Nellie McLain, Miss A. L. Macaulay, Mrs. C. S. Crane, Miss E. Dutot, Mrs. E. M. Cheatham, Miss Grace Colburn, Mrs. T. Martin, Miss N. Lloyd, Mrs. O. C. Scott, Mrs. F. G. Noyes, Miss M. Hiscox, Miss M. F. Waltz, Miss Helen Witt, Miss Anna Deas, Mrs. Fannie Zeave, Miss M. Ackerman, Miss Mabel McAndrews, Mrs. Hottel, Miss Kellner, Mrs. F. J. Child, Miss Minnie Cantin, Mrs. Whitehead, Mrs. R. Foster, Mr. E. M. Cheatham, Sam Jacobsen, James T. Carey, Albert Chambers, Harry Brown, Harry Easton, E. A. Jacobsen, Ed. Towse, O. C. Scott, C. S. Crane, Frank Boyer, Kenneth Winter, Mr. Tarleton, Robert Foster, Jack Doyle, Fred Noyes, James Lynch, O. Hottel, F. J. Childs, Herbert Simpson.

**GOVERNOR FREAR WILL
SPEAK AT ORPHEUM**

Governor Frear will be the principal speaker at a mid-week rally arranged by the Republicans in the Orpheum, the meeting arranged for Wednesday night at Emma Square being canceled on that account. Governor Frear is expected to speak on general issues of the campaign and the necessity of electing a Delegate to Congress who will be able to carry on the good work for the Territory in the matter of securing additional appropriations to continue the public works started and able to work in political harmony with the Republican administration at Washington.

In lieu of the Emma Square meeting on Wednesday evening the committee has arranged for a midday meeting at the Honolulu Iron Works.

Sunday Advertiser
25c

Children's Hosiery

We have on display this week a splendid line of Children's Hosiery in black, white, tan, pink, red and blue.

Prices: 20c to 35c. per pair. Children's socks in the same shades, 20c. to 35c. per pair.

Alpacas in white, black, navy blue and gray, 38 inches wide, regular 75c. per yard; this week, 60c. per yard.

A. Blom Fort Street, opp.
Catholic Cathedral

SAN FRANCISCO HOTEL.

FAIRMONT HOTEL
SAN FRANCISCO

The most superbly situated hotel in the World

OVERLOOKING THE ENTIRE BAY OF SAN FRANCISCO, THE GOLDEN GATE, AND THE RAPIDLY REBUILDING CITY.

CONVENIENT TO SHOPPING, THEATER, BUSINESS, AND RAILROAD CENTERS.

THE EPITOME OF HOTEL EXCELLENCE

Combining all the conveniences and luxuries a good hotel should have with many unique, original and exclusive features. Entirely refurnished and refitted at a cost of three million dollars. Social center of the city—headquarters of the Army and Navy—Scene of most of the social festivities.

ACCOMMODATIONS FOR 1000 GUESTS.

EUROPEAN PLAN.

Single rooms with bath, \$2.50, \$3.50, \$4.00, \$4.50, \$5.00 upwards. Suites, with bath, \$10.00, \$12.50, \$15.00, \$20.00, \$25.00 upwards.

MANAGEMENT

PALACE HOTEL COMPANY

OSTEOPATHY

From its name, it might be inferred that Osteopathy deals only with the adjustments of the bones. This idea is erroneous. Muscles, ligaments and various organs are dealt with in regard to position, relation and size. Osteopathy is no Massage, but a drugless method of removing the cause of the disease by careful adjustment, thereby establishing structural harmony.

DR. F. SCHURMANN.

HOURS—5 to 8 p. m. OFFICE—224 EMMA SQUARE.

EVERY DETAIL

in the management of HALEIWA tends to increase the comfort of the guests. Rooms, Cuisine and Service give them a feeling of satisfaction seldom experienced elsewhere.

ST. CLAIR BIDGOOD, Mgr.

"The Badger"

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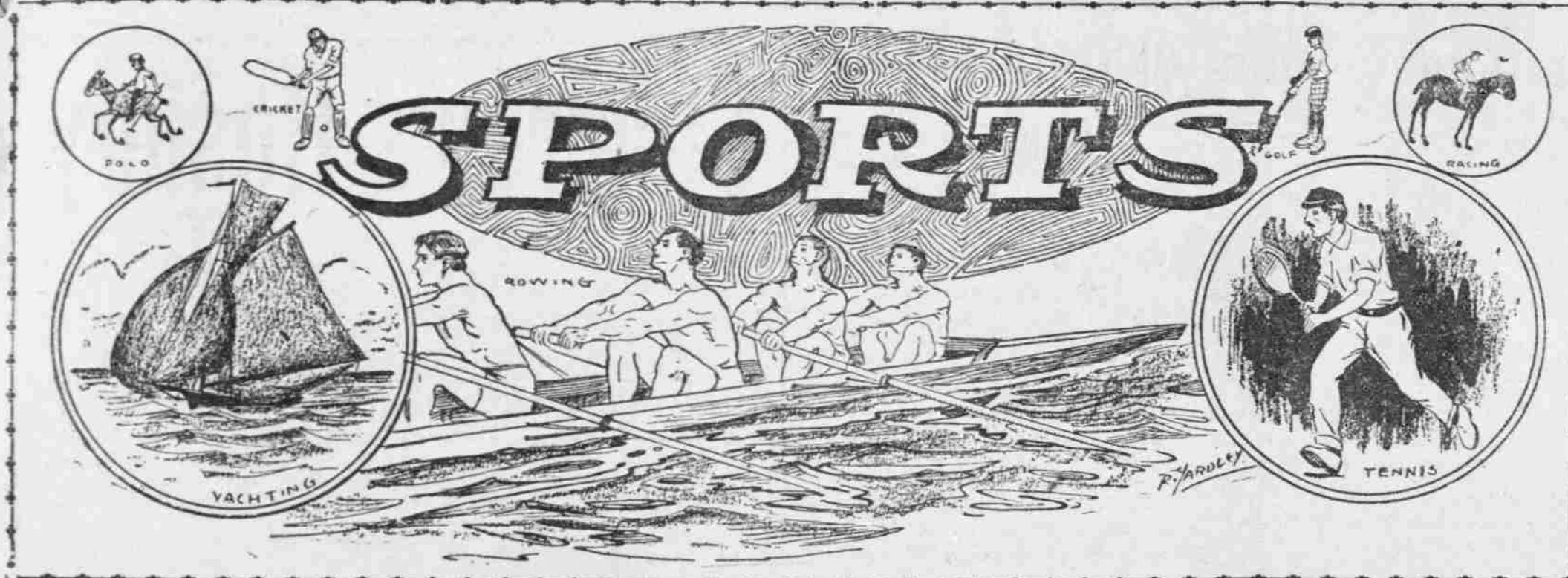
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TEL 251 N. KING ST.

**Post Card Dealers
ATTENTION!**

SCENIC POST CARDS, NEW HAWAIIAN SUBJECTS FOR THE FLEET—Send your orders in early.

Hawaii & South Seas Curio Company,
ALEXANDER YOUNG BUILDING.



TENNESSEE, 2; WASHINGTON, 0

Southerners Win First of Two Games to Be Played for Championship.

The Tennessee defeated the Washington yesterday in the first game of the second series to decide which of three ships shall play the Pennsylvania at Magdalena Bay for the championship of the fleet.

This series was played off the last time the fleet was here and resulted in a tie, all three teams, the Tennessee, Washington and California having the same number of points. For this reason the series had to be played all over again. In order to get the whole thing over and obviate the possibility of another deadlock, it was decided to have two teams play one day and the third play the winner of the first game. The winner of the second game will be named the champion of the second division.

The matter of which team should be out of the first game was decided by drawing straws, and the California caught the long one. The second game will be played on Wednesday and will be a mightily hard-fought one.

The only scoring in the entire game was done by the southerners in the second inning. In a way it was a lucky score, for it was due to a bad throw by the Washington third baseman, Hanus fanned, but Tubert followed him and hoisted it to first. Then Zehner put in a timely bingle and Tubert went to second. English dropped a pitched ball and the third-base coach yelled for Tubert to come on. He came all right, but before he could reach third in safety English had recovered and sent the ball to Socho, the third baseman.

Tubert started to dodge back and forth, and it looked a cinch for him to go out until Socho threw to Shortstop Phaneff and the ball went over his head. That was enough, and Tubert and Zehner romped.

There was no more scoring in the game, although the Washingtons tried their level best. Blahos was in splendid form and pitched a grand game, although Rice was little behind him in effective twirling. It was unfortunate that Rice's one walk of the game came at the time it did. If Tubert had not received a pass to first, Socho's one and only error might not have been so fatal.

Dr. Kaufman, captain of the winning team, states that it is trying work playing here without practise on account of the climate. It was suggested that the California and winner of yesterday's game play off today, but it will probably be postponed till tomorrow in order to give the southerners a chance to rest up.

The official score was:

TENNESSEE—	AB	R	B	H	E
Bush, 2b	5	0	1	2	
Green, lf	4	0	1	0	
M'Cafferty, cf	4	0	1	0	
Kaufman, 1b	4	0	0	0	
Hanus, 2b	4	0	0	0	
Tubert, ss	3	1	1	1	
Zehner, rf	4	1	1	0	
Neff, c	4	0	0	0	
Blahos, p	4	0	0	0	
	36	2	5	3	

WASHINGTON—	AB	R	B	H	E
Rice, p	5	0	2	0	
Socho, 3b	4	0	0	1	
English, c	4	0	1	0	
Phaneff, ss	4	0	0	1	
Zernesko, cf	4	0	0	0	
Dillaway, lf	4	0	0	0	
McGrady, 2b	4	0	0	1	
Leach, rf	4	0	0	0	
Woods, 1b	4	0	0	2	
	37	0	3	5	

Base on balls, off Rice, 1; struck out, by Rice, 11, by Blahos, 8; sacrifice hits, Green, 1; umpire, Mr. Cox, S. Dakota.

ENORMOUS CROWD THROGS FISH MARKET TO SEE SHOW

Paddy Ryan Pulls Off a Splendid Evening's Entertainment---Boxing, Wrestling and Tug-of-War.

Stevadores vs. Roads and Bridges, draw.
Shurlock beat McCullough, 8 rounds.
Smith beat McFadden, 8 rounds.
Schindle and Roberts wrestle draw.

Five thousand eager spectators, sailors and civilians, crowded round the old fishmarket last night to see the great show provided by the entertainment committee and most successfully pulled off by Paddy Ryan. It surely was a grand entertainment, and there were times when the dark mass of humanity was simply breathless with excitement.

The first event was a tug-of-war, and it was a tug of the tuggiest variety. Two husky teams of superbly-built and muscled Hawaiian lads lined up against each other on the platform and for twenty heart-breaking minutes tugged and pulled their hardest without result, for the red ribbon on the rope moved not more than three inches during the entire struggle and the result was declared a draw.

The Stevedores and the Roads and Bridges were the titles of the two teams, and the sailors evidently looked on the stevedores as less like landlubbers than the others and so rooted loudly for them. After about the first five minutes Charlie Freeman gave the signal to his men for a spurt, and the ribbon, which had been one inch on the other side, gradually slid over to the stevedores' territory. The band was playing at the time, but the roar of applause that surged from the crowd effectually drowned the music.

At the time limit Paddy Ryan blew his whistle and both teams stood up, frenzied admirers from all sides rushing in to congratulate the splendid athletes on their magnificent showing of strength and endurance. Anybody who does not appreciate what these boys did had better try hauling as hard as they can on a rope for one minute, let alone twenty, and then they will get an idea.

The next event was a rattling boxing bout between McCullough of Fort Shafter and Shurlock of the Maryland, who is to box Frommer from the Tennessee at the Independence Club tonight. The soldier shows improvement every time he enters the ring, but he was a trifle too slow for the sailor, and the latter took a well-earned decision. McCullough evidently injured his hand early in the bout, as he refrained from using his right

hand save for covering up with. This put him at a great disadvantage and he showed great nerve in staying with the game so pluckily.

The sailor showed that he is a sturdy hitter and can take as well as give. He is by no means unclever, and his go with Frommer tonight will be eagerly watched by the boys' partisans.

The third event was an eight-round boxing exhibition between Frankie Smith and Jack McFadden. It was a very clever affair, being in great contrast to the previous bout, as both boys used the limit of their science. Frankie showed that he is a wonderfully clever youngster. His footwork is simply grand, and he has a shift that would do credit to Ketchel, supposedly the pastmaster of this art. Smith will meet Trinkle tonight, and the latter as well as Reilly watched the go with keen interest.

The last event was a wrestling bout between Sailor Roberts of the Iroquois and Schindle of the Maryland. The first fifteen minutes were full of tense excitement. Schindle stayed on the defensive for some time and twice it looked as though Roberts must floor him with half nelsons, but each time the wiry sailor squirmed out of danger.

It was announced before the bout that strangle holds would be barred and Roberts inadvertently slipped into one when he had Schindle in a bad place. They were ordered back on the mat and took a fresh hold. Then Schindle began to do some work and he caught Roberts with a half nelson and a crotch hold but he had the latter the wrong way and the boy from the tug escaped from danger.

The following fifteen minutes were monotonous. They stood on their feet with neck holds and Roberts pushed Schindle round and round the ring, the latter constantly leaving the mat. Occasionally Roberts would make a rush for a trip, but Schindle always escaped. After the bout had lasted a little more than an hour Referee E. J. Braun of the South Dakota declared the bout a draw with the assent of both men.

Gunboat Smith of the Pennsylvania was introduced and stated that he would box Higgins of the California at a moment's notice. There was no response. Sandberg of the Maryland was also presented and it was stated that he would wrestle any man in the navy at 165 pounds.

Every event came off on time and without a hitch and the crowd dispersed about ten o'clock delighted with the excellent entertainment. Too much credit cannot be given to the management for the way it was brought off and the town is lucky to own a citizen like Paddy Ryan who knows so well how to do these things and not overlook necessary details.

TWO CHAMPIONSHIPS TO BE DECIDED IN RING TONIGHT

The Welterweight Championship of Fleet Will Go to Shurlock or Trommer---Smith to Box Trinkle.

There will be two real championship bouts at the Independence Club arena tonight. Instead of having any preliminaries, Jack Scully, having the material in hand, decided to make a double championship event of it and do away with curtain-raisers. This is absolutely unique in the history of local boxing—in fact, the records show no trace of two legitimate championship bouts being pulled off at the same place in one night.

Trinkle of the Maryland is the acknowledged champion lightweight of the fleet, and Frankie Smith carried the amateur championship of the Coast with him when he started his professional career. These two clever boys will box fifteen rounds.

The other go will also be of fifteen rounds' duration. Shurlock, who beat McCullough last night, will try for the welterweight championship of the fleet with Frommer from the Tennessee.

Frommer has not been seen in action in Honolulu, but he sizes up like a clever boxer and is muscled for a hard hitter, so that there is no doubt that he will make it warm for Shurlock. The latter made a very good impression in his appearance last night, and

the way he sent in lefts and rights one after the other on the soldier's body made the spectators gasp.

Great interest attaches to the Smith-Trinkle go, for Smith's only appearance here, save in training, was with McFadden last night, and the distance was not long enough for a good idea of his hitting powers to be obtained. Smith is scheduled to meet Charlie Reilly in the near future, and this is a grand chance for the fans to get a line on the probable outcome of this go.

Reilly defeated Fox, or, rather, was given a draw on account of a previous agreement that this should be the case if both men were on their feet at the end of the bout. Trinkle has also defeated Fox by a good decision in fifteen rounds. It follows, then, that if Smith can put it all over Trinkle, he will be in line to best Reilly, who has nothing but a string of victories to his credit since coming to Honolulu. If Smith can put Trinkle down for the count, then it shows that he has a punch which, if he can only land it, will do the same for our clever Charlie.

If, on the other hand, Trinkle can best Smith, it should show that the latter is not in Reilly's class. Although dope worked out on this prin-

EWA DEFEATS THE RELIANCE

Splendid Twirling by Clark Puts Plantation Ahead of the Visiting Stars.

The Reliance team, winners of the Kapiolani League cup, met a large snag on Sunday last in the shape of the Kandy Kids from Ewa plantation, where, on the local diamond, they were trimmed nicely to the tune of 8 to 4, to the great delight of the home favoring spectators.

The Reliance first to the bat were unable to connect with Clark, the Ewa twirler, for more than once and the man got to third and was safely anchored. The Ewas coming up swatted Gomez out for two beauties. From this spasm on to the sixth, ball of a very good class was played by both teams, and at the ending of this period the scores stood 3 to 3.

Coming up full of life with war in their eyes the Reliance boys batted out a good one with the aid of Martin and a tally put the town team in the lead, but the Kandy Kids nothing daunted came valiantly up to the plate and then, oh, what a runfest. Every man to the bat hit and they came galloping home like Brown's cows, 5 runs appearing up on the board to the credit of the plantation team.

Clark, the mainstay of the local boys, sent the Reliance representatives to the bench in the order of one, two, three in the eighth, and only one hit was registered by Ewa off Gomez, and that one not good enough to do harm.

Everyone was on the qui vive when the cup winners went up to the bat for the ninth. Kua walked and stole second, and a brilliant hit by Ornellas was as brilliantly caught at left field by Dewey; one man gone; Martin next in turn hit a hot one to center and young Cordeiro by a long run made the cleverest catch of the day; two men gone. Then Kua, getting anxious to reach third, failed miserably and so ended one of the best games ever seen on Ewa diamond.

There was great joy in the Ewa camp over the victory as it is something to defeat cup winners from town, where there is so much material to choose from. Considering that the Ewa boys have only had regular organization since last July, they deserve great credit for their play and the bulk of that credit should be given to George Clark and Jack Vannatta, the Ewa battery. The line up of each team was as follows:

Reliance—M. Gomez p, Brito c, Martin 1b, Kama 2b, J. Kua 3b, Joe Gomez ss, M. Gonsalves lf, J. Ornellas cf, Jno. Fernandez rf.

Ewa—G. R. Clark p, J. Vannatta c, M. Fernandez 1b, J. P. Bento 2b, M. Rodriguez 3b, Joe Elias ss, Dewey lf, H. Cordeiro cf, A. T. Silva rf.

Umpire—A. M. Simpson of Waianae. Struck out by Clark, 16; Gomez, 7; bases on balls, Clark, 4; Gomez, 4; struck by pitcher, Gomez, 1; 2-base hit, Clark.

The Ewa team journey next Sunday to Wailua to meet the local boys in a return match, the last game being in favor of Ewa, 19 to 1.

PLANTATIONS FORM LEAGUE

A new league is in the field in the shape of the Oahu Plantations Baseball League, the preliminary meeting being held last Sunday at Ewa plantation. Delegates from Ewa, Waipahu, Wailua, Aiea and Waianae were present and the initial business was put through in a workmanlike manner.

The league has been promised \$25 by the O. R. & L. Co. and Senator Hughes has also donated some cash to secure a trophy. It is proposed to approach the managers of the plantations whose clubs are participating and a welcome addition to the trophy fund is expected. The series will start about April, next year.

It does not by any means always pan out. But, whatever the outcome of the two bouts, there is no doubt that they will be hummers. The winners will take much the larger end of the purses in both cases, and not one of the four boxers can afford to lose the decision. Each sailor is anxious to uphold the honor of his ship, gain the championship and win the wagers of his friends. Smith must make a good showing against Trinkle or run the risk of failing to be a drawing card when he meets Reilly.

Take it all round, the affair looks on paper as though it would be far and away the best thing that Scully has done yet. All the matches that he has arranged have been good ones, and there has been no disappointment at any of them. The fans will find it well worth their while to go down to Alakea street and see this show tonight.

The HAWAIIAN OPERA HOUSE
Tuesday, Oct. 20
Minstrel and **JOLLY**
Vaudeville Co.
Seats at **TARS**
Bergstrom Music Co.



NEW GOODS NOW HERE
Mandarin Coats,
Silk and Embroidered
Baby Jackets
SILK SCARFS, TEA SETS, CHOCOLATE SETS,
PLATES, CARVED TABLES and CHAIRS.
SAYEGUSA
Nuuanu above Hotel.

TENNIS RESULTS OF TODAY'S PLAY

The tennis championship tournament is progressing rapidly. Yesterday afternoon three matches were played off and one was stopped by darkness. A. L. Castle beat A. J. Lowrey, 6-3, 6-3; W. L. Warren beat C. G. Bockus, 3-6, 6-4, 6-1; R. A. Cooke beat Ray Rietow, 6-1, 6-1. The Steere-Greenfield match is not yet decided. These players have mutually agreed to play best three out of five and they will finish their match this afternoon on the Beretania courts.

At present they each have a set to their credit, both of which were hardly fought, the first one going to fourteen games. Mr. Greenfield is the only player not a member of one of the Honolulu clubs and his work will be watched with great interest. Should he defeat Mr. Steere he has a splendid chance to be the one to play Will Roth for the championship of the Islands after the present series is over.

The Steere-Greenfield match will be the only one today. Tomorrow the semi-finals will be played on the Pacific courts. R. A. Cooke will play W. L. Warren, and A. L. Castle will meet the winner of the Steere-Greenfield match.

The finals will be played on Thursday, and on Friday or Saturday the winner of the present series will play Will Roth for the final championship. Entries for the other events will be left open until the singles championship is settled, and then there will be some exciting times when the doubles and the ladies start their tournaments.

LUSITANAS ARE AT TOP OF LIST

The Lusitana team defeated the San Antonios on Sunday in the third day's play of the Luso baseball league. The score was 15 to 12. The San Antonios will play the Patrias at Kapiolani park next Sunday morning at half past nine. The Lusitanas are now the leaders of the league series and chances seem very bright for them to capture the handsome trophy presented by J. A. R. Vieira. The present standing of the league is:

	P.	W.	Pct.
Lusitanas	3	2	.666
Patrias	2	1	.500
San Antonios	3	1	.333

SHORT STROKE WINS FOR CREW

The rowing crew from the Washington demonstrated the advantage of a short, quick stroke in a high gunwaled boat yesterday by defeating the California over a three mile course. They kept up a rapid stroke all the way and never dropped below forty. At times they went as high as forty-six, a tremendously speedy pace to keep up for that distance.

BONINE Picture Show

**Hawaiian Opera House
SATURDAY NIGHT**

Introducing Colored Views of—
KILAUEA VOLCANO
Prince David's Funeral
Visit of Atlantic Fleet
Other Local Views
French Dramatic and Comedy Views
Admission.....25, 50, and 75 Cents.

EMPIRE THEATRE, HOTEL AND BETHEL STREETS.

PROGRAM CHANGED
MONDAYS, WEDNESDAYS AND FRIDAYS.

New Moving Pictures
FRANK VIERRA, pianist.
MRS. KING, sweet singer of pictured melodies.
Admission10c
Children 5c

ART THEATER

Wonderful Motion Pictures bringing to view scenes from many lands and embracing Comedy and Pathos. Two changes each week.

Munday and Thursday

The Artful Lovers
An Anxious Day For Mother
His Master's Breath
Abduction
A Jealous Woman
A French Recruit
Through Darkness to Light
The Mountaineers

The course was three miles straight-away starting outside the harbor, and finishing opposite the California. The long stroke of the westerners did not pay in the chop outside but they stuck manfully to their thirty-eight time and hoped for a change in the smooth water. But they were disappointed for, when the harbor was reached, the Washingtons spurred and came over the line a good three lengths to the good. Not much money changed hands over the event as the Washington boys had not been paid off. This morning early, the Tennessee and South Dakota will row a race over the same course.



THE Pacific Commercial Advertiser A MORNING PAPER.

WALTER G. SMITH - - - - - EDITOR

TUESDAY : : : : : OCTOBER 20

TWO MORE CHARGES.

We present this morning some more conspicuous facts touching the unfitness of John W. Cathcart to continue on the Republican ticket, to remain in office or to stay in good standing as a member of the bar.

One case in point is Mr. Cathcart's acceptance of money for the defence of young Chilton and his conversion of it to his own use. This case is of comparatively recent origin. Another charge, bringing home to Mr. Cathcart a similar offence, is that of collecting \$200 for a client named Poppleton and converting this sum also to his own use—two cases of the same character as the two brought up by Goo Wan Hoy.

Whatever Mr. Cathcart may pretend to think about these charges, the effect upon the course of the Republican canvass and upon the spirits of the candidates, of the ones already made, has been most depressing. Some of the nominees are seriously of a mind to repudiate the decision of the three self-constituted party managers and demand that the same action be taken with Cathcart that was taken with Kaea, and for the same reason—namely, that he is an unfit man to remain on the ticket.

EDITOR ROOSEVELT.

Mr. Bryan of The Commoner, may, after the 4th of March, find a powerful editorial rival in Mr. Roosevelt of The Outlook. In yesterday's cablegrams it was announced that Mr. Abbott's famous weekly had arranged to take the ex-President on its staff, at the conclusion of his term. This means, no doubt, that Mr. Roosevelt will write for The Outlook during his African trip and on his return will take an active part in its management. As Dr. Abbott is getting old, it may be that Mr. Roosevelt will finally succeed him and become a great figure in journalism.

It had been suggested that the ex-President might choose to settle down as president of a university; but no cloistered shades could long hold the impetuous spirit of the Rough Rider. The post Mr. Roosevelt has chosen is one to keep him in the public eye and enable him to impress his views and personality upon public opinion. The people will not be permitted to forget him any more than they did Mr. Bryan when he mounted the editorial tripod. A great public leader in control of a newspaper or magazine, published at a national center, sits on one of the lofty summits of conspicuousness.

It will be a sorry day for the Ananias club, for undesirable citizens, nature-fakers, race-suicides, and mollycoddles when Editor Roosevelt takes his pen in hand; but alas! what a resurrection there will be of Cyantific spelin.

The first move of a rightfully accused man in the midst of a political campaign is to bring a libel suit; his second move, after the campaign is over, is to abandon it. When the Advertiser stated, the other day, that it was prepared to meet Mr. Cathcart in type, on the stump, or IN COURT, it had in view the probability of such action as he has taken. Very likely he will bring other suits. But the Advertiser knows its ground, and, as a matter of duty to the public, it does not intend to suppress anything which is capable of being proved and which the public has the right to know, about the Republican nominee for County Attorney.

Mr. Cathcart seems satisfied to say that the charges against him are "lies," so far as he knows—he "not having read" the allegations in the Sunday Advertiser; and to say that they are "old" and if true should have been exploited long ago. If Mr. Cathcart can make no better defence than this in his Orpheum speech, his political funeral will be attended by fewer mourners, even, than he expects. It speaks well for the cunning with which the present County Attorney covered his tracks that he has not been brought to book before this; but it is better late than never in a matter of this kind.

Anybody who reads the article published in the Star under the headlines "W. R. Castle Misquoted," will see that Mr. Castle makes no such complaint. He was not misquoted. All he dissents from is a headline which, in his opinion, made him a principal in urging the Goo Wan Hoy charges. Nothing was done except to draw attention to him as a confirmatory witness to certain facts which were recorded, with his consent, in the text. The quotations made from Mr. Castle in these columns have not been denied by him.

The Oceanic Company must either have secured a bonus from New Zealand or clear assurances of the passage of the subvention bill to induce it to return to its Pacific Ocean service. Times are no better than they were when the service ceased; indeed, they are worse, and so far as the incidental Hawaiian trade is concerned, it is to be subjected to a greater subdivision. So, if the Oceanic people mean business, they must have had some very decided encouragement.

As promotion work, the supplementary reader, Alice in the Hawaiian Islands, is doing a work that the people here do not realize. It is in constant use in the public schools of the United States from New Orleans to Duluth and from Boston to San Francisco. It deals with the history, customs, and products of the Islands, carefully and accurately prepared. It is also largely used in the Island schools, which the general public also does not know.

The Japanese are showing a spirit of great friendliness to the sailors of the battleship fleet, also to Admiral Sperry, whose name, which sounds so much like Perry to them, evokes a cherished legend. The reception seems to be spontaneous, rather than one of studied courtesy, and ought to have a good effect all around the Pacific.

There have been some burglaries in College Hills, one attempt to wreck a home by dynamite, and a case of deadly assault, the one reported yesterday. There are, we believe, about sixty families located in that suburb. Is it not time that a capable mounted policeman was kept on duty there at night?

Is there any man of sane mind in Honolulu who believes that Cathcart, when he made his statement to the afternoon reporters yesterday, had not, as he said, read the Sunday Advertiser, though at the time attempting to answer the charges it contained?

For Kaea, the Hawaiian crap-shooter, expulsion from the ticket! For Cathcart, a haole candidate who is half submerged by the gravest charges, retention on the ticket! It is a fine issue the Republican managers have raised.

Speaking of "old" charges against the County Attorney, the public will please take note that the Advertiser began at the beginning. This morning there are some contemporary glimpses.

The Bulletin does not dare deny that it tried to sell space to the Democrats for editorial use in this campaign. It stands convicted as a Judas whom nobody would buy.

If local merchants had any idea that Cathcart could get a verdict from the Advertiser, they would garnishee it now.

Cathcart seems to be astonished that he wasn't caught sooner.

Carlos Long is steadily making votes.

THE CASE OF JOHN W. CATHCART

The Advertiser charges that John W. Cathcart, Republican nominee for County Attorney, is an unfit man to be nominated to that office, a charge which it has continually reiterated since nominees were first discussed.

After the nominations were made, the Advertiser published some of the reasons why it opposed Mr. Cathcart's election, and also published the record of another "undesirable" candidate.

Certain Republican leaders requested the Advertiser to stop opposing them and to get in and support the Republican ticket. They were informed that the Advertiser would do so, provided the two men in question were dropped from the ticket; and offered to submit to the leaders in question the specifications of its remaining charges against Mr. Cathcart.

The other man was dropped, the specifications against Cathcart were submitted, and the committee decided that they were insufficient.

THE COMMITTEE'S DECISION.

The committee's decision was in the following words, viz.:
Honolulu, T. H., October 15, 1908.

L. A. Thurston, Esq., Honolulu:

Dear Sir.—We have given careful and thoughtful consideration to the matters recently brought to our attention by yourself and others as to certain alleged charges against John W. Cathcart, the Republican candidate for City and County Attorney. Considering not only the charges, but also the untrustworthy sources of your information, we are unanimously and unqualifiedly of the opinion that sufficient reason does not exist why we should lay the matter before the Executive Committee of the Republican party or take any steps to secure or urge the retirement of Mr. Cathcart from the ticket.

Yours very truly,

(Signed) ALBERT F. JUDD,
J. P. COOKE,
W. O. SMITH.

THE ADVERTISER'S APPEAL.

The Advertiser hereby gives notice of its appeal from the above decision, to the jury of the voters of the Island of Oahu, and as grounds for such appeal submits to them the reasons why it claims that John W. Cathcart is an unfit man to be nominated or elected as County Attorney. It will submit further reasons from day to day:

THE SPECIFICATIONS.

Charge 1. That Mr. Cathcart accepts retainers in civil cases, the facts of which have also a criminal aspect, and are liable to develop into cases which it would be his duty, as County Attorney, to prosecute, against the very men whose retainer he has already accepted, on the same state of facts.

Charge 2. That Mr. Cathcart permits his deputy, Mr. Milverton, to appear in like cases.

Charge 3. That both Mr. Cathcart and Mr. Milverton appear as attorneys for parties in divorce cases, the basis of which has also a criminal phase, and in the face of the law that it is a duty of the office to check divorce cases and prevent collusion.

In one particular case Mr. Cathcart personally defended a case in which one of the allegations against his client was the violation of the Edmunds Act, as well as the Territorial statute.

Charge 4. That Mr. Cathcart accepted \$37.50 from a client, Goo Wan Hoy, to pay the costs in a certain case, nine years ago, which money he embezzled and has never paid back.

That without the knowledge or consent of his client he compromised the suit for land estimated to be worth \$2000 for \$500; concealed the fact from his client; spent the money himself; stood off payment for four more years, compelling his client to sue for the amount; secured a compromise by taking Cathcart's note for \$185, which was not paid, \$20 more being discounted after the lapse of two more years, final settlement being made last April, after approximately nine years had elapsed since he was first retained.

Charge 5. That John W. Cathcart collected a judgment for \$90 in another case for the same client, in 1899; concealed the fact from his client for three years, then gave his note for the amount and \$50 more, which he had meanwhile borrowed from his client; dishonored the note; made two small partial payments, and never has paid the balance.

Charge 6. That he tried to bribe the Advertiser into supporting him by offering to use his official influence and position in behalf of public service corporations in which Mr. L. A. Thurston, the controlling owner of the Advertiser, and his business associates were stockholders.

Charge 7. That while Assistant Attorney-General he attempted to blackmail the Kapiolani Estate into paying a fee of \$10,000, later reducing it to \$7500, to prevent the bringing of a suit by the government for collection of unpaid inheritance taxes, which he claimed to be due, to the amount of \$35,000, stating that for the fee named the Estate would be guaranteed immunity from any suit that might be brought.

Charges 8 and 9 are published in detail in another column in this issue.

REPUBLICANS ALARMED

(Continued from Page One.)

situation from a party standpoint and wondering why the committee does not drum Cathcart out of the ranks as summarily as they did Kaea?

W. C. Peacock is one who sees only two courses for Cathcart. "He should either arrest every man connected with the Advertiser staff for criminal libel, if he can prove that the charges are false, or he should get off the ticket and out of sight," he stated yesterday.

"When men like W. R. Castle, W. A. Kinney, Lorrin A. Thurston, and John F. Colburn are named to substantiate the things or parts of them that the Advertiser is charging," Mr. Peacock added, "there must be something in the charges. I am a Republican, but I am not a straight-ticket voter this election."

It does not take many minutes at any time of the day in any part of the city to find Republican voters holding the same views as Mr. Peacock. Cathcart's defeat at the polls, should he face the music and stick that long on the ticket, is certain, and in his certain defeat he will drag down with him some good men of the Republican party.

CARLOS LONG REPORTS ENCOURAGING OUTLOOK

Carlos Long has returned from his trip to the other side of the island, and reports the best of good-feeling toward him. He says he was everywhere received well and got promises of support which encourage him to think that he will have an exceptional majority. The Hawaiians are greatly surprised at what they learn about Cathcart, and can not see why the Republican managers should stand by him and turn George Kaea off the ticket.

RHEUMATISM.

So little confidence has the average man in the various cures for rheumatism that he often suffers for years without making any effort to find relief. He then finds that it has become chronic. This is a mistake, as the pain can always be relieved, and in most cases a cure effected, by applying Chamberlain's Pain Balm. The relief from pain which it affords is alone worth many times its cost. It makes sleep and rest possible. For sale by Benson, Smith & Co., Ltd., agents for H. I.

Malt Nutrine

is Superior to all other Malt Extracts for building up weak systems.

It has a tonic strength and a solid, nourishing quality that is lacking in others.

For the best results use Malt Nutrine.

Sold by—

Hollister Drug Co.,
Limited.
Fort Street

Do you want the same amount of light and reduce your bills

OR

?

Do you want more and better light without increasing your bills

The new TUNGSTEN Lamp will do either

The Hawaiian Electric Co., Ltd.
KING STREET, NEAR ALAKEA. PHONE 390.

IT IS BEST

when made of cream instead of substitute near-milk. That is why the demand for our ice cream never grows less. It is pure in quality and in flavor. Our pound and fancy cakes have no equal here.

CAFE open from 6 a. m. to 11 p. m.

Palm Cafe

Hotel near Fort.

WRAPPING PAPER, PAPER BAGS, TWINES

American-Hawaiian Paper & Supply Co., Ltd.

CORNER FORT AND QUEEN STREETS.

GEO. G. GUILD, General Manager.

TELEPHONE 410.

Good Meals

OUR

Combination Lunch

25c., 35c., 50c. and 75c.

DINNER, 50c. and 75c.

Alexander Young Cafe

Young Building

We are showing over fifty pieces of the very newest

Plain AND Fancy Silks . .

This is to be a "satiny" season, that is, all the popular silks are soft and clingy, with more or less of a satin finish.

Mirage Silks, plain colors, \$1.50 yard.

Satin Directoire, fancies, \$1.25 yard.

Messaline, dotted, \$1.25 yard.

Peau de Cygne, plain colors, \$1.00 yard.

Satin Directoire, 36 inches wide, Plain, White and Blue, \$2.50 yard.

EHLERS



Eye Trouble

— is —

Real Trouble

Don't neglect the eyes when they begin to trouble you. Our method of testing and refracting are the most scientific known. OUR GLASSES WILL GIVE YOU PERMANENT RELIEF.

H. F. Wichman & Co., Ltd.

Optical Department.



NEW DESIGNS IN

Jade Jewelry

The special feature of our Chinese Jade Jewelry is the perfect workmanship and fine quality of our jade.

We have now many new designs in Lavalliers, Brooches, Pendants, Rings, etc.

We invite your inspection of this stylish line.

H. F. WICHMAN & CO., LTD.

Leading Jewelers

YOU MAY LEARN
in the Y.W.C.A. rooms
over H. May & Co.,
Ltd., Tuesday, Thurs-
day and Saturday
mornings just what
can be done on a

GAS STOVE

A demonstrator from New
York will show all the ad-
vantages in burning gas by
making cakes and jellies in
the presence of anyone who
is interested.

Honolulu Gas Co.,

LIMITED

Bishop Street

MOVED!

We have moved to larger quarters,
two doors above old location.

Hawaiian News Company, Ltd.
Young Building

Smoke the Owl

5c. Cigar 5c.

M. A. Gunst & Co.

Fort and King Streets.

Scissors

Sharpened

WEBB, Cunha's Alley.

CHRYSANTEMUMS

For Sale by

Len Choy

Cor. Smith and Beretania

Red Clover Creamery Butter

40c. a pound—the best
ever sold in Honolulu
SAM WO MEAT CO.,
Stall in Fishmarket

Coca Cola

The Hot Weather Beverage

HAWAIIAN SODA WORKS

Phone 516.

BENJAMIN CLOTHES

The Kash Company, Ltd.

SOLE AGENTS

P. M. POND

General Contractor

PLOWING, GRADING,
HAULING, ROCK, SAND, ETC.

Let Us Submit an Estimate

P. M. POND - Telephone 890

SEA WRENS

It is very well to see a Wren, but
the place to get one is at the

CHARLES D. WALKER'S

Boat and Machine Works,
KING STREET - Opposite South

Christmas Books

For Children and Adults
BIG NEW STOCK ARRIVING

E. HERRICK BROWN

907-909 ALAKEA STREET

Fraternal Meetings

POLYNESIA ENCAMPMENT NO. 1.

I. O. O. F.
Meets every first and third Friday
of the month, at 7:30 p. m., in
Odd Fellows' Hall, Fort
Street. Visiting brothers cordially
invited to attend.

R. MENAUGH, C. P.

L. L. LA PIERRE, Secy.

EXCELSIOR LODGE NO. 1, I. O. O. F.

Meets every Tuesday evening, at
7:30, in Odd Fellows' Hall, Fort
Street. Visiting brothers cordi-
ally invited to attend.

H. B. BROWN, N. G.

L. L. LA PIERRE, Secy.

HARMONY LODGE NO. 3, I. O. O. F.

Meets every Monday evening, at
7:30, in Odd Fellows' Hall, Fort
Street. Visiting brothers cordi-
ally invited to attend.

J. LIGHTFOOT, N. G.

E. R. HENDRY, Secy.

PACIFIC REBEKAH LODGE NO. 1,

I. O. O. F.
Meets every second and fourth
Thursday, at 7:30 p. m., in Odd
Fellows' Hall, Fort Street. Visiting
brothers are cordially invited to attend.

FLORENCE LEE, N. G.

ALICE NICHOLSON, Secy.

OLIVE BRANCH REBEKAH LODGE NO. 2,

I. O. O. F.
Meets every first and third
Thursday, at 7:30 p. m., in Odd
Fellows' Hall, Fort Street. Visiting
brothers are cordially invited to attend.

FRANCIS BINDT, N. G.

SALLIE L. WILLIAMS, Secy.

OCEANIC LODGE NO. 371, F. & A. M.

Meets on the last Monday of each
month, at Masonic Temple, at 7:30
p. m. Visiting brethren are cordially
invited to attend.

M. M. JOHNSON, W. M.

W. H. GOETZ, Secy.

LEAHY CHAPTER NO. 2, O. E. S.

Meets every third Monday of each
month, at 7:30 p. m., in the
Temple. Visiting sisters and brothers
are cordially invited to attend.

CLARA M. SCHMIDT, W. M.

ADELAIDE M. WEBSTER, Secy.

LEI ALOHA CHAPTER NO. 3, O. E. S.

Meets at the Masonic Temple every
second Saturday of each month, at
7:30 p. m. Visiting sisters and broth-
ers are cordially invited to attend.

MINNIE FRAZER, W. M.

A. E. WELBOURNE, Secy.

LADIES' AUXILIARY, A. O. H., DIVISION

NO. 1.
Meets every first and third
Tuesday, at 8 p. m., in C.
B. U. Hall, Fort Street.
Visiting sisters are cordi-
ally invited to attend.

MRS. K. COWES, Pres.

JOSEPHINE DILLON, Secy.

MYSTIC LODGE NO. 2, K. of P.

Meets on the second and fourth Tues-
days of each month at 7:30 o'clock
in K. of P. Hall, corner Fort and
Beretania. Visiting brothers cordi-
ally invited to attend.

W. L. LYLE, C. C.

F. WALDRON, K. R. S.

HONOLULU TEMPLE NO. 1, PYTHIAN

SISTERS.
Meets every first and third Monday,
at 7:30 p. m., at Knights of Pythias
Hall, Fort and Beretania streets. All
visitors cordially invited to attend.

MARTHA ABRENS, M. E. C.

SALLIE L. WILLIAMS, K. R. S.

OAHU LODGE NO. 1, K. of P.

Meets every first and third Friday at
7:30 o'clock, Pythian Hall, corner
Beretania and Fort streets. Visiting
brothers cordially invited to attend.

A. DEERING, C. C.

J. W. WHITE, K. R. S.

WILLIAM MCKINLEY LODGE NO. 8,

K. of P.
Meets every second and fourth Satur-
day evening, at 7:30 o'clock, in
Pythian Hall, corner Beretania and
Fort streets. Visiting brothers cordi-
ally invited to attend.

M. L. FRAZER, C. C.

E. A. JACOBSON, K. R. S.

COURT CAMOES NO. 8110, A. O. F.

Meets every second and fourth Tues-
day of each month, at 7:30 p. m., in
San Antonio Hall, Vineyard street.
Visiting brothers cordially invited to
attend.

H. PEREIRA, C. P.

M. C. FACHECO, P. S.

CAMOES CIRCLE NO. 240, C. O. F.

Meets every second and fourth Thurs-
day of each month, at 7:30 p. m., in
San Antonio Hall, Vineyard street.
Visiting companions are cordially in-
vited to attend.

MRS. HELEN M. PERRY, C. C.

MR. L. A. PERRY, F. S.

COURT LUNALILLO NO. 6000, A. O. F.

Meets every first and third Wednes-
day evening of each month, at 7:30
p. m., in Pythian Hall, corner Fort
and Beretania streets. Visiting broth-
ers cordially invited.

T. O. BLACKWELL, C. R.

JAS. K. KAULIA, P. C. F. S.

HONOLULU ABBE 140, F. O. E.

Meets on second and
fourth Wednesday even-
ings of each month, at
7:30 o'clock, in rooms in
Hall, corner Beretania and Fort streets. Visiting
Eagles are invited to attend.

W. L. FRAZER, W. P.

H. T. MOORE, Secy.

HONOLULU HARBOR NO. 64, A. A. of M.

M. & P.
Meets on the first Sunday
evening of each month, at 7
o'clock, at Odd Fellows
Hall. All sojourning broth-
ers are cordially invited to
attend.

By order Worthy President,
A. TULLETT.

FRANK C. POOR, Secy.

THEODORE ROOSEVELT CAMP NO. 1,

U. S. W. V.
Meets every first and third Wednesday of
each month in Waverly Hall, corner Bethel
and Hotel Streets, at 7:30 p. m.
By order of the Camp Commander,
J. E. BROWN, Adjutant.

MARINE ENGINEERS BENEFICIAL ASSO-

CIATION.
Meets second and fourth Mondays of each
month at the new K. of P. Hall, corner Fort
and Beretania streets.

E. HUGHES, Pres.

H. G. WOOTEN, Secy.

HAWAIIAN TRIBE NO. 1, O. E. M.

Meets every first and third
Thursday of each month, in K.
of P. Hall, corner Fort and
Beretania streets. Visiting
brothers cordially invited to attend.

A. B. ARLEIGH, Sachem.

A. E. MURPHY, C. of R.

HONOLULU LODGE 816, B. P. O. E.

Honolulu Lodge No. 816, B.
P. O. E., will meet in their
hall, King street near Fort,
every Friday evening. By
order of the E. R.

W. H. MCINERNEY, E. R.

H. C. EASTON, Secy.

HONOLULU SCOTTISH THISTLE CLUB.

Meets on the first and third Fri-
days, at 8 o'clock, in rooms in
the Oregon Block, entrance on
Union Street.

J. M. MACKINNON, Chief.

JOHN MACAULAY, Secy.

CHUNG WAH LODGE NO. 4, K. of P.

Meets every second and fourth Tues-
day at its hall, Vineyard street, at 7:30 p. m.
Visiting brothers are cordially invited to attend.

SAMUEL L. WONG, C. C.

WONG KIM CHONG, K. of R. & S.

HAWAII CHAPTER NO. 1, ORDER OF

KAMBAHEHA.
Meets every first and third Thursday even-
ing of each month at 7:30 o'clock in Fra-
ternity Hall, Odd Fellows' Building, on Fort
Street.

N. FERNANDEZ,

Kuanhau.

SONS OF ST. GEORGE LODGE NO. 353.

Meets every second and fourth Thursday
at K. of P. Hall. Visiting brothers cordially
invited to attend.

ISAAC COCKETT, W. P.

JOHN RICHARDSON, Secy.

FIVE CHILDREN AND A JURY

Japanese Mother Is on Trial for
Illicit Making of
Okolehao.

Judge Dole's court looked like a
kindergarten yesterday. Five little
children, the youngest a babe in arms
and the eldest a girl of seven or eight
years, occupied chairs in a row, and
sought to amuse themselves by play-
ing about in a subdued way, while
twelve men sat to determine whether
their mother was guilty of the illicit
distilling of okolehao or not.

The woman, the mother of these
children, is a Japanese woman indi-
cated as Sansui. She lived on Pacific
Heights. When her house was raided a
still and a small quantity of okole-
hao was found, and the woman made
some admissions as to having made the
stuff and afterwards denied these, and
varied them.

The defense sought to establish the
theory that the real maker of the okole-
hao was someone else who has never
yet been caught, and that the woman
was the victim of being found in the
bad company of an illicit distilling
outfit.

The following is the jury that is
hearing the case: George F. Winter,
A. C. Rodriguez, Robert W. Sharpe, H.
F. Wichman, George Mundon, J. W. A.
Redhouse, John D. Deter, Anthony M.
Gilman, L. C. Ables, R. C. Searle,
Charles E. Frasher, Henry P. Roth.

Achi Wins Out.

The suit of Solomon Kauhane and
others by Henry Smith, their guardian,
against William Laa, was decided yester-
day by the Supreme Court, and a
new trial was ordered. The court de-
cides that the rule that rents from
property owned by tenants in common
leased to a stranger are apportioned ac-
cording to the interests of the owners,
is not altered by the fact that the lease
was signed by only one cotenant with
the acquiescence of the other. W. W.
Thayer represented the plaintiffs and
W. C. Achi the defendant-appellant, his
contention for a new trial being grant-
ed.

George Markham Wins.

In the ejectment proceeding of J. P.
Mendonca vs. George Markham, the
jury after being out three hours last
night returned a verdict for the de-
fendant as to the land known as Ki-
keke, the only land in dispute in the
case.

The case has been on trial since a
week ago yesterday. Mendonca claim-
ed the land in dispute by conveyance
from Markham's mother through P. E.
R. Strauch. Markham claimed by ad-
verse possession. Mendonca was repre-
sented by Judge Stanley and Markham
by C. C. Bitting.

Jurors Who Forgot.

The petit jury for the term in the
United States District Court was called
yesterday morning. Several failed to
respond to their names. Among these
were R. W. Atkinson, and a tele-
phone inquiry was met with the re-
sponse that he had gone down the
railroad. Colonel John T. Baker has
gone to the Coast. J. P. Cooke, Jack
Lucas and St. C. Sayres were three
others who forgot the judicial engage-
ments. They all showed up a few min-
utes late.

The Wynne case was set for Thurs-
day for trial. The Alameda is expect-
ed on Friday and will bring one or
more of the witnesses in this case.

Verdict for Defendant.

In the suit of Mary Atherton Rich-
ards against Carl Ontai and others, be-
fore Judge De Bolt, the jury yesterday
brought in a verdict in favor of the
defendants for \$246.50. Mrs. Richards
sued for \$625, rent of Vineyard street
property, and the defendants claimed
a set-off for artesian water supply suf-
ficient to put Mrs. Richards something
over four hundred dollars in their
debt. The jury awarded them \$240.50.

Andrews Case Again.

A motion for a new trial in the
case of the United States against Lor-
rin A. Andrews was filed in the United
States District Court yesterday. This
is the proceeding in which a jury
awarded Andrews a verdict of \$550
for damages to his land over which
the Hilo Railroad is to be run to the
Hilo breakwater.

The motion is quite voluminous, cov-
ering several pages of typewritten
matter.

FROM CANADA.

Mothers have the same terror of
croup in all countries, but Chamber-
lain's Cough Remedy leads in popular-
ity for a prompt cure of this dreaded
disease. Mrs. Thos. Matthew of Caledo-
nia, East Ontario, says: "I have used
Chamberlain's Cough Remedy several
times, and I try to keep it in the house
always. I can highly recommend it
for children troubled with croup." For
sale by Benson, Smith & Co., Ltd.,
agents for H. I.

STUDY HAWAIIAN.

The class in Hawaiian language
meets at the Y. M. C. A. every Thurs-
day night at 7:30 under the instruction
of Dr. Emerson. The course prepares
one for business and legal use of the
language. Call for particulars.

A pair of eyeglasses in gold frame
found in Kapiolani park yesterday
await owner at this office upon payment
of expenses.



FORECLOSURE SALES

LOT 14, TANTALUS—L. P. 4544, with
buildings, etc.

At Front Entrance, Judiciary Building
Saturday, October 31, 1908,
12 O'CLOCK NOON

JOHN MARCELLINO,

Commissioner.

LARGE LOT, KEWALO STREET.
Area, 26,333 square feet; a little
above Wilder avenue. Board on
place.

At my Salesrooms, OCTOBER 31, 1908.

THREE LOTS, KAPIOLANI TRACT,
with buildings. Area, 20,100 square
feet.

At my Salesrooms, NOVEMBER 14,

1908.

FOUR LOTS, TANTALUS HEIGHTS.
Area, 81,650 square feet, known as
the R. C. A. Peterson lots.

At my Salesrooms, NOVEMBER 14,

1908.

PELEULA, HONOLULU, known as
the Lucas homestead. Location bet-
ter known as Kukui lane. Area,
6724 square feet. With improvements.

At my Salesrooms, NOVEMBER 14,

1908.

JAS. F. MORGAN,

AUCTIONEER.

Auction Sales

Saturday, October 31, 1908,

12 O'CLOCK NOON, at my Land

Salesroom.

LOTS 47-48, 'BLOCK F

(Area about 10,000 Square Feet)

Kapiolani Park Tract

Near entrance to fort, water pipe to
lots, hard road right by them. Sold
for what they will fetch. Go see them.

Also—

11th Avenue, Block 16

Lots 1, 2, 3, 4, 5, 6, 7, 8.

Waialae Car-line

10th Avenue

11th Avenue

Palolo Road

10th Avenue

11th Avenue

4 8 2 1

6 5

8 7

10th Avenue

11th Avenue

10th Avenue

11th Avenue

10th Avenue

11th Avenue

HOME FOR SALE

New seven-room house;
electric lights, gas, sewer
connection, mosquito-proof.
Fruit trees on lot. Terms
easy. Price \$2500.

**Trent Trust Co.,
LIMITED.**

\$25 Reward

Will be paid by the HAWAIIAN GAZETTE CO., LTD., for the arrest and conviction of any person found stealing copies of the Advertiser from addresses of subscribers.
C. S. CRANE,
Manager.

Good Beer

We Serve the Best
Beer in Honolulu
Every Day—Every Night
GOOD SQUARE MEALS
OR LIGHT LUNCHES

Palace Cafe

Merchant and Richards Streets

BLUEJACKETS' BALL AT SEASIDE TONIGHT

The bluejackets' ball, the last of the official entertainments planned for the Pacific fleet, will be held at the Honolulu Seaside Hotel this evening. The combined bands of the first division of the fleet will be on hand to enliven affairs, and together with the Hawaiian band and the Ellis Glee Club will assist in furnishing the dance music. The affair will be a brilliant one, and a large and representative number of our city's best will undoubtedly be on hand to welcome and bid farewell to the bluejackets—"the men behind the guns."

BUSINESS LOCALS.

Such a pizness. 50 at 7 o'clock.
Oh, ye Eagles! 50 pairs of wings will be sprouting tonight!

A twelve-inch second hand talking machine is wanted. See classified ads.

Go to the Royal Annex, Nuuanu and Merchant streets, for meals or drinks.

Two or three small children may secure board and refining influence with a young lady. See classified ads.

Notice is given of the loss of stock certificate, Oahu Railway & Land Company, in name of Madeline Tucker.

Notice is given today of the loss of stock certificate, Oahu Railway & Land Co., in name of Mrs. Lucinda Tucker.

Falling hair and dandruff are the forerunners of baldness. Pacheco's Dandruff Killer will destroy the cause.

Webb has the knack of making dull scissors sharp without injuring the blades. Look him up in Cunha's Alley.

An experienced Japanese cook, male, and a woman child nurse want positions. Inquire Room 20, Aloha House, Fort and Vineyard.

If your automobile gets in bad repair, take it to the Associated Garage, Merchant street, opposite Bishop. The mechanics employed there are all experts.

Furnished room with board for two gentlemen. Fine locality convenient to car line and within easy walking distance from business section. See classified ads.

The Owl cigar is the finest five-cent smoke ever put on the market. It has been in the lead for over twenty years. Try it at M. A. Gunst & Co., Fort and King streets.

"Auto-Strap," the best and keenest safety razor known to the trade, is sold by Benson, Smith & Co., Ltd., Hotel and Fort streets, at less than the manufacturers' prices.

The cottages, 1310 and 1312 Young street, with two and three bedrooms respectively, closets, electric light, gas and sewerage connections are offered for rent. See classified ads.

Malt nutritine is the tonic that will build you up and recharge your system with vitality. It is superior to all other tonics in nourishing properties. Sold by the Hollister Drug Co., Ltd.

Watchmakers throughout the Territory should deal with Joseph Schwartz, corner of King and Fort, whose stock of jewelers' supplies is complete. Key-stone-Elgin and Ingersoll watch depot.

Dixon's silica-graphite paint is conceded to be the most durable, economical and beautiful paint for all exposed wood and metal surfaces. Sold by Lewers & Cooke, Ltd., 177 S. King street.

LOCAL BREVITIES.

Sheriff Haukea yesterday filed his nomination papers with the County Clerk.

A wireless station equipment will be sent to Molokai today to be put in position there.

Excelsior Lodge No. 1, I. O. O. F., will meet in Odd Fellows' Hall at 7:30 this evening.

Did you ever see such a circus as there is going to be in Honolulu Aerie No. 140 tonight?

Ladies' Auxiliary A. O. H., Division No. 1, will meet in C. B. U. Hall at 8 o'clock this evening.

The Humane Society will hold a meeting on Thursday at 4 p. m. on the roof garden of the Young Hotel.

H. C. Easton and N. B. Young have bought the mercantile agency of S. De Freest, and will manage it in the future.

P. Maurice McMahon leaves for Maui today to attend a session of the Second Circuit Court as stenographer.

Dr. Hayes, government physician, has found ten cases of trachoma and seven of conjunctivitis at the Maenae school.

If ever a lodge team earned their money, the Eagles team will get a chance tonight. Come and watch them perspire.

What a chirping there will be in the Eagles' nest tonight. The mother birds will be busy teaching the young birds how to fly.

Deputy High Sheriff George Sea, who has just returned from Kauai, says that L. L. McCandless is having large and enthusiastic meetings in his campaign on the Garden Island.

The show will commence at 7 o'clock sharp and then the refreshments! They will taste much better if you properly commiserate with the new birds while they do their stunts. Corner Fort and Beretania.

All the members of the Kaahumahu Society are requested to meet at Kawaiahae at 10 a. m. on Wednesday, October 21, 1908. For special business. (Signed) LAHILAHI WEBB, Secretary, Kaahumahu Society.

A cablegram was received by Harry Armitage yesterday from Pollitz & Co. stating that the monthly dividend of Hutchinson Plantation and of Paauhau had each been increased from fifteen cents a share to twenty cents a share.

A. A. Isbell, the wireless expert, had a narrow escape from electrocution on Friday night. While working with the apparatus his watch fob came in contact with a terminal point making a circuit. He received a heavy voltage sending his side. But for convulsions which threw him clear of contact he would in all probability have been killed.

Kaio, who was serving a life sentence as an accessory to the murder of Dr. Jared Smith of Kauai, brother of W. O. Smith, about eleven or twelve years ago, died in Oahu prison yesterday of stomach trouble. With Kapea, his son, who actually did the killing, and Upapa, he was sentenced to death but his sentence was afterward commuted to life imprisonment. The murder was committed because Dr. Smith had declared a daughter of Kaio a leper. Kapea was hanged and Upapa died shortly after he was released from prison a few years ago.

BAND NOTES.

The band will play again today (Tuesday) at the excursion to the Peninsula and Wahiawa with the fleet committee and the officers of the Pacific fleet.

In the evening the band will play at the entertainment of the Pacific fleet petty officers at the Young Hotel.

SEASIDE DANCE ON TUESDAY.

There will be a dance given at the Seaside this evening for the boys of the fleet. The ladies of Honolulu and their friends are cordially invited to attend.

"IT IS SED" POSTCARDS!

Something new! Just out! On sale at all postcard dealers.

Hawaiian dance at Mrs. Puahi's, Kapohani Park, 2 to 5 this afternoon, and from 7 to 11 p. m. Hawaiian and American dances. Tickets at the gate.

RIBBONS

See our new Imported Ribbons, in Dresden and Persian effects.
They are exquisitely colored.

LADIES' LACE Evening Waists

Here is a chance to get a very handsome waist at little expense.
Waists in White and Cream.

Girdles

FOR THE NECK
In Gold and Velvet
The Very Latest

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With typical Hawaiian decorations. Just the thing to take home to your relatives and friends.

Assortment consists of
Cups and Saucers,
Bread and Butter Plates,
Cake and Dinner Plates.

PRICES FROM 40c. TO \$1
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GOLF SWEATERS

WHITE, GREY AND BLUE

These are fine goods, well made and finished. Two pockets, large pearl buttons and proper length. No more fashionable accessory to the golfer's wardrobe.

Silva's Toggery

Elks' Building King St.
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WET WEATHER SHOES

It's time to put away your light-soled Summer Shoes and White Canvas—they won't do in wet weather. A bad cold may prove more expensive than a dozen of our

PACKARD BURGUNDY BLUCHERS,

Wing Tip, with heavy extension sole. Price, \$5.00

PACKARD TAN BLUCHERS—Made of best Storm Calf with heavy extension sole. Price, \$5.00.

McInerny Shoe Store

Fort Street, above King.

TEA ABOARD THE WEST VIRGINIA

The splendid quarterdeck of the flagship West Virginia was transformed into a ballroom yesterday afternoon, when Mrs. Swinburne gave a tea for about sixty townsfolk and a large number of the officers of the fleet. From half-past four until six o'clock there was dancing to the sweet strains of the flagship orchestra. To the young debutantes the tea was memorable, for what better place in the whole world to dance can there be than a warship's broad decks? To the society women of more mature years it was reminiscent of the old Vandalia and Nipsic days back in the eighties.

The sides of the ship were partially enclosed with signal hunting and great flags. Screened from this space was the orchestra, which alternated Strauss waltzes with jolly two-steps. At the stern, where huge flags formed a colorful background, easy chairs were placed and nearby were fern-laden tables, on which rested great silver bowls filled with punch. The captains of several warships were present, and among the townsfolk present there were many leaders of society, whose gowns were extremely becoming.

PACIFIC FLEET BALL AT YOUNG

The ball given at the Young Hotel last evening by the ladies' committee of the general fleet entertainment committee was a social event marked by the presence of a large number of naval officers and townfolk. The admiral and staff officers, several captains and dozens of younger officers were present. Dancing was held in both pavilions, with Hawaiian orchestras in attendance. Mrs. Walter F. Frear, wife of the Governor, and Secretary of the Territory and Mrs. Mott-Smith were among those present. This was the first of the official entertainments in honor of the Pacific fleet.

Eleven-foot shark at the Aquarium.



Hawaiian Hotel
For MEALS

TRY ALEXANDER YOUNG HOTEL
or CAFE

CHINESE SAILORS WERE GIVEN A RECEPTION

A reception was given yesterday evening to the Chinese boys of the fleet at the Chinese Y. M. C. A., about seventy of the Chinese sailors being present. Admiral Swinburne took a decided interest in the affair, allowing liberty to nearly all the Chinese on the cruisers for the occasion.

The men were decorated with leis and after being served with refreshments listened to a number of speeches and a program of Chinese music, afterwards adjourning to the Chinese church, where a series of stereopticon views of Hawaiian scenery was presented.

The Chinese Consul, his secretaries and a number of other prominent local Chinese were present.

GETTING OUT THE BALLOTS.

The office force of the Secretary of the Territory are busily engaged in arranging and preparing for sending the official ballots for the coming election to the various boards of election on the other islands. The work is being done under the direction of Chief Clerk Lloyd Conkling.

Our rapidly-growing business has compelled us to move to more roomy quarters. Both our stores will now be in our new location, two doors above the old one in the Young building, Hawaiian News Co., Ltd.

WHITNEY & MARSH

SALE OF

Household Articles

Begins Monday, the 19th

SHEETS—63 x 90, regular price 65c; reduced to... 55c
SHEETS—72 x 90, regular price 75c; reduced to... 65c
SHEETS—81 x 90, regular price 85c; reduced to... 70c
SHEETS—90 x 90, regular price 95c; reduced to... 80c
PILLOW CASES—42x36, reg. price 12½c; reduced to 10c
PILLOW CASES—45x36, reg. price 18c; reduced to 15c
(All hemmed ready for use.)

TOWELS—Regular price 10c; reduced to... \$.90 dozen
TOWELS—Regular price 12½c; reduced to... 1.10 dozen
TOWELS—Regular price 20c; reduced to... 1.75 dozen
TOWELS—Regular price 30c; reduced to... 2.85 dozen

REMINGTON ANNOUNCEMENT

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get the right quality of food for it. We have more than plain beef; our assortment includes all that is found in the best markets on the Mainland and the quality is the best.

We would be pleased to have your order over the phone, No. 45, and we guarantee satisfaction.

Metropolitan Meat Company, Ltd.

Walk-Over Shoes

Our store is the place to get them. The best in the world for the money.

L. B. KERR & CO., LTD.

HONOLULU DEPARTMENT STORE.
ALAKEA STREET.

HONOLULU, HAWAII TERRITORY, TUESDAY, OCTOBER 20, 1908.

NO LEGAL HOLD ON THE CORPORATE PURSE STRINGS

Judge Dole Decides That Hawaiian Corporations May Contribute to Elections in This Territory—Interesting Decision.

Hawaiian corporations can contribute to the election of Link McCandless as liberally as they want to, according to Judge Dole's decision, delivered yesterday; or to the election of Kuhio, or Notley, or any other candidate. There is no legal hold on corporate purse strings in this Territory.

Likewise, by Judge Dole's decision, the officers and directors of the Haleakala Ranch Company are in no danger of fine or imprisonment for having contributed funds for the coming election.

Judge Dole upholds the constitutionality of the act of Congress prohibiting corporations from contributing to elections where Representatives in Congress or United States Senators are to be elected, but he holds that it does not apply to Hawaiian corporations nor to the election of a Delegate from the Territory to Congress. Judge Dole's decision is a long one, but is an interesting one. Some of the leading points in it are as follows:

The defendant, a corporation organized under and by virtue of the laws of the Kingdom of Hawaii on September 1, 1888, is charged in the first count of the information with making a "money contribution in connection with an election to the office of Delegate from the Territory of Hawaii to the Sixty-first Congress of the United States of America, contrary to the form of the statute of the United States in such case made and provided, to wit, an act of the Congress of the United States of America approved January 26, A. D. 1907 (34 Stat. L. part 1, p. 264)." The statute forbids "any national bank or any corporation organized by authority of any laws of Congress" from making a "money contribution in connection with any election to any political office."

It is contended by the United States that upon annexation all corporations owing their existence to either the Hawaiian Kingdom or the Republic of Hawaii "no longer had any standing save as the same might have been preserved by that provision of the Resolution of Annexation which reads as follows: 'The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this Joint Resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.'" And it further contends that the defendant "was in fact continued in existence or, if the term may be used, recreated, by virtue of the Resolution of Annexation."

The laws of the Republic of Hawaii were more definitely dealt with by the Organic Act creating the government of the Territory of Hawaii (Act of April 30, 1900; 31 Stat. L. 142). This provides in section 6 "that the laws of Hawaii not inconsistent with the Constitution or the laws of the United States or the provisions of this act, shall continue in force subject to repeal or amendment by the legislature of Hawaii or the Congress of the United States," and then proceeds specifically to repeal a number of the Hawaiian laws but does not repeal the Hawaiian law relating to corporations.

The Hawaiian Islands became a part of the United States, not by consent or by any use of force by the greater power, but as a result of negotiations between the two countries, the initiation of such negotiations having come from the Republic of Hawaii. In the light of these facts, the expression of the Resolution of Annexation that the municipal legislation of the Hawaiian Islands should "remain in force" until the Congress of the United States should otherwise determine, and that of the Organic Act, that the laws of Hawaii not inconsistent with the Constitution or laws of the United States or the provisions of the Organic Act should "continue in force," subject to repeal or amendment by the legislature of Hawaii or the Congress of the United States, was significant of the complete recognition by the United States of the validity of such laws under the new status and of the agreement for their continuance until subject to further legislation relating to them either by Congress or by the Hawaiian legislature.

Annexation was a transfer of sovereignty by friendly compact and for due consideration. Vested rights not involved in the transfer cannot be affected by such a transaction, nor can it be construed so as to impair the obligation of contracts,—the contracts related to this case being the charter of the defendant granted by the government of the Hawaiian Kingdom and continued in force by the proclamation of 1893 creating the Provisional Government of the Hawaiian Islands, and by the Constitution of the Republic of Hawaii, which charter represents the contract between government and the incorporators, and the contract between the stockholders.

The extinction of corporations, as suggested by counsel for the prosecution, raises the difficult question of the re-

vival of such extinguished corporations,—assuming them to have been so extinguished. The revival of a corporation which has been dissolved is as fully an exercise of power as the original incorporation. If, therefore, the then existing Hawaiian corporations lost their corporate powers by reason of the annexation proceedings, it does not appear that there have been any authoritative proceedings since that time to revive them. The rule of contemporaneous construction, then, would apply against the theory of extinction.

Counsel on both sides asked the court that if "it believes there is a distinction between cases of corporations organized before and those organized since the date of the Organic Act," it would express such belief in its opinion.

It is certain that the above considerations do not apply to corporations organized under the Territorial Government, and that a different relation to the authority of Congress exists in relation to such corporations, the question in such a case being merely, "Is a corporation that is chartered by the Territorial Government 'organized under authority of any laws of Congress'?" * * * Even though the implication of these decisions is that corporations organized under Territorial laws are not Federal corporations and so not entitled to the benefit of the removal statute, it does not follow that corporations chartered under the provisions of Territorial laws and not to be called "Federal corporations," are not "organized by authority of any laws of Congress."

Congress has incorporated companies by direct acts, as in the case of the Union Pacific Railroad Company (12 Stat. L. 489) and other corporations. It has also authorized Territories by general act to provide for the incorporation of companies for certain specified objects. The Legislature here was authorized to enact such a law, but there being one already in operation, which was continued in force by the Organic Act, there was no necessity for new legislation on the subject. Such corporations may be said to be created by authority of a law of Congress, inasmuch as the authority for their incorporation comes primarily from a law of Congress. Does the rule that penal laws should be strictly construed interfere with such a conclusion? There is no question in this part of the case of construction of words, but here is a sentence open to two constructions and in reaching the conclusion the object of the law has to be considered. It seems to me that a conclusion that the expression of the statute, "corporations organized by authority of any laws of Congress," includes corporations created under a Territorial law. The reason of such a conclusion is so much stronger than any basis for a contrary one, that it may be regarded as imperative, and, if so, the rule of strict construction has little weight, or, rather, it may be said that the rule requires this conclusion rather than a contrary one.

The second count of the information alleges that the defendant made "a money contribution in connection with an election at which a representative in Congress is to be voted for, to wit, in connection with an election within the Territory of Hawaii for a Delegate to represent the said Territory of Hawaii in the Sixty-first Congress of the United States of America."

The contention of the defendant in support of the demurrer as to this count is that inasmuch as the law describes the offense as a money contribution by a corporation at an election in which a "representative" in Congress is to be voted for, there is no violation of the law in a contribution in connection with an election at which a "delegate" in Congress is to be voted for, the law being silent in regard to such latter election.

The prosecution urges that the Constitution in its provisions in regard to Congress makes no use of the word "delegate" in dealing with elections for members of Congress, but uses only the words "Senators and Representatives" (Art. 1, Sec. 4), and says in its brief, on page 13, "surely it was contemplated that perhaps such an act as that of March 3, 1817 (3 Stat. L. 363), and subsequent acts relative to delegates, might come before Congress" in that "at the time of its adoption Congress of course had in mind that at some time in the future it would become necessary in some manner or other to govern the territories."

As a matter of fact, the first ordinance providing for the government of the Northwest Territory was enacted July 13, 1787 (1 Stat. L. 51), two months before the enactment of the Constitution, and such ordinance provided for the election of a Delegate to Congress. So it may be taken for granted that when the Constitution was enacted the members of the Constitutional Convention were fully apprised of such feature of Territorial government. Thereafter, from time to time, amendments were made to the act of 1787 by which the manner of election of delegates was changed from election by the upper and lower houses of the Legislatures of the Territories to an election by the same voters as were electors of Representatives. The fact that the Constitutional Conven-

tion made provision in the Constitution for Senators and Representatives as members of Congress (Art. 1, Secs. 2 and 3) is evidence that these were deemed to be constitutional matters and not matters of general legislation; and the further fact that the Constitution gave to Congress the power to "make all needful rules and regulations respecting the Territory or other property belonging to the United States" (Art. 1, Sec. 2), is evidence of their view that the matter of dealing with the Territories, providing for their government and representation in Congress by delegates, were subjects belonging to the legislative department of the government, such legislation having already been initiated by the act of 1787, already referred to. And this arrangement fully accounts for the fact that in the Constitution there is no reference to delegates where reference is made to Senators and Representatives.

The provisions of Chapter 8 of the Revised Statutes on Contested Elections, cited by counsel for the prosecution as an instance in which the word representative was used by Congress as including delegates, has little significance in relation to this point. The first section of this chapter (section 105) begins with the words "Whenever any person intends to contest the election of any member of the House of Representatives," etc. This raises the question as to what constitutes a member of such House. If a delegate is a member, then this phrase quoted has no significance on the question as to whether the word representative includes delegate, because if a delegate is a member of the House of Representatives then he is fully included by the words "any member of the House of Representatives." In the case of Doty v. Strong, supra, the court decided that a delegate is a member of the House of Representatives.

There is some conflict in the statute in referring to the status of delegates as to such membership, but I deem such conflict to have little significance but to be attributed more to thoughtlessness in drafting bills than to any consideration of their status. On general principles, in spite of the common use in the statutes of the words "members and delegates," I think it stands to reason that a delegate is a member of the House of Representatives although not a full member. He is elected to such position by the same electors as elect the representatives, he is allowed the same salary as the representatives and the same mileage, he has a seat in the House with the right to join in the discussion of matters before the House, acts on the committees, and, so far as I am aware, has all the powers of representatives with the one exception that he is without a vote. There is no doubt in my mind but that he is a member of the House of Representatives but without full powers, and to an extent he is recognized as such in Congressional legislation. With this conclusion, the reference to the chapter of contested elections has no force. The fact that in the contest referred to of the election of Delegate Kuhio in this district, the House took jurisdiction and decided the questions raised without objection or raising the question of the validity of the proceedings on account of the fact that it was a delegate whose election was contested, shows conclusively that that body considered that a delegate was a member of the House of Representatives under the section referred to.

Generally in the Federal statutes where delegates are meant to be included the word is used. This fact tends strongly to sustain the theory that Congress has as a rule never confused the two words "representative" and "delegate" or used the word "representative" as including in its meaning the word "delegate."

It does not appear that there is any instance in which the word "representative" is used in the United States statutes in matters referring to Congress on Congressional elections in an untechnical sense.

Late in the discussion of this case on briefs, counsel for the defendant, with the consent of the court and counsel for the prosecution, submitted a brief against the constitutionality of the act under which this case was brought. He cites the decision in the *Employers Liability Case*, 207 U. S. 463, as authority for his contention, and argues that the act in question is unconstitutional because it deals with elections in which State officers are voted for, and says, "the act prohibits any contribution in connection with State officers because elected at the same election with congressmen," and again, "the force and effect of this statute is to prohibit contribution to election of State officers."

The *Employers Liability Act* attempts a new departure in regard to the "fellow servant" rule of liability of employers, by removing the benefit of this rule from employers who are common carriers, "engaged in trade or commerce in the District of Columbia or in any Territory of the United States, or between the several States, or between any Territory and another, or between any Territory or Territories and any State or States, or the District of Columbia, or with foreign nations," (34 Stat. L. part 1, p. 232.) The court decided that it was within the power of Congress to apply the fellow servant rule wherever injury occurred in interstate business, but found that where the law went beyond this and made employers liable outside of Federal jurisdiction, that is, where the employees were injured while engaged in intrastate work, the law was unconstitutional.

The law of the present case is based upon the constitutional provision giving Congress authority "to make all laws which shall be necessary or proper for carrying into execution" the legislative powers vested by the Constitution in Congress (Art. 1, sec. 8, par. 18). One of these is the power to make regulations as to the manner of holding elections (Art. 1, sec. 4). Is there any analogy between the

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The expert cook who will have charge of the demonstrations has been sent by The Van Duzer Co., from New York to show the superiority of their flavoring extracts.

The demonstrations will be held every Tuesday, Thursday and Saturday morning from 9:30 till 11 o'clock until further notice.

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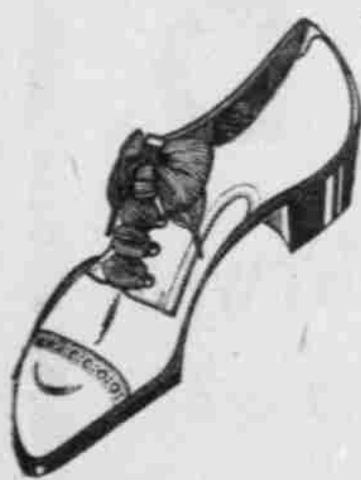
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We have just opened our new shipment of bamboo suit cases of all sizes.

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THE AUTHOR OF THE RATE BILL

The Early Career of Colonel William Peters Hepburn.

WASHINGTON, September 19.—When William Peters Hepburn, the masculine, irreducible and sabre-tongued old officer of cavalry, whose name is attached to the last drastic law against rebates, penalizing the railways which give and the shippers who take, thought of it, he laughed. We were talking about transportation.

"Why, sir," he said, "I emigrated from Ohio to Iowa in a steamboat. Think of it! Most persons in those days, however, traveled in wagons. I well remember my first journey from Iowa City to New York. The West was filling up. Civilization was coming forward with a rush. There were wooden pavements in Chicago, a great modern improvement, even if they splashed muddy water on one's boots and trousers when he walked on them. Well, I set out with a trunk. I bought a ticket straight through to Davenport, where, claiming my trunk and putting it on a steamboat, I crossed the Mississippi river to Rock Island, in Illinois. My second ticket took me to Chicago. In the meantime I had been drinking awful coffee and eating doleful pie and worse sandwiches at way stations. I slept where I sat. A drayman in Chicago hauled me and the trunk across the city to another depot.

"The third ticket I purchased took me as far as Toledo, in Ohio. There was no drayage at that point, as I remember. Another ticket and another check carried me and the trunk to Erie, Penn. From Erie I went to Buffalo, where I procured a ticket to Albany. The trunk now had become a nuisance, but I didn't realize it. There was no change of cars between Albany and New York City, where I and the fool trunk were duly set down, bearing visible evidence of the wear and tear of transportation. Such was travel before railways were joined together and made into continuous systems. Before we moved to Iowa we lived at Wells-ville, in Ohio, which is on the river. My stepfather was a forwarding and commission merchant, receiving grain, cheese and farm produce and shipping it to Pittsburgh by water, whence it was sent to the Eastern markets, either by canal or in great Conestoga wagons, lines of which ran over the Alleghany Mountains. There was no such thing as a through rate in those days. Each boat was a separate unit of transportation. Nor was there any exchange of business between railroads.

"My father, for example, received produce from a country merchant and, paying the freight in advance, shipped it to Pittsburgh, where it was forwarded by canal or wagon to its destination by still another agent. Commission merchants made money, but their charges, of course, were a direct and heavy tax on the consumers. I speak of these matters to show that the amazing development of our transportation business has occurred within the lives of men still active in the daily work of the world. We landed at Muscatine sixty-seven years ago last April—I a lad of less than eight. I remember how glad we were to leave the river, on which we had spent many weary days after our departure from Pittsburgh. Iowa City, our destination, forty-one miles distant through a lonely country without bridges or roads, was built entirely of logs. We went there in a rough wagon, and saw only five desolate cabins on the way. The Territory of Iowa, all that part of Minnesota west of the Mississippi and the vast region now known as the States of North and South Dakota, contained only 45,000 inhabitants, and they were fighting the hardest and worst battle of their lives. The population now must be at least 7,000,000, and every acre of land, except the forests, is being used for crops or pasturage.

"I have been a witness of the greatest work in nation building the world has ever known. No man ever again can have my experience. I have seen towns and cities spring out of the tall grass of the prairies. Yesterday a mighty reach of timber followed a stream to the blurred and misty limits of human vision. Today the trees are gone and there are red and purple orchards, fat fields and comfortable farmhouses. So I have occasionally thought that by a singular working out of the harmonies in the case I have lived to take part in the legislation made necessary by the tremendous development which I have studied or watched practically from its inception.

"Will you tell me in a few words," I asked, "what the Hepburn law has accomplished?"

Has Put End to Rebates.

"It has stopped the giving and taking of rebates on freights," Colonel Hepburn answered, "and has also put an end to discriminations as to commodities and persons, and largely as to places. One man or corporation is no longer favored as against some other

man or corporation; the product of one factory is no longer favored over the product of another factory; one town or city is not given advantages which are denied another town or city. The railways have really become common carriers, and are willing, I believe, to obey the laws of Congress, preferring legislation by the Nation before legislation in the States."

"What more is needed?" I inquired. "I think we should have laws preventing railways from increasing their freight rates and from excessively watering their securities."

"Why not prohibit water altogether?" I asked.

"Men who build railways," Colonel Hepburn answered, "and thereby take great financial risks, are as much entitled to the unearned increment, so called, as are the owners of lots and lands. I bought a farm many years ago for \$10 an acre. It has paid very little, if anything, as an investment, but I could get \$100 an acre for it today, were I to put it in the market. The increased value will be my profit, when I choose to sell. So I believe the increased value of railways should go to the owners of their shares and bonds. Many roads have had a long and discouraging struggle. Part of the Burlington system, for instance, didn't pay a dividend for seventeen years. However, an undue expansion of securities should be prohibited."

"I suppose many pioneer families in the West are rich because of prudent purchases of land?" I said.

"A few are rich, a large number are in comfortable circumstances, but hundreds of our first settlers are poor because they believed the prairies were good for grass, and nothing else. My father took up seventy acres of forest at a far greater cost in time and toil than would have been required on a thousand acres of prairie. Farmers from wooded countries argued that land without trees was worthless. Our farm was only a mile or two from thousands of acres of rich land ready for the breaking plough, but we chopped and sawed and grubbed and wore our lives out in unprofitable and almost hopeless labor. A man in our neighborhood moved a few miles away to the prairie. It was predicted that he would starve and finally die of cold. I remember that he went on Monday and that a meeting was held in our log cabin on Thursday, at which prayers were made for his safety. Wheat could be sold at Muscatine, forty-one miles over the country, for 25 cents a bushel in money. Corn was 9 cents a bushel in goods. We traded our surplus near at home for actual necessities. A 200-pound pig was worth as much as \$1.50. Blue calico, with a white dot—Merrimac cloth, we called it—cost 31½ cents a yard. We remained on the farm for three years, and then went to live in Iowa City."

"Were there schools in Iowa at that time?"

"Not in the country districts. I got no schooling while on the farm. At Iowa City I attended the Mechanics' Academy for three years. My mother was one of the teachers. James Harlan, afterward a United States Senator and also the father-in-law of Robert Todd Lincoln, had come from Indiana and started an educational movement, which was really the beginning of the public school system in Iowa. He was one of the greatest men in American history, and one of the real builders of the West. I remember that he told me he lived on 12 cents a week while going to college in Indiana, his diet, day in and day out, being limited to cornmeal mush and potatoes. But in those days one could buy a lot of mush and potatoes for a shilling. The first time I ever saw Harlan I was in the act of putting on my trousers, having just forded a river. I had been planting sod corn for a farmer—chopping holes in the upturned sod with an axe, then dropping in the seed and covering it over—and felt rather important. In my pocket was the equivalent of \$1.75, the wages of seven long days in the sun, but it was decidedly mixed, there being silver coins, as I recollect, of three nations—Spain, France and the United States. Harlan was riding in a buggy with a doctor. At their invitation I climbed in behind, and sat where the doctor usually carries his pill bag. Then I began to count and jingle my money. Harlan looked back and said, 'My boy, you will never again feel so rich as you do this minute.' He was right about it. The acquaintance thus begun grew into an intimate friendship that lasted as long as he lived.

"I have been thinking of Harlan many times lately," Colonel Hepburn continued, "especially since the death of Allison. He had served in the United States Senate with distinction, but was beaten by Allison in 1873.

The most effective argument against him concerned his advanced age. He was fifty-two years old! A few months ago Mr. Allison was a candidate before the people of Iowa for his seventh senatorial term. He was successful, though twenty-seven years older than was Harlan when retired from public life on the ground that he was too old to be of practical use to the people. I have wondered if Allison in his last days ever thought of the fight his friends made on Harlan. Well, Harlan talked education in Iowa, and the Mechanics' Academy was one of the results of his missionary labors. I attended it for three months during each of three winters. My Sunday school teacher was a printer. He let me read his books, and then, when I was fourteen years old, persuaded me to learn his trade. I was a journeyman in three years, and was earning \$10 a week. By and by I purposed to own a newspaper, but my mother actually compelled me to be a lawyer. I studied for a considerable time in Chicago, where a was janitor and bookkeeper for my preceptors at \$30 a month.

"The county clerk at Iowa City having gone into business, he gave me the fees, about \$1000 a year, for running his office. Then I was married. As the bar at Iowa City was unusually strong, I decided to move to Marshalltown, where I really began my practice. Some

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"PERFECT" in that they represent the most advanced styles and patterns.

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His stock of Shirts, Collars, Cuffs, Ties and Underwear is complete. Also Hats and Caps of a large variety. Panamas and Straw a specialty. Prices are right and no trouble to show goods. Don't forget he has moved from Fort street to the Oregon block, 152 Hotel street, opposite Young Hotel.

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GOLDEN GATE, DRIFTED SNOW, MYRTLE LEAF, SOUND RING OR RED SHIELD.

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MADE FROM THE BEST CALIFORNIA AND WASHINGTON WHEAT.

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Robinson Building, Queen Street.

land which I had entered was sold for \$800. I built a little house with the money. After we moved into it, Mrs. Hepburn and myself nailed on the lath."

"How did you get into the army?" I asked.

"I raised a company of cavalry in 1861, resigning the office of District Attorney to be a soldier. I got 129 men together, mostly sons of farmers, and we rode away on our own horses. We had neither arms nor uniforms, and only seven saddles in the company. We used rope halters for bridles. The people fed us, and let us sleep in their barns and under their hay stacks. We were drilled at Davenport and in St. Louis. In due time my farm boys became excellent soldiers."

"You rose," I said, "to be a lieutenant colonel of cavalry, and once commanded a brigade. Did you ever serve under Sheridan?"

"I was with him in his first fight. Indeed, I accompanied him to the camp of the 2d Michigan, after he had been commissioned as its colonel, and introduced him to the officers. I joined his staff later. He was the greatest soldier of his day, and in my opinion would have been in command of all the armies had the war lasted two years longer."

"You have spent twenty-two years in Congress, with what result to yourself?"

"Little as to money, if that is what you mean. Yet we have always lived within our salary and have saved something. However, we have kept out of society."

"At seventy-five years of age," I said, "you are active and vigorous in mind and body. Have you followed

any special rules of living?"

"Not consciously. I have always eaten the food I liked, but in moderation. Until recently I walked every day; now I have an old horse, and ride in the evening. I could think and work while I walked, and so I lost no time. The habit of thinking in the roar of the street and the confusion of a session of the House was formed in a peculiar way. I'll not name the place nor approximate the period, but I went to church 104 times a year out in Iowa and listened to the biggest goose that ever stood in a civilized pulpit. Well, after he would read his text I would preach my own sermon, and his subsequent noises were unheard until he shut his Bible and announced the closing hymn. He did me a great service."

"Is human nature undergoing any change for the better?"

"Surely. Selfishness is gradually giving ground to kindness. I observe it on every hand. Morals are better, too. I have seen half a dozen members of the House drunk in their seats at the same session. No respectable man gets drunk nowadays."

"Has oratory lost its power?"

"Yes, when exercised within a situation controlled by money. I knew a man who never said a word in Congress. He was rich, having a gold mine and a profitable manufacturing business. Every evening two or three of the influential members of the House would ride home with him for dinner. He got everything he wanted—new federal judges, \$3,000,000 for a federal building, and benefits galore for his district."

"Meanwhile, oratory, pounding the desks and walking the aisles, got nothing."

Oahu Railway TIME TABLE

OUTWARD.
For Waiānae, Waiāluā, Kahuku and
Way Stations—9:15 a. m., *3:20 p. m.
For Pearl City, Ewa Mill and Way
Stations—7:30 a. m., *9:15 a. m., *11:05
a. m., *2:15 p. m., *3:20 p. m., *5:15
p. m., *7:30 p. m., *11 p. m.
For Wahiawa—9:15 a. m. and *5:15
p. m.

INWARD.
Arrive Honolulu from Kahuku, Waiāluā
and Waiānae—8:36 a. m., 5:31
p. m.
Arrive Honolulu from Ewa Mill and
Pearl City—7:46 a. m., *3:36 a. m.,
*10:38 a. m., *1:40 p. m., *4:31 p. m.,
*5:31 p. m., *7:30 p. m.
Arrive Honolulu from Wahiawa—
*8:36 a. m. and *5:31 p. m.
*Daily. *Ex. Sunday. *Sunday Only.
The Haleiwa Limited, a two-hour
train (only first-class tickets honored),
leaves Honolulu every Sunday at 8:22
a. m.; returning, arrives in Honolulu
at 10:10 p. m. The Limited stops only
at Pearl City and Waiānae.
G. P. DENISON, P. C. SMITH,
Superintendent, G. P. & T. A.

KOOLAU RAILWAY

KAHUKU EAST.
Station. Distance. Time.
Kahuku 0.00 Leave 12:35
Haleiwa 2.55 12:46
Haleiwa 4.73 12:55
Haleiwa 6.11 1:01
Haleiwa 8.00 1:11
Kahana 11.00 Arrive 1:25

KAHANA WEST.
Station. Distance. Time.
Kahana 0.00 Leave 1:27
Haleiwa 3.00 1:42
Haleiwa 4.89 1:51
Kaipapau 6.27 1:57
Laie 8.45 2:06
Kahuku 11.00 Arrive 2:17

In effect August 1.
Connecting at Kahuku with the O.
R. & L. Co.'s 9:15 a. m. train from
Honolulu.

Returning, leaves Kahana at 1:27 p.
m., connecting with the afternoon train
for the city which leaves Kahuku at
8:20.
JAMES J. DOWLING, Supt.
R. S. POLLISTER, G. P. & T. Agent.

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New York Underwriters' Agency.
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Scottish Union & National Insurance
Co., of Edinburgh, Scotland.
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ICE delivered at any part of the city,
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Make and Repair Carriages

All goods left for repairs uncal-

led for October 1 will be sold to pay ex-

penses.

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EUROPEAN PLAN \$1.50 A DAY UP

AMERICAN PLAN \$3.00 A DAY UP

A new down town hotel. Steel and

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Reserve

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Machinery, Black Pipe, Galvanized

Pipe, Boiler Tubes, Iron and Steel, En-

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Repairing all kinds of musical in-

struments.

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IS JUST PURE SOAP

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We have the cleanest, best-made and

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SERIES OF DEEDS FILED YESTERDAY

**Some Important Conveyances
Were Presented for
Record.**

A series of interesting documents were filed for record with Registrar Merriam yesterday. Among them was a deed from H. Hackfeld & Co. to the Matson Navigation Company of property on the Hilo waterfront to be used by the Matson Company for warehouses. The consideration for this property is \$2900.

A second instrument was a deed by Patrick Cockett to Mrs. Josephine Cornwell, Mrs. Blanche Cornwell, Miss Kate Cornwell, and William Cornwell, of all of his interest in the land of the B. H. Sniffen estate. The land is in kula near the Cornwell ranch, and amounts to about 2400 acres. The price is \$7000.

Another instrument is a conveyance from L. M. Whitehouse for the consideration of one dollar to H. Hackfeld & Co. of the entire pumping and sluicing plant now at the Nuuanu dam, an inventory of the principal appliances of the plant being given. In addition there is included a floating pile driver now in use in Honolulu harbor by E. J. Lord, and a Ford runabout. A fourth instrument is a mortgage from William T. Robinson and his wife Ellen K. Robinson, for \$20,000 to the Bank of Hawaii. The property mortgage is all Waiuku property, and includes the houses occupied as residences by D. H. Case, D. H. Davis, R. H. Dinegar, and V. A. Vetlesen, and business property on Market street. The mortgage is at 7 per cent.

In addition there are deeds between the Department of Education and the Paia Plantation by which the old schoolhouse site at Paia is exchanged for the site where the new Paia schoolhouse is being built.

Kohala Sugar Company and Halawa Sugar Company, by deeds, readjusted the boundary between the two plantations, and a right-of-way for a flume across the Kohala Sugar Company's lands.

SUNSHINE CAKE SERVED AT Y. W. C. A. TODAY

This morning in the dining hall of the Y. W. C. A., the expert demonstrator who has charge of the flavoring and coloring demonstrations will show how to flavor Sunshine cake. The fame of her demonstrations has evidently gone

THE COME AND SEE SIGN

**PUBLIC INSPECTION INVITED
FROM 8 A.M. TO 4 P.M.
SATURDAYS EXCEPTED
LYDIA E. PINKHAM MEDICINE CO.**

This sign is permanently attached to the front of the main building of the Lydia E. Pinkham Medicine Company, Lynn, Mass.

What Does This Sign Mean?
It means that public inspection of the Laboratory and methods of doing business is honestly desired. It means that there is nothing about the business which is not "open and above-board."

It means that a permanent invitation is extended to anyone to come and verify any and all statements made in the advertisements of Lydia E. Pinkham's Vegetable Compound. Is it a purely vegetable compound made from roots and herbs—without drugs?

Come and See.
Do the women of America continually use as much of it as we are told?

Come and See.
Was there ever such a person as Lydia E. Pinkham, and is there any Mrs. Pinkham now to whom sick women are asked to write?

Come and See.
Is the vast private correspondence with sick women conducted by women only, and are the letters kept strictly confidential?

Come and See.
Have they really got letters from over one million, one hundred thousand women correspondents?

Come and See.
Have they proof that Lydia E. Pinkham's Vegetable Compound has cured thousands of these women?

Come and See.

This advertisement is only for doubters. The great army of women who know from their own personal experience that no medicine in the world equals Lydia E. Pinkham's Vegetable Compound for female ills will still go on using and being benefited by it; but the poor doubting, suffering woman must, for her own sake, be taught confidence, for she also might just as well regain her health

abroad, for this is to be repeated by special request.

The demonstration will take place from 9:30 till 11 o'clock, during which time all comers will be served with Sunshine cake, baked on a gas range from the Honolulu Gas Co., and flavored with the famous Van Duzer Co.'s Extracts, and May's Old Kona Coffee and "B" brand Ceylon tea. The demonstrator will show to the ladies who do not possess one the advantages found in using a gas stove.

VOTERS' CLUB.

The Voters' Club, an organization studying civil government under Judge Weaver at the Y. M. C. A., will take up the county act tonight, and spend the evening studying and discussing it. Any man who is interested in practical politics will find this class of great value. Such men are invited to attend the session tonight at 7:45 to get an idea of how the class is taught. Judge Weaver's wide general information makes this interesting study even more valuable.

WOMEN'S WOES

**HONOLULU WOMEN ARE FINDING
RELIEF AT LAST.**

It does seem that women have more than a fair share of the aches and pains that afflict humanity; they must "keep up," must attend to duties in spite of constantly aching backs, or headaches, dizzy spells, bearing-down pains; they must stoop over, when to stoop means torture. They must walk and bend and work with racking pains and many aches from kidney ills. Kidneys cause more suffering than any other organ of the body. Keep the kidneys well and health is easily maintained. Read of a remedy for kidneys only that helps and cures the kidneys and is endorsed by people you know.

Mrs. Emma Vieira, of King street, Honolulu, says: "For three or four years I had the misfortune to be afflicted with an aching back. The pain and discomfort this entailed on me can be better imagined than described. I have two children, and it was of course difficult for me to attend to them while oppressed with suffering. The way in which I found relief eventually was by using Doan's Backache Kidney Pills, procured at the Hollister Drug Co.'s store. They did me a large amount of good, as I now testify. I should certainly recommend those who have backache or any other form of kidney trouble to try Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are for sale by all dealers. Price 50 cents per box (six boxes \$2.50). Mailed on receipt of price by the Hollister Drug Co., Ltd., Honolulu, wholesale agents for the Hawaiian Islands.

SCHOOLS ASKED TO JOIN IN AN EXHIBIT

Superintendent of Public Instruction W. H. Babbitt has sent out the following notice in regard to the proposed educational exhibit of Hawaii to the Alaska-Yukon Exposition:

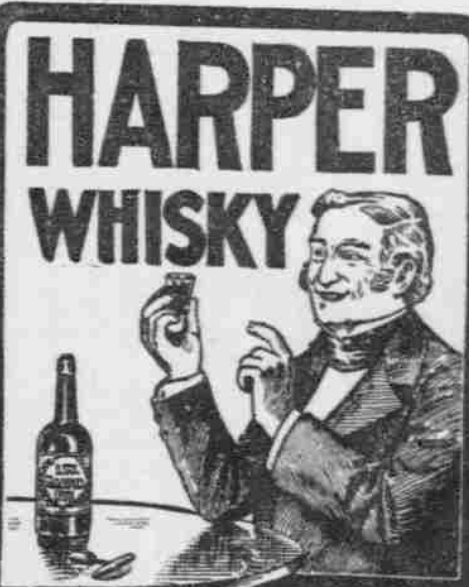
"As you are probably aware, the Territory of Hawaii has been asked to send a school exhibit in connection with its other exhibit to the Alaska-Yukon-Pacific Exposition to be held at Seattle, June 1 to October 15 of next year. It is proposed to get up the best possible exhibit we can of the work done in both public and private schools in this Territory, and I have asked Mr. Edgar Wood of the Honolulu Normal School to act as chairman of this committee, consisting of Messrs. C. W. Baldwin, James C. Davis, Vaughan McCaughey and Mrs. Fraser, to plan and collect this exhibit. We would be very glad to have you contribute anything you may desire, and I would request that you get in touch at once with Mr. Wood, telling him whether or not you will take part, and, if so, what the general plan of your exhibit will be."

It has been sent to the following schools: Kamehameha Boys, Kamehameha Girls, St. Louis, Mills Institute, Oahu College, Punahou Preparatory, Sacred Hearts, Castle Kindergarten, St. Elizabeth House, Chin Yee Sun Private, Kawaiahaeo Kindergarten, Palama Kindergarten, Miller Street Kindergarten, Aliolani, Iolani College, Kawaiahaeo Seminary, St. Andrew's Priory, Kapiolani Home, The Valley School, Japanese Primary, Fort Street Kindergarten, Vineyard Street, Kakaako Japanese, Hongwanji, Ewa Kindergarten, St. Anne and Laie.

HAWAIIAN NEWS CO. IN LARGER QUARTERS

The Hawaiian News Co., Ltd., have been forced by their growing business to move to new and more roomy quarters, and are now located in the Young building, two doors above their old place of business.

After the first of the month, they will relinquish all interest in their old store on Merchant street, and it will be under a new management. The entire stock of both stores will be transferred to the new location, and new goods that are arriving by every steamer will give a very complete assortment of everything in the music line, stationery, typewriters, and office supplies.



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Medals mean merit. Highest awards Chicago, 1893; Paris, 1900; St. Louis, 1904; New Orleans, 1885.
W. C. Peacock & Co.,
LIMITED
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Machine-manufactured Goods; Baked

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1024 Nuuanu Ave.

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CAMPFIRE WOOD TRUNKS

COME TO ME

with your old shoes and I will

make them as good as new.

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line. No experiment work done
here by amateurs. Careful atten-
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LEPER HOSPITALS ON EACH ISLAND

"As a result of the study and inves-
tigation of leprosy during the past year,
and acting upon the advice of Dr.
Koeb, the eminent German specialist
and the best authority in the world to-
day upon contagious diseases, the Terri-
torial administration is contemplating
the propriety of making a change in
the methods adopted and treatment of
those afflicted with leprosy, especially
with a view to curing cases in their
earlier stages and diminishing the hard-
ships inflicted both upon the patients
and their friends," said Governor Frear
to the Hawaii Herald, a statement of
policy regarding the treatment of lep-
rosy of considerable importance along
the line of his announced policy given
some time ago by the Advertiser.

"The intention is to build hospitals
on the different islands, so that those
who are supposed to be afflicted may be
treated as near to their homes as pos-
sible, there making every effort to ef-
fect a cure. While it has not been set-
tled beyond all doubt, it is believed
that leprosy, in its earlier stages, can
be cured. In its initial stages the dis-
ease is the most dangerous and the
chances for its being spread to others
are the greatest. With hospitals on
each island it is believed that the af-
flicted will be more willing to go to
them, especially when they know that
the most effectual remedies are being
pursued to try and cure the disease in
its early stages. By paying special at-
tention to study and treatment, and
making segregation incidental it is be-
lieved not only that cases can be cured
in their earlier stages, but that the
spread of the disease may be checked,
with the result that it may be practi-
cally eradicated within a comparative-
ly short period. Island hospitals have
always been advocated by the Hawai-
ians, and, after the researches of
the past year or so, more thoroughly
and more scientifically conducted than
at any previous time, the present Terri-
torial administration has determined
to adopt them."

REALTY TRANSACTIONS

Entered of Record October 19, 1908.

G Akuna and wf to John Santos... D
S P Kuokala and wf to A C Palfery D
Kina Ah Chan to Kaimu (k) et al... D
H Hackfeld & Co, Ltd, to Matson Navigation Co... D
Kohala Sugar Co to Halawa Plan Ltd, et al... D and Agrmt
Patrick Cockett and wf to Jose- phine L Cornwell et al... D
Mele Opupahi to Kukana Apuna (w)... D
Ema Kailikini and hsb to Samuel Kahaneho... D
Kahooneaina (w) et al to Pioneer Mill Co, Ltd... L
L M Whitehouse to H Hackfeld & Co, Ltd... B S
Paia Plantation et al to Dept of Public Instruction... D
Paia Plantation et al to Dept of Public Instruction... Ex D
Ai to A Y Lumsee (w)... D
Kwong Lee Yuen Co to Dai Kwok Hin Gin Wui... B S
Wm T Robinson and wf to Bank of Hawaii, Ltd... M
Samuel Parker to Hawn Cornel & Sugar Co... D
Ernest W C Christiansen by Atty to Frances K Dickey and hsb... Rel
Recorded October 8, 1908.

J G Correa to P Silva, Rel; lot 59 and half lot 58 and bldgs, King St Tract, Honolulu, Oahu; por R P 5648, kul 1144, and bldgs, Liliha St, Honolulu, Oahu. \$4000. B 314, p 7. Dated Oct 7, 1908.
Caroline K Mundon and hsb (H) to P Silva, D; por R P 5648, Liliha St, Honolulu, Oahu. \$25. B 310, p 132. Dated Oct 5, 1908.
Pamela J Francis and hsb (W) J to P Silva, tr, Agrmt; to sell for \$675, por R Ps 140 and 5648, Liliha St, Honolulu, Oahu. \$10. B 304, p 412. Dated Sept 18, 1908.
Punohu Muir by atty to J Sakihara, L; pe land and bldgs, Waipahu, Ewa, Oahu. 10 yrs at \$150 per yr. B 313, p 66. Dated Oct 1, 1908.
Peter C Jones Led by regr, Notice; of decree of title in land reg court case No 140. B 304, p 413. Dated October 7, 1908.
Bank of Hawaii Ltd to Jose M Quintal et al, Rel; lot 68, 7987 sq ft

The foods we eat furnish energy for the body just as burning coal makes steam for an engine.

The experiments of Prof. Frankland, Ph. D., of London, show that cod liver oil yields two and one-half times more energy than starches or sweets.

Scott's Emulsion

is pure cod liver oil combined with hypophosphites of lime and soda. It forms fat, gives strength, enriches the blood, invigorates the nerves, and repairs tissues.

Send this advertisement, together with name of paper in which it appears, your address and four cents to cover postage, and we will send you a "Complete Handy Atlas of the World" SCOTT & BOWNE, 409 Pearl Street, New York

Why Women Admire Strong Men

All women worship physical strength. They like to look on men as strong, capable beings, afraid of nothing.—Beatrice Fairfax in Boston "American."

A woman has no use for a weak man. She admires that "afraid-of-nothing" spirit which a weak man lacks; that spirit of ambition which makes a man get up and hustle. She likes the strong man because he is a protection; he has strength, ambition, vim, and is not afraid of work. His eyes are bright, his gait is full of energy, his speech is positive. The strong man is the real man.

Would you like to have your friends point to you and say: "There goes a strong man!" Do you not wish your eye to be so bright, your step so firm and your form so erect that men and women will admire you and remark at your manly bearing? These are the thoughts uppermost in the minds of modern men—physical and mental perfection, strength and power.

Who does not like to be strong, to feel that he is equal in strength to any man of his age? You can be if you will obey the appeal here made to you.

Drugs have been tried and have failed. You know that; but Electro-Vigor can not fail; it is electricity, and "electricity is life." It gives you the oil with which to set the machinery of your body in motion, and a month's use of it will give you health and happiness.

Electro-Vigor is a dry cell body battery, worn while you sleep. It saturates the nerves with its glowing power and they conduct the force to every organ and tissue of your body, giving health and strength to

every part that is weak. Electro-Vigor is not an electric belt. It is a dry cell body battery, and makes its own power.

Electro-Vigor has proven to be all you claim for it. In spite of my age—I am past 80—it has given me a new lease on life; my health generally has improved; I have gained eight pounds in weight, and feel much stronger.

I will vouch for your treatment at any time.
JOS. SMITH,
Santa Cruz, Cal.

FREE TO YOU

Get my 100-page book describing Electro-Vigor, illustrated with photos of fully developed men and women, showing how it is applied.

This book tells in plain language many things you want to know, and gives a lot of good, wholesome advice for men.

I'll send this book, prepaid, free, if you will mail me this coupon.

S. G. HALL, M. D.

1302 Fillmore Street,
Corner Eddy,
SAN FRANCISCO.

Please send me, prepaid, your free, 100-page, illustrated book.

Name.....

Address.....

WEEKLY WEATHER BULLETIN

For the Week Ended October 17, 1908.

Honolulu, October 19, 1908.

GENERAL SUMMARY.

The mean temperatures were higher than those of the preceding week generally throughout the section—the excess on Oahu, and Molokai, and in the Kona and portions of the Puna districts of Hawaii being quite marked.

The rainfall was less than the average of ten or more years at all stations on Maui, and Oahu, in the Kona and Waimea districts of Kauai, and in the Kona and Puna, the southern and central portions of the Hilo, and portions of the Kohala and Hamakua districts of Hawaii. The following are the changes, in inches, in the several districts: Hawaii—Kohala +0.20 to -0.31, Hamakua -0.45 to +0.32, northern Hilo +0.69 to +0.99, southern and central Hilo, -0.12 to -1.11, Puna -1.22, Kau +0.03, and Kona -1.54; Maui—Hamakua -1.10; Oahu -0.23 to 0.55, and Kauai—Koolau +1.36, and Waimea and Kona 0.11 to -0.16.

Heavy rains were quite general in the Hamakua and Hilo districts of Hawaii on the 14th and 15th.

The greatest amounts of rainfall were reported from the Hilo and portions of the Puna districts of Hawaii, and the Koolau district of Kauai. In the several districts the amounts in inches, were: Hawaii—Kohala 0.52 to 1.06, Hamakua 0.53 to 1.22, Hilo 1.33 to 3.50, Puna 0.61 to 2.09, Kau 0.39 to 0.78, and Kona 0.00; Maui—Koolau 0.47 to 1.09, Hamakua 0.34, Hamakua 0.86, and Lahaina and Waikulu 0.00 to 0.01; Oahu—Koolau 0.03 to 0.88, Honolulu trace to 0.22, Ewa 0.00 to 0.19, and Waianae 0.00; Kauai—Koolau 2.64, una 0.42, Kona 1.00, and Waimea 0.11 to 0.16; and Molokai 0.00 to 0.09.

The rainfall was less than during the preceding week on Maui and Oahu, and generally on Hawaii—the greatest deficiencies being reported from the Hilo district of Hawaii and the Koolau district of Maui.

At Laupahoehoe, Hawaii, nine earthquake shocks were felt during the forenoon of the 9th, and two on the 13th. At Kealakakua (Wallace), and Kohala Mill, Hawaii, a light shock was felt at 5.00 a. m. of the 9th.

The following table shows the weekly averages of temperature and rainfall for the principal Islands and for the Group:

	Temperature.	Rainfall.
Hawaii	73.1 deg.	1.56 inches.
Maui	74.0 deg.	0.46 inch.
Oahu	76.6 deg.	0.20 inch.
Kauai	75.5 deg.	0.87 inch.
Molokai	76.2 deg.	0.04 inch.
Entire Group.....	74.5 deg.	0.97 inch.

At the local office of the U. S. Weather Bureau in Honolulu the cloudiness increased and the last three days of the week were cloudy and muggy. Traces of rain fell on two dates, .28 inch of rainfall below the normal, and .02 less than last week's. The maximum temperature was 85 deg., minimum 70 deg., and mean 77.3 deg., 1.0 deg. above the normal, and 1.3 deg. higher than the preceding week's. The mean relative humidity varied from 64 per cent to 72 per cent, and the mean for the week was 67 per cent. Northeasterly winds prevailed on the first two days, followed by easterly; the average hourly velocity was 9.1 miles. The mean daily barometer ranged from 29.99 to 30.10 inches, and the mean for the week was 30.05, .08 inch above normal.

WM. B. STOCKMAN, Section Director.

land, Punahou, Honolulu, Oahu. \$1600. B 314, p 7. Dated Sept 30, 1908.
Pang Fong to Pang Chew, B S; int in 2 leaseholds, rents, etc, cor Nuuanu Ave and Beretania St, etc, Honolulu, Oahu. \$500. B 304, p 414. Dated Oct 8, 1908.
Clinton W Crandell and wf to Trent Trust Co Ltd, M; lot 15, gr 5108, near Palolo Valley Rd, Honolulu, Oahu. \$800. B 314, p 8. Dated Oct 8, 1908.
J Gusmao Silva et al to Notice, Notice; applan for reg title of lots A and B, kul 639, Beretania Ave and Punchbowl St, Honolulu, Oahu. B 304, p 415. Dated Oct 7, 1908.
Mary I da Silva to Kaupena Loo Hong and hsb, Rel; R P (gr) 2976, Halepuna, Hilo, Hawaii. \$400. B 314, p 5. Dated Aug 26, 1908.
Solomon Lalakea to Jono G Pereira, D; R P (gr) 2976, Halepuna, Hilo, Hawaii. \$1200. B 310, p 125. Dated Sept 24, 1908.
Thos C White to West Hawaii Railway Company, L; R W across pe land, Kailua I, N Kona, Hawaii. Rem term of L in B 144-420, \$1 pd. B 313, p 65. Dated July 23, 1908.
Lucy O Kahanoa to Wm Matson, L; por kul 1738, Hilo, Hawaii. 10 yrs at \$125 per yr. B 313, p 68. Dated June 6, 1908.

Samuel Mann et al to Wm Mats I, L; por kul 1738, Hilo, Hawaii. 10 yrs at \$125 per yr. B 313, p 68. Dated June 13, 1908.

Polly Kalua and hsb (J W) to Antage Furtado, D; 1 so-100a land, Owa, Waikulu, Maui. \$1400. B 310, p 127. Dated Aug 8, 1908.

Geo E Miner to M A Tavares, M; por R P 2008, Makawao, Maui. \$500. B 314, p 5. Dated Aug 13, 1908.

Mabel K Davison and hsb (C) to Beatrice I Davison et al, D; por R P 1175, kul 6499, Main St, Lahaina, Maui. \$1, etc. B 310, p 128. Dated Oct 3, 1908.

Mabel K Davison and hsb (C) to Charlotte A Davison et al, D; por R P 1175, kul 6499, Main St, Lahaina, Maui. \$1, etc. B 310, p 130. Dated Oct 3, 1908.

John K Cockett and wf to Charles B Cockett, D; 1-8 int in R P 50 and gr 1875, Koolikea, etc, Lahaina, Maui. \$25. B 310, p 131. Dated Sept 7, 1908.

Luck K Searle to Nakano, L; 5 yrs at \$90 per yr. B 313, p 64. Dated Oct 2, 1908.

Hele Kamaelewa (widow) to Ane K Kaehu, D; por R P 5027 and kul 3796, Awaawahi, Molokai. \$30. B 310, p 133. Dated Sept 18, 1908.

Political Announcements

I hereby announce myself as an Independent candidate for the office of
**TREASURER OF THE CITY AND
COUNTY OF HONOLULU.**

I request the support of the electors.
8164
GEORGE C. BACKLEY.

I have been regularly nominated by the Republican County Convention for the office of
**SUPERVISOR, CITY AND COUNTY
OF HONOLULU,**

and I request the support of the electors.
8153
DANIEL LOGAN.

I have been regularly nominated by the Republican County Convention for the office of
**SUPERVISOR, CITY AND COUNTY
OF HONOLULU,**

and I request the support of the electors.
8153
NORMAN WATKINS.

I have been regularly nominated by the Democratic County Convention for the office of
SENATOR, COUNTY OF OAHU,

and I request the support of the electors.
8154
H. T. MOORE.

I have been regularly nominated by the Republican County Convention for the office of
**SUPERVISOR, CITY AND COUNTY
OF HONOLULU,**

and request the support of the electors.
8164
J. C. QUINN.

I have been regularly nominated by the Democratic County Convention for the office of
**SHERIFF OF THE COUNTY OF
OAHU,**

and I request the support of the electors.
8153
WM. P. JARRETT.

I have been regularly nominated by the Republican County Convention for the office of
**SENATOR, THIRD SENATORIAL
DISTRICT,**

and I request the support of the electors.
8153
JOHN HUGHES.

I have been regularly nominated by the Republican County Convention for the office of
**SUPERVISOR FOR THE CITY AND
COUNTY OF HONOLULU,**

and I request the support of the electors.
8162
ANDREW E. COX.

I have been regularly nominated by the Republican County Convention for the office of
**SENATOR, THIRD SENATORIAL
DISTRICT,**

and I request the support of the electors.
8153
ED. HENRIQUES.

I have been regularly nominated by the Republican County Convention for the office of
**TREASURER, CITY AND COUNTY
OF HONOLULU,**

and I request the support of the electors.
8153
H. M. VON HOLT.

I have been regularly nominated by the Republican County Convention for the office of
**SENATOR, THIRD SENATORIAL
DISTRICT,**

and I request the support of the electors.
8153
E. W. QUINN.

STOCK CERTIFICATES LOST

Notice is hereby given that Stock Certificates No. 1455, dated December 24, 1904, for Three (3) shares; No. 1475, dated January 12, 1905, for Two (2) shares; and No. 1477, dated January 16, 1905, for Twenty (20) shares; issued by Oahu Railway & Land Company, and standing on the stock books of said Company in the name of Madeline Tucker, have been lost. All persons are therefore warned of said loss and against negotiating said certificates.
Dated at Honolulu, October 15, 1908.
8174
MADLINE TUCKER.

STOCK CERTIFICATE LOST.

Notice is hereby given that Stock Certificate Number 965 for Eight (8) shares, issued by Oahu Railway & Land Company, March 15, 1901, and standing on the stock books of said company in the name of Mrs. Lucinda Tucker, has been lost. All persons are therefore warned of said loss and against negotiating said certificate.
Dated at Honolulu, October 15, 1908.
8174
MRS. LUCINDA TUCKER.

MEETING NOTICE.

**HONOLULU BREWING & MALTING
CO., LTD.**

The annual meeting of the stockholders of the Honolulu Brewing & Malting Co., Ltd., will be held at the office of the Company, No. 535 Queen street, Honolulu, Oahu, on Tuesday, the twentieth day of October, 1908, at the hour of 10 o'clock a. m.

By order of the President,
WM. C. PARKE,
Secretary.

STOCK BOOKS CLOSED

**HONOLULU BREWING & MALTING
CO., LTD.**

The stock books of the Honolulu Brewing & Malting Co., Ltd., will be closed to transfers from October 10th, 1908, to October 20th, 1908, both dates inclusive.

WM. C. PARKE,
Secretary.

**HAWAIIAN ISLANDS PORT-
LAND CEMENT AND LIME
COMPANY.**

Capital Stock \$500,000. 8 Per Cent. Preferred and \$500,000 Common Stock. Each of the par value of \$20 per share.

Each share of Preferred subscribed for and paid for will receive as a bonus one-half share of the Common Stock of said company.

Subscription list at F. L. Winter's office, located in the office of C. S. Desky.

Prospectuses for distribution.
Telephone No. 480. 8172

I have been regularly nominated by the Republican County Convention for the office of
**REPRESENTATIVE OF THE
FOURTH DISTRICT,**

and I request the support of the electors.
8153
E. A. DOUTHITT.

I have been regularly nominated by the Republican County Convention for the office of
**COUNTY AUDITOR, CITY AND
COUNTY OF HONOLULU,**

and I request the support of the electors.
8153
JAS. BICKNELL.

I have been regularly nominated by the Republican County Convention for the office of
**COUNTY CLERK, CITY AND
COUNTY OF HONOLULU,**

and I request the support of the electors.
8153
DAVID KALAUOKALANI, JR.

I have been regularly nominated by the Republican County Convention for the office of
**REPRESENTATIVE, FOURTH
DISTRICT,**

and I request the support of the electors.
8153
J. C. COHEN.

I have been regularly nominated by the Democratic County Convention for the office of
**MAYOR OF THE CITY AND
COUNTY OF HONOLULU,**

and I request the support of the electors.
8153
JOS. J. FERN.

I have been regularly nominated by the Democratic County Convention for the office of
**DEPUTY SHERIFF, DISTRICT OF
HONOLULU,**

and respectfully ask for the voting support of the electors.
8153
CHARLES H. ROSE.

Having been regularly nominated by the Democratic County Convention for the office of
**SENATOR, THIRD SENATORIAL
DISTRICT,**

I respectfully ask the support of the electors.
8155
FRANK R. HARVEY.

Having been regularly nominated by the Republican County Convention for the office of
**REPRESENTATIVE, FIFTH
DISTRICT,**