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HONOLULU, T. H., TUESDAY, AUGUST 8, 1905.—SEMI-WEEKLY.

WHOLE 2718

OFFICIALS BEGIN AN INVESTIGATION OF GARBAGE DEPARTMENT PAYROLLS

So Far There Has Been No Graft Shown, Although the System May Have Left an Opening for Graft, and Acting Governor Atkinson Vouches for Sam Johnson's Honesty.

The Capitol building fairly buzzed with investigators yesterday, looking for the color of graft in the cloud that had been raised about the Garbage Department payroll by the letter of Treasurer Trent to the Board of Supervisors of Oahu County.

To begin with, Acting Governor Atkinson issued orders to Deputy Auditor Meyers, Auditor Fisher being on Maui, to go over the old payrolls of the department, and see whether any allegations of graft were borne out by those vouchers. Then Clarence White, Deputy Superintendent of Public Works, who has charge of the County Garbage Department in the absence of Sam Johnson, made an explanation of the manner in which the department payroll was made up. That explanation will be seen a little further along. The Governor, as the head of the Territorial administration, comes first.

"I have directed Deputy Auditor Meyers to make an investigation of the matter," said Acting Governor Atkinson yesterday afternoon, "going over all the payrolls of the Garbage Department, and to report back to me. So far, everything in the department has been found to be perfectly correct. I wish to say that I do not believe that Sam Johnson has been guilty of any wrongdoing. I believe that he is honest."

MEN SIGN RECEIPTS BEFORE BEING PAID

"There is one peculiarity of our law, however," went on the Governor, "and that is, that the men on these payrolls had to sign the receipts for their money before it was paid to them. The Auditor would not issue the warrants in any other way. The payroll was his voucher for the warrant. But I do not believe that any men signed payrolls in blank. I do not know whether that was done on some of the other islands. They did not do it here. And Sam Johnson is not responsible, of course, for what is done on islands other than Oahu.

"But the apparent discrepancy in the time of the men may be explained by the system in vogue in the Territory of counting time. That is, the men work by the month and are paid by the month, and not by the day. If a man worked eighteen days, he would be paid in July for eighteen-thirty-firsts of the month, or would get that part of the month's wage, and not eighteen-twenty-sevenths, twenty-seven being the number of the working days in the month. And the man working the first fraction of the month would get in his time the first three of the five Sundays in the month. That is the way all monthly payrolls are made out in the United States government system. To a man working by the month and familiar with payrolls, the system is simple. It was the system followed by Sam Johnson in making up his payroll in the Garbage Department. And then men could have worked overtime on the half month 'shift.'"

Being asked about the case of the man who worked fourteen days and got nineteen, and who was told that he had been credited with the five Sundays, Mr. Atkinson said that he did not understand that, but thought that the man was very probably mistaken. And it might happen that a man would not remember whether he had worked on a Sunday or not. That particular man said, however, most distinctly,

that he had not worked on any Sunday, although he had been credited with five.

TERRITORIAL TREASURER CASTS SOME LIGHT

"It was the custom, when the Roads and Garbage Departments were under the Territory," said Territorial Treasurer Campbell, "for the payroll to be made up and sent to the Auditor, who then issued his warrant for the whole sum, the warrant being in the name of Sam Johnson. This warrant would be brought to my office and registered at once, and usually, Thos. P. Cummings, who was Sam Johnson's clerk, would hasten to the bank and have the warrant discounted, in order that the men in the department might be paid off on a Saturday night. That was in the road department.

"The money would then be taken to the office of Sam Johnson, where the men to be paid off would be assembled, and each man would be given what the payroll called for—excepting that from each wage a proportionate amount of the discount charged by the bank on the whole payroll warrant would be deducted. That is to say, if a man had earned twenty dollars, and the warrant had been discounted at two per cent., there would be a draw back of forty cents from his pay for his proportion of the discount. And that may explain a part of the difference between what the County Treasurer paid them, and what they were formerly paid by the Territory."

It will be remembered that a number of garbage laborers reported to Mr. Trent that they had been paid more by the county for their work than they had been accustomed to get from the Territory.

"There is another thing," went on the Treasurer. "It was a difficult matter to get the men in this department to pay their poll tax. They complained that because of their small pay they could not pay the whole amount of this tax at once, and I made an arrangement with Sam Johnson, the men consenting, by which this tax could be paid in installments out of their wages. A small sum, say fifty cents, would be taken from each man's pay every pay day until the full amount had been paid up, and as we could accept nothing here but the full amount of the tax, I arranged with Sam Johnson to hold the money for us until the whole tax had been collected. Then receipts were made out and issued to the men in the usual way, the money being turned into the Treasury. As I have said, the men consented to this, and they likewise were perfectly aware of the proportionate discount being taken from their pay, and consented to that arrangement. It would have delayed their payment and caused a lot of trouble if every laborer had been compelled to get his own warrant discounted.

"The Territorial law allows the payroll system. I do not say that the audit law is a good one, nor that there could not be a better. And I know absolutely nothing beyond what I have seen in the newspapers of what Mr. Trent has discovered. But this may explain a part of the things that have been found."

MR. CLARENCE WHITE EXPLAINS PAYROLLS

The following letter from Clarence White, explanatory of the payroll system, was issued yesterday to all the newspapers, but the afternoon papers did not complete his footings, which are a part of the essence of the whole matter. Mr. White shows in his footings, in fact, that under the present system of reckoning time for laborers the county lost \$54.95 from what the expenditure would have been if only working days had been counted in the month, eliminating the Sundays—but on the other hand, if there has been but four Sundays in July, the differ-

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THE CALENDAR MONTH AND WORK-DAY MONTH

COMPARATIVE PAYROLLS PREPARED BY CLARENCE WHITE.

Men.	31-Day System	Monthly Wage	Amount Earned	Sundays Worked	26-Day System	Amount Earned
Ed. Hopkins	31-31	at \$65.00	\$65.00	5	26-26	\$65.00
N. P. Jacobsen	31-31	at 85.00	85.00	5	26-26	85.00
H. Kallimal	31-31	at 40.00	40.00	5	26-26	40.00
S. Lehua	31-31	at 55.00	55.00	5	26-26	55.00
J. Stone	31-31	at 50.00	50.00	5	26-26	50.00
K. Pepee	30-31	at 50.00	48.39	5	25-26	48.08
Wahlako	31-31	at 50.00	50.00	5	21-26	59.61
Ed. Spiner	31-31	at 50.00	50.00	1	20-26	57.69
A. R. Phillips	26-31	at 45.00	37.74	4	22-26	38.08
R. Davauchelle	21-31	at 45.00	30.48	4	19-26	38.88
L. J. Hipa	19-31	at 45.00	27.58	5	14-26	37.37
D. K. Keanu	22-31	at 45.00	31.93	5	17-26	40.08
Kaka	16-31	at 45.00	23.23	4	12-26	29.77
J. Ferreira	16-31	at 45.00	23.23	4	12-26	20.77
A. Pimento	20-31	at 45.00	29.03	5	15-26	25.96
A. R. Fitzsimmons	21-31	at 45.00	30.48	4	17-26	29.42
Kimonele	26-31	at 45.00	37.74	5	21-26	36.34
D. Laelae	19-31	at 45.00	27.58	5	14-26	24.23
Hooluh	21-31	at 45.00	30.48	5	16-26	27.69
Lell	16-31	at 45.00	23.23	5	11-26	19.04
Kaohiwaena	15-31	at 45.00	21.77	4	11-26	19.04
S. Kanahale	14-31	at 45.00	20.32	4	10-26	17.31
M. Pahia	16-31	at 45.00	32.23	4	12-26	29.77
Newland	17-31	at 45.00	24.68	3	14-26	24.23
S. Jackson	25-31	at 45.00	36.29	5	20-26	34.61
S. Kalolena	15-31	at 45.00	21.77	5	10-26	17.31
S. Kall	15-31	at 45.00	26.13	4	14-26	24.23
Schaeffer	22-31	at 45.00	31.93	5	17-26	29.42
Kahapea	7-31	at 45.00	10.16	2	5-26	8.63
N. Jackson	12-31	at 45.00	17.42	2	10-26	17.31
Chas. Brede	20-31	at 45.00	29.03	4	16-26	27.69
S. Nauha	28-31	at 45.00	40.65	5	23-26	39.80
H. Paahao	18-31	at 45.00	26.13	5	12-26	22.50
P. Bourke	19-31	at 45.00	27.58	4	15-26	25.96
G. Anderson	26-31	at 45.00	37.74	5	21-26	36.34
J. Mahone	23-31	at 45.00	33.39	5	18-26	31.15
S. Zablau	19-31	at 45.00	27.58	5	14-26	24.23
R. Campbell	23-31	at 45.00	33.39	5	18-26	31.15
Joe Ale	26-31	at 45.00	37.74	5	21-26	36.34
Sol. Lo	17-31	at 45.00	24.68	4	13-26	22.50
B. Sharratt	18-31	at 45.00	26.13	4	14-26	24.23
T. Kakalia	9-31	at 45.00	13.06	2	7-26	12.11
Kaanana	17-31	at 45.00	24.68	5	12-26	20.77
H. Kaai	29-31	at 45.00	33.39	4	19-26	32.85
Phillip Gomes	1-31	at 45.00	1.45	1	1-26	1.72
Total			\$146.44			\$1391.46

GOVERNOR ANXIOUS TO FIND OUT WHAT AILS MR. BRECKONS

"Now, what's the matter with Breckons, anyhow?" asked Acting Governor Atkinson yesterday. "Going to the Orient, isn't he? Yes? Well, then, does he expect to have the Order of Golden Dragon conferred on him, or the Order of the Rising Sun? Or is it a mere matter of business?"

After which flood of questions the gentleman who is at the head of the Territorial administration, and holding down the lid, too, sat back in his chair and glared. And if you have ever seen the Acting Governor glare, you will appreciate how the heart of the "glare" went down into his boots. The Acting Governor had only been asked what he thought of United States District Attorney Breckons' opinion, given to Editor Shiozawa of the Hawaii Shingo, declaring the alien labor law unconstitutional. Clearly, Mr. Atkinson did not think much of it.

"What does Breckons want, anyway?" went on the Governor. "This alien labor law is a law merely to have our labor done by our own citizens, or by those who are eligible to become citizens. Nobody has said anything about the Chinese and Japanese in this connection. The law itself does not mention them. I remember very well when this law was passed. I was in close touch with the matter at the time. It was a law based on the right of the Territory to do certain work in a certain way.

"And, anyway, I do not see that the Chinese and Japanese laborers in

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THE PEACE ENVOYS HAVE ARRIVED IN PORTSMOUTH

PORTSMOUTH, August 8.—The peace plenipotentiaries of Japan and Russia arrived here yesterday.



GENERAL STOREHOUSE, JUST COMPLETED, THE LARGEST BUILDING IN THE PORTSMOUTH NAVY YARD, IN WHICH THE PEACE ENVOYS WILL CONFER.

FINNS ASSEMBLE AT HELSINGFORS TO DEMAND RIGHTS

(ASSOCIATED PRESS CABLEGRAMS.)

HELSEINGFORS, August 8.—A mass meeting attended by twenty thousand people was held here yesterday to protest against the transfer of political prisoners to the Russian military court. A resolution was passed demanding the arrest of the governor and chief of police of Helsingfors, the abolition of the censorship and the restoration of the liberty of the press and the convocation of an extraordinary diet to discuss the question of suffrage.

TROUBLE AGAIN IN POLAND.

LODZ, August 8.—One hundred and sixty-eight workmen, leaders in the recent strike, were arrested yesterday. A general strike is threatened if they are not released.

A FEW VILLAGES FALL INTO RUSSIAN HANDS

ST. PETERSBURG, August 8.—General Linevitch reports that the Russian troops have driven the Japanese out of several villages.

FORTS AT MOUTH OF AMUR.

TOKIO, August 7.—The Russians are fortifying the mouth of the Amur river.

MORE SUNKEN SHIPS RAISED.

TOKIO, August 7.—The cruiser Bayan and the battleships Poltava and Peresviet, sunk in Port Arthur harbor during the siege, will soon leave that place for Japanese navy yards where they will be prepared to go into commission in the Japanese navy.

GREAT FIRE DEVASTATES THE HOBOKEN WATERFRONT

HOBOKEN, August 8.—A great conflagration raged on the waterfront here last night. The extensive docks and terminals of the Delaware, Lackawanna & Western Railroad were destroyed. Two ferryboats were burned at their slips and the United States Immigration Station was destroyed. The total loss is estimated at half a million dollars.

FEVER IS UNABATED.

NEW ORLEANS, August 8.—Thirty-two new cases of yellow fever are reported. There were eight deaths last night.

ARCHBISHOP SERIOUSLY ILL.

NEW ORLEANS, August 8.—The yellow fever epidemic continues. There were eight deaths today and eight new cases reported. Archbishop Chapelle is in a serious condition. The Federal authorities are in charge.

MANY TOURISTS SNOWBOUND.

INNESBRUCK, August 8.—One hundred and forty tourists are snowbound in Ziller's Valley.

OSCAR TAKES A VACATION.

STOCKHOLM, August 8.—King Oscar is leaving for a vacation. During his absence the crown prince will act as regent.

A PROFESSOR FOR PREMIER.

THE HAGUE, August 8.—A new cabinet has been formed under the premiership of Van Hamel, a professor in the University of Amsterdam.

BRIDGEWORKERS ON STRIKE.

CLEVELAND, August 8.—A strike has been declared against the American Bridge Company. Twenty thousand bridgeworkers are on a strike.

AFTERNOON REPORT.

MANILA, August 7.—The entertainment of the Taft party continues on a grand scale.

COWES, August 7.—The French fleet arrived today in English waters as the guest of King Edward.

YOKOHAMA, August 7.—The Chinese of this city have begun to boycott American goods.

TRENT WAS NOT BLOCKED

The County Auditor of Oahu got in the way of a landslide yesterday, and had some difficulty in digging himself out. It would not have happened, either, if his friends had told him what was coming. The landslide was intended to overwhelm the County Treasurer.

The blanket warrant dispute, it seems, is only one angle of the trouble that has arisen between the County Treasurer and the Board of Supervisors of Oahu, and the matter in its genesis is political, as most matters are in Hawaii. The Supervisors, and in particular it appears Mr. Adams, Supervisor-at-Large, are fearful that Trent will gain too much prestige. As Trent is a Democrat, of course, it would not answer for a moment to permit him to be the whole thing in the matter of the disbursement of public money. But, worse than that, and of a higher class of politics, is the consideration that if Trent finances the county of Oahu, and does it successfully, then the appeal is to people of much more intelligence than mere garbage laborers, and the political prestige gained would be really worth while. And that is what Mr. Adams is said to object to.

"We must not let Trent finance the county," Adams is reported to have said, not alone to his Republican fellows in the Board of Supervisors, but to several outsiders as well. "I can handle the next warrant given to the county by the Territory, and I can get the money on it without any discount at all from its face value."

To which, it is said, Jack Lucas made answer: "You'd better let Trent alone. He was elected as well as we were, and it is his business to finance the county."

Now, whether the colloquy ever took place or whether it did not is a matter of minor importance. The fact remains that Trent apparently heard of it, for he did get the August warrant cashed without any discount whatever, so that the county of Oahu gets the face value for its allowance for the month from the Territory. And that proves the Territorial credit good, by the way, and cannot be considered as a reflection upon Treasurer Campbell's methods of finance.

The warrant, with no discount whatever, draws five per cent, interest, and being a big warrant, for something like thirty thousand dollars, is easily negotiable. The interest on the sum makes it worth while. The fact that smaller warrants are discounted cuts no figure. It is like a bank or a capitalist handling a big loan or a lot of small ones. More is charged for the small accommodation, if indeed the small accommodations are made at all. This is merely by way of explanation.

When the Board of Supervisors met Thursday, this letter was handed in by County Treasurer Trent:

Honolulu, August 3, 1905.
Mr. D. Kalanokalani, Jr., Clerk Board of Supervisors.
Dear Sir: I will thank you at your first opportunity to advise the Board of Supervisors that I have completed an arrangement whereby warrants to be issued by the Territorial Auditor to the County Treasurer will be cashed at par, without any discount whatsoever.

Yours very truly,
RICHARD H. TRENT,
County Treasurer.

The letter was not read at the afternoon session of the Board, nor yet at the night session, and although the reporters asked it, they were allowed to do that only with the understanding that it would not be made public until it was read in the Board meeting. At that time, the intimation was given that it would be read at the Board meeting today. However, the letter got out. And so the public is informed that Trent is still financing the county, and that he has stolen a march on Supervisor Adams.

In the meantime, there was a rather comical turn to the blanket warrant controversy yesterday afternoon. The Supervisors had rescinded their action granting the garbage blanket warrant to Sam Johnson, and voted to give the men in the department separate warrants. It was right enough, for the men needed the money. But that action had its drawbacks. For one thing, it made the Supervisors work some for their pay.

"Why," said George W. Smith, in a hurt tone yesterday, "I had to sign my name four hundred times."
That is true, too. That is the awkwardness of the red tape system adopted by the Board. But, anyway, it was decided by the men who run things to get a bit of revenge upon Treasurer Trent for this, so Sam Johnson was instructed to have all his men at the Treasurer's office yesterday afternoon, and block Fort street with them, as a demonstration that Trent was not the real McCoy in the matter of the execution of public business. The men were entirely willing to form the blockade, but before they went to Trent they had to go to the office of the auditor and get their warrants. And the auditor was not anticipating the rush. Trent was ready, with four men, and paid the warrants as fast as they came. Auditor Bicknell's place was a jam of men from 3 o'clock on. You might have thought there was a run on a bank there. Which was a mean thing to do to the auditor. Because he had not done anything to anybody at all.

and 8 per cent. interest. Then a second mortgage was given to the same parties to secure a promissory note for \$1200 made August 11, 1900, payable three years from March 15, 1906, with 3 per cent. interest. These mortgages were assigned to the plaintiff on November 16, 1903, for \$1400. Default is alleged in payment of the principal and in that of the interest since March 15, 1902. The mortgaged property has a frontage of 100 feet on Kinau street and a depth of 150 feet.

NECKLACES NOT JEWELRY.

Judge Dole rendered a decision yesterday sustaining the appeals of local curio merchants from Customs Collector Stackable's ruling that South Sea shell necklaces were dutiable as jewelry. The Board of General Appraisers, New York City, had previously decided the same way and from that body the collector appealed to the Federal Court here. Thayer & Hemenway represented the appellants, and Assistant District Attorney Dunne the collector.

WILL OF MRS. BROWN FILED FOR PROBATE

A. M. Brown has filed a petition for probate of the will of Mrs. Cordelia Hastings Brown, who leaves an estate valued at \$35,000. There is real property in Honolulu valued at \$15,000 and personal estate of \$20,000 consisting of stocks and notes. Jacob F. Brown, A. M. Brown and Minnie H. Gilman, children of decedent, are named as devisees, legatees, and executors and executrix.

The homestead at Waikiki is devised in equal proportions by metes and bounds, the whole containing an area of 1.178 acres, to A. M. Brown and Mrs. Gilman, who are each to pay half of a \$5000 mortgage, now a lien on the property, also \$2500 each to J. F. Brown which amounts are bequeathed to him.

Mrs. Gilman is also bequeathed all of her mother's furniture, wearing apparel, personal effects, jewelry, etc., to be used in accordance with directions given before the will was made. Then all sums of money owing to the testatrix are to be collected, and all the rest of her property to be converted into cash, and, after all her legal debts are paid, all the residue is to be divided between her three children, share and share alike.

The will was executed on June 7, 1902, in presence of Alfred W. Carter and J. O. Young.

The Farmers' Institute of Hawaii met yesterday afternoon at the United States Agricultural Experiment Station, a business meeting strictly, and among other interesting matter discussed, the committee on co-operative markets reported progress. It will be ready to report fully at the next meeting of the Institute.

In the evening, to an interested audience at Y. M. C. A. hall, papers were read on "Plant Diseases," by Jared Smith; on the "Nitrogen Problem," by Prof. A. T. Crawley, and on "The Care of Milk," by J. E. Higgins. The papers of Mr. Smith and Mr. Higgins were illustrated by lantern slides, for the manipulation of which a vote of thanks was returned by the audience to Rev. Mr. Westervelt. A full report of last night's meetings will appear in the Advertiser of Monday morning.

MOTHERS

should know. The troubles with multitudes of girls is a want of proper nourishment and enough of it. Now-a-days they call this condition by the learned name of Anemia. But words change no facts. There are thousands of girls of this kind anywhere between childhood and young ladyhood. Disease finds most of its victims among them. Some of them are passing through the mysterious changes which lead up to maturity and need especial watchfulness and care. Alas, how many break down at this critical period; the story of such losses is the saddest in the history of home. The proper treatment might have saved most of these household treasures, if the mothers had only known of WAMPOLE'S PREPARATION

and given it to their daughters, they would have grown to be strong and healthy women. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In building up pale, puny, emaciated children, particularly those troubled with Anemia, Scrofula, Rickets, and Bone and Blood diseases, nothing equals it; its tonic qualities are of the highest order. A Medical Institution says: "We have used your preparation in treating children for coughs, colds and inflammation; its application has never failed us in any case, even the most aggravated bordering on pneumonia." The more it is used the less will be the ravages of disease from infancy to old age. It is both a food and a medicine,—modern, scientific, effective from the first dose, and never deceives or disappoints. "There is no doubt about it." Sold by all chemists here and throughout the world

WAMPOLE'S PREPARATION

OFFICIAL LIFE AT WASHINGTON IN HOT SEASON

(Mail Special to the Advertiser.)

WASHINGTON, D. C., July 24.—The excessive heat and the absence of a large portion of officialdom have made the national capital anything but a hive of administrative industry during the last ten days. The new Secretary of State, Mr. Root, came here for about twenty-four hours last week, to take the oath of office. The corridors of the State Department had been deserted for almost a month. There was nothing but a skeleton formation of clerks and bureau chiefs. But the presence of Mr. Root caused a scurrying of State Department employes back to the city. The Secretary, however, having put on his harness quickly sped away himself and Washington will see little of him till along in September.

Other departments are deserted in like manner. Secretary Shaw is absent from his accustomed corner in the Southeast corner of the second floor of the treasury, where Hawaiian officials have had numerous interviews with him, first and last, about the use of Hawaiian bonds as securities for deposits of national banks. He is attending bankers' meetings in divers parts of the country, and incidentally urging on that presidential boom. Secretary Taft, as Honolulu knows, is away in the Philippines and his presidential boom seems to be suffering in his absence. The great trust-busting cases of the government are lagging, for Attorney-General Moody is away in Massachusetts, taking a vacation. Secretary Hitchcock is rusticated in rural New Hampshire. Postmaster General Cortelyou remains in town, finding it exceedingly difficult to let go of his job as chairman of the National Committee. Secretary of Agriculture Wilson, who, these days, has troubles of his own, is also remaining in town, finding it exceedingly difficult to let go of his job as chairman of the National Committee. Secretary of Agriculture Wilson, who, these days, has troubles of his own, is also remaining in town, finding it exceedingly difficult to let go of his job as chairman of the National Committee.

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CARTER'S VOTE OF CONFIDENCE.

And thus, with the hottest summer up to the present time that has been experienced here for at least three years, Washington is moving along towards the autumn months. Every few days something transpires at Oyster Bay to make the official world here take notice. This morning it was a dispatch about the long expected arrival there of Gov. Carter, of Honolulu. The tone of this dispatch was one of some levity, indicating that Gov. Carter was proceeding to the President's domicile for the purpose of securing a vote of confidence. He had luncheon with the President and Mrs. Roosevelt today but Washington is not in a position to know much more about the conference at present than is Honolulu. It is thought likely that Gov. Carter will come here, as mail for him is still collecting at the Interior Department. Gov. Carter's friend, Chief of the Forest Service Gifford Pinchot, with whom he stops usually on coming to Washington, left here a few days ago for an extended trip throughout the West, inspecting forest reserves.

ANGLO-AMERICAN CLAIMS.

The Solicitor of the State Department, Mr. William L. Penfield, was asked today what progress has been made towards a commission to settle claims between this government and Great Britain. Such a commission has been in mind for some time and is of interest in Hawaii because it is proposed to bring the British claims in Hawaii before it for adjudication. Mr. Penfield replied that the appointment of such a commission was apparently assured, but there were some little obstacles in the way. To remove these some time might be required, probably a few months. This government is now apparently ready to consent to such a commission, but the British government is waiting for the right time for it to cooperate in such a commission. There are quite a number of claims on the part of both countries and the purpose is to sift these out, determine which amounts to the largest sum, strike the amount of the difference and pay the same, leaving the respective nations to settle with the individuals.

EXTRA SESSION TALK.

There is again talk, proceeding from the President, about calling an extra session of Congress in November. It was stated from Oyster Bay a day or two ago that the extra session would be called for November 11. The Congressional experts here in Washington forthwith consulted the calendar and found that November 11 falls on a Saturday. It is very unusual, probably unprecedented, for Congress to convene on Saturday. In recent annals the meeting day has always been Monday, although occasionally Congress adjourning for a recess has adjourned to some day in the middle of the week, like Tuesday or Wednesday.

Now much speculation follows as to what reason the President can have for assembling Congress in such an unusual way. Some think the reason is to be found in the President's superstition with reference to the number 13. The Monday, following Saturday, the 13th, will be the 13th. He promised Speaker Cannon and other leaders in Congress that he would not call an extra session before the November election, which

will be November 1. At best the extra session can have but three weeks in which to work and so there is much interest to ascertain what special subjects of legislation the President will name in his extra session message. It is almost a certainty that no one of them can be finished before the extra session has ended and the time for the assembling of the regular session is at hand.

CUPID'S CASE.

Gen. W. W. Dudley, attorney for Delegate Kalaniinaole, said today that he has great confidence his client will not be disturbed in the possession of his seat in the House. "It seems to me," said Gen. Dudley, "like a case of 'damnum absque injuria.' There may have been some little irregularity about the preparations of the ballots at that election of 1904, but, if so, it appears to have caused no injury to any one, even to Delegate Kalaniinaole's opponent."

DOLE'S BOTTLE.

Former Attorney-General Dole continues to be a resident of Washington and is remaining in town during the hot weather. He recently stated his satisfaction with the city as a place of residence. Mr. Dole is still working with his patent for a non-refillable bottle and says that his negotiations for disposing of it are progressing well. In the mean time he is also practicing law.

AS TO PANAMA.

The feeling of dissatisfaction with affairs on the isthmus of Panama is growing. It is not impossible that this will be one of the liveliest subjects of legislation with which Congress has to deal this winter. An intimation from Oyster Bay that the President may ask Congress to legislate regarding the construction of the canal at the extra session demonstrates that he himself is becoming uneasy over these criticisms. Here in Washington there are wisecracks to explain that "Senator Morgan was right after all." Undoubtedly the former advocates of the Nicaraguan route will frequently remark in debate during the winter: "I told you so." One of the most energetic of these Nicaraguan advocates was Col. "Pete" Hepburn, of Iowa, who has recently been visiting in Hawaii.

HAWAIIAN LEGISLATION.

There is little to indicate yet the prospects of legislation favorable to Hawaii at the coming session. It is certain that a rigid program of economy will be inaugurated by Congress with a view to reducing the deficit as much as possible, which means that the economy answer will be frequently used to appeals for appropriations. The chances are that public building legislation will be enacted, in which event the claims of Honolulu and Hilo must be pressed to the utmost. Undoubtedly much discouraging talk will be made about public building bills. That will be Speaker Cannon's program. But as the session progresses the pressure will be too strong for him to resist, especially with such an enormous majority of republicans, many of them new members anxious to go back for reelection next year, bragging how they secured a public building for their constituents. It makes a fine campaign card and the Republican campaign managers, always with influence in the popular branch of Congress, will not overlook it.

ERNEST G. WALKER.

Some years ago Purser Jerome of the Pacific Mail, who is well known in Honolulu, married the rich and beautiful Lillie Hastings of San Francisco and retired from the sea. In 1887 the couple were divorced and Jerome went back on board. Mrs. Jerome married Tommasito Luis de Onativias. On July 29 last the Onativias were divorced. Since then Tommasito has taken a third wife.

A COUGH IS A DANGER SIGNAL.

You should heed its warning promptly. Begin at once, and take regular doses of

Ayer's Cherry Pectoral

All serious lung troubles begin with a common cold. A cold in the throat easily passes to the bronchial tubes, and you have bronchitis, leading possibly to pneumonia or consumption. Stop your cold before it goes down into the chest. When you bring a bottle of Ayer's Cherry Pectoral into the house you bring with it relief, good cheer, hope, and sunshine. It is a standard and unrivaled remedy for colds and coughs.

There are many substitutes and imitations. Beware of them and of so-called "Genuine Cherry Pectoral." Be sure you get AYER'S Cherry Pectoral.

Put up in large and small bottles.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

ROLLISTER DRUG CO., AGENTS.

FATHER VALENTIN AT GRAVE OF LAFAYETTE



INSRIPTION ON LAFAYETTE'S TOMB. (Pen sketch by Father Valentin.)

Editor Advertiser: Right Reverend Bishop Libert H. Boeymaens and myself arrived here last night from Belgium on our way to Rome. Many good reasons brought us to this City of Paris, and in particular the souvenir of our Mother House, but now closed forever since the expulsion by force of the last fathers of the order a few days ago. Adjacent to this house in the Rue Piepus is the Church of Our Lady of Peace, the mother house of the Sisters of the Sacred Heart, and the famous cemetery of the martyrs of the French Revolution in 1792. The latter contains the bodies of hundreds of men and women who fell at the place "la Bastille" for the sake of religion and order.

Right Reverend Bishop Libert celebrated today at 9 o'clock a high Pontifical mass in honor of "Our Lady of Peace," the patroness of this institution and also of the Catholic Mission in the Hawaiian Islands. I myself said mass very early this morning at the altar of the Blessed Virgin Mary and my thoughts brought me back to Honolulu and the dear friends I have left for awhile. The church of "Our Lady of Peace" is in shape of cross and simple in its construction. To the front and back of the high altar is the original statue of Our Lady of Peace, kept in veneration here in this same spot for more than four centuries. The image is very small, about twelve inches in which you have a reproduction in the mission yard of Honolulu.

On both sides of the sanctuary, which form the arms of cross, are hundreds of names engraved on white marble, with the following inscription in French: "Names of those who fell during the French Revolution and buried in a common grave (fosse) in the cemetery of Piepus."

But what will interest most any American is the sepulcher of Lafayette, situated in the same cemetery of Piepus, about 800 feet from the church. The grave itself is at the corner of the lot which is surrounded on two sides by a stone wall, and on the two others by an iron fence. Nothing would indicate that this great man had been buried here, except a very old and weatherbeaten American flag, of which the stars and stripes have long ago disappeared with the continual exposure in open air. I felt ashamed my-

A PLEASANT MEMENTO.

Sussman, Wormser & Co., packers of the world-renowned "S. & W." canned goods, have mailed to Honolulu housewives a very handsomely illustrated booklet of recipes which exceeds any similar publication ever received here. The recipes contained therein cover the whole culinary field and the discriminating consumer will be quick to recognize their excellence. Henry May & Co. are distributors of "S. & W." canned goods in this territory. They will be pleased to supply a copy of the little book to any who have not received it by mail.

CONTEMPT CITATION.

John F. Colburn, executor of the estate of Antonio Rosa, deceased, is cited to appear in court on Monday at 10 o'clock, to show cause why he should not be punished for contempt in disobeying a decree of May 16, 1902, ordering him to pay to James Hoare, Jr., \$6102.01, surcharged to the estate of said Rosa, who was Hoare's guardian. Ballou & Manx are attorneys for complainant.

NO NEED OF DOCTOR.

Pains in the stomach and attacks of colic come on suddenly and are so extremely painful that immediate relief must be obtained. There is no necessity of sending for a doctor in such cases if a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy is at hand. No doctor can prescribe a better medicine. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

self at seeing such a neglect and would have gladly replaced the old one by a new emblem of the great American nation.

At the foot of the remnants of the great flag, was a very small one in silk and placed there at the celebration of the last Fourth of July. I was informed by the priest in charge of the chapel that year after year the great flag was replaced by a new one at every Fourth of July, but for some unknown reason this has been neglected for four years, and it seems more than right that someone should look into the matter and have the old replaced at every celebration of the Independence. As a sign of this last celebration I found suspended at the wall a great flower piece in the shape of a crown and a few roses, but now faded and dried. The little flag attracted my attention, and for the love of country and to avoid its same disgraceful state as the new one, I have taken it respectfully and will preserve it religiously as a souvenir of my visit to the grave of a great man and who was a hero in our struggle for independence. At the head of this tomb is one of a "George Washington Lafayette," and is no doubt the son of the former one, and named in honor of George Washington himself. To come to a practical issue of this story, I would suggest that some more honor should be paid to the great man, who has served a great nation.

Tomorrow night we will leave this place, where has been for over a hundred years the cradle of our congregation of the Sacred Heart, which has witnessed so many horrors committed by the French Revolution, and from whose premises have been expelled a few days ago loyal Frenchmen for the only reason of being priests and religious. France is a funny country! From Paris we leave for Turin in Italy and by the end of this week we expect to arrive in the Eternal City, and then will be accomplished two great ambitions of my life, as an American and Catholic priest, to have seen the highest man in America—President Roosevelt—and the vicar of Christ on earth—Pope Plus X. in Rome. Aloha to our friends.

FATHER H. VALENTIN.
Paris, July 9. Feast of Our Lady of Peace 1905.

A BROKEN DOWN SYSTEM.

This is a condition (or disease) to which doctors give many names, but which few of them really understand. It is simply weakness—a break-down, as it were, of the vital forces that sustain the system. No matter what may be its cause (for they are almost numberless) its symptoms are much the same; the more prominent being sleeplessness, sense of prostration or weariness, depression of spirits and want of energy for all the ordinary affairs of life. Now, what alone is absolutely essential in all such cases is INCREASED VITALITY—VIGOR—VITAL STRENGTH AND ENERGY to prove that as night succeeds the day this may throw off these morbid feelings, and experience be more cheerfully secured by a course of the celebrated life-reviving tonic.

THERAPION NO. 3

than by any other known combination. So surely as it is taken in accordance with the printed directions accompanying it, will the shattered health be restored, the EXPIRING LAMP OF LIFE LIGHTED UP AFRESH, and a new existence imparted in place of what had so lately seemed worn-out, "used up" and hopeless. This wonderful medicine is purely vegetable and innocuous, is agreeable to the taste—suitable for all conditions and conditions, in either sex; and it is difficult to imagine a case of disease or derangement, whose main features are those of debility, that will not be speedily and permanently benefited by this never-failing recuperative essence, which is destined to cast into oblivion everything that has preceded it for this widespread and numerous class of human ailments.

THERAPION

is sold by principal Chemists throughout the world. Price in England 2/6 and 4/6. In ordering, state which of the three numbers required, and observe that the word "Therapion" appears on British government Stamp (in white letters on a red ground) affixed to every package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.

John Ouderikirk has the contract for erecting the wireless telegraph pole at the naval station. It will be 156 feet high.

F. J. Hare, postoffice inspector, returned from Kauai yesterday.

LOOKS LIKE A SYSTEM OF STUFFING GARBAGE DEPARTMENT PAYROLL

Here Is a State of Affairs That Requires Explanation, and Sam Johnson Seems to Be the Only Man Who Can Explain.

If the employes of the Public Works department, in Sam Johnson's bureau, have been regularly credited with more money than they actually drew, and the whole sum has been taken out for them monthly on blanket warrants, who got the unearned difference? This is the actual question which exploded after Treasurer Trent's letter was read in the Supervisor's meeting yesterday.

The following letter explains itself:

Honolulu, August 5, 1905.

The Board of Supervisors, County of Oahu:

Gentlemen:—I deem it my duty, without comment, to report to you as follows:

In paying off the garbage men yesterday, my clerk was told in more than one instance that the amount called for by the warrant was more than the payee had earned; feeling, rightly, that he had no discretion in the premises, he paid the full amounts as called for.

My attention being called to the matter, I directed that the next man presenting a warrant be questioned as to the number of days he had worked, the rate of pay for which he was working, etc.

Accordingly, when A. Pimento presented Warrant No. 256 for 20 days' work at \$45.00 per month, the questions as above suggested were asked him. The records on the face of the warrant agreed exactly with Mr. Pimento's answers, except as to the number of days worked. While the warrant called for twenty days, Mr. Pimento modestly claimed to have worked only fifteen days. The full amount of the warrant was paid him without further question. I gave instructions that no more of the men be questioned, but that warrants be paid as presented, at full face value, and that any objections about overtime or overpay be disregarded.

From Mr. Samuel Johnson, superintendent of the garbage department, I learned that the very excellent system of employing twice as many men as are necessary to do the work is in vogue in this department. The plan is for one-half the men to work one week, then lay off a week while the other half work, and so on through the month. In this way forty-odd men can make a half-month's pay each month, instead of only twenty-odd making a full month.

In looking over the warrants this morning I noted the following facts, which will probably prove interesting to you:

Two men had warrants showing a total of 41 days' work at the Kalia dump—an average of 20½ days to the half-month.

Four men had warrants showing a total of 73 days' work at the Iwilei dump—an average of 18¼ days to the half-month.

Eight men had warrants showing 144 days' work as excavator tenders—an average of 18 days to the half-month.

Eighteen men had warrants, occupation given as "garbage wagon," showing a total of 364 days' work—an average of 20.4-18 days to the half-month.

Other warrants for clerks, stablemen, etc., working full months, made up the total of the number of warrants drawn.

Very respectfully,

RICHARD H. TRENT,
County Treasurer.

A very black ugly cloud is rising around the blanket payroll for the garbage department, which the Supervisors of Oahu County desired Treasurer Trent to pay with one big warrant issued to Sam Johnson. Mr. Trent, in the letter above, sent to the supervisors yesterday, mentions what he is pleased to call a "concrete instance." Mr. Trent, it is entirely possible, knows more than he tells in his letter, although he will not talk about it. But the story comes out as the cloud rises. And it is unfortunate for Sam Johnson that he has gone to Seagirt, because he is the only man who can give an explanation that will dissipate the cloud. And maybe Sam will be lucky if he can.

At all events, the story is worth the telling. When that blanket warrant was drawn, it was drawn on a payroll presented to the Supervisors by Sam Johnson. That payroll was passed by Johnson. That payroll was passed by the Supervisors, more than once, and so it was inexpedient to withdraw it and make up a new one when the blanket warrant was rejected and the Supervisors began to make out separate warrants for the men in the garbage and road departments. The warrants had to be made out for the time of the men as it appeared on the blanket warrant payroll.

This had awkward consequences, because the men, particularly in the garbage department, when they went to get their warrants cashed, found that they were receiving more money than they had been accustomed to receive, therefore for the same work. Some of them expressed their astonishment to the Treasurer and to his clerks. Mr. Trent took the statements of these men—and has them.

It seems that there is a somewhat peculiar system in vogue in the garbage department, and possibly also in the road department. This calls for the employment of two men where only one is provided for in the salary list. This is done, partly for political purposes, of course, as everything is in Hawaii, as it practically doubles the votes, but it has also the purpose that it gives small but sufficient wages to two men where but one would be provided for otherwise, and so two families are supported in double of one.

The plan, with the double force, is to have the men work but half the time. The system is simple. One force works one week, and is laid off. Then the next force works a week, and is in turn laid off, the first force coming back to work the following week. The working month, of twenty-six or twenty-seven days, is thus divided into shifts of fourteen and twelve days, or thirteen

and fourteen days, and each worker gets his pittance.

Now, when one of the men discovered on Friday that he had been overpaid, getting nineteen days credited to him when he had only worked fourteen days, he demanded an explanation, and was told:

"Oh, that is all right. You were allowed for the five Sundays in July." The man, however, had not worked five Sundays. He had not worked on Sunday at all. But, if he had, he would have only been entitled to two of the five Sundays, or three of them, depending upon his shift. As a matter of fact, but half of any shift works on Sunday in the garbage department. And the puzzle remains, therefore, as to why the men should have been overpaid at all. Maybe the statement of one of the men in the department will explain it, although the explanation leaves something more to be explained.

"It has been the habit," this man said, "heretofore, for the men to sign the payroll in blank. The men did not know what they were to be credited with, and, of course, never looked at the payroll afterwards. Sam Johnson drew the money, and paid them what they got. They might have been credited with as many Sundays as anybody wanted them to get, and they would have been no wiser. They took what was given them."

But it is a significant fact that the men, when they came to draw their pay from the County of Oahu for the first time and to draw it themselves, should have expressed surprise because they were getting more than they were in the habit of getting. It would be impossible, of course, to credit men with more days than they worked, if they all worked the full month. The wage is a monthly wage. But, by the half-month system, anywhere from thirty-six days' to thirty-nine days' labor could be crowded in—and were crowded in on the county payroll.

Of course, as has been said, all this may be capable of very ample explanation. The men in the department, however, cannot explain it. All they know is that the county gave them more than they were in the habit of getting from the Territory for their labor. And Treasurer Trent, the warrants having been issued, could do nothing but honor them. So it is unfortunate for all parties that Sam Johnson is on the high seas on his way to Seagirt. Because he made up the payroll—or, at least, it was made up under his orders—and, if there is an explanation possible, he is the man to give it. The Supervisors are not much wiser than Treasurer Trent in this matter, whatever they may be in others.

(From Sunday's Advertiser)

Yesterday's meeting of the Board of Supervisors was prolific in matter for investigation. Almost every member of the board had something that he wanted probed and the matters that came up at the session furnished ample material for them to work on. Of course, the sensation of the session was the letter of Treasurer Trent exposing the garbage payroll system. This letter came as a bolt out of the blue and seemed too much for immediate discussion. It was at once referred to the Committee on Garbage. All the members of the board stated that, while the work of the county was yet new, there had been no time for a full investigation of the systems in the various departments. The board had taken the payroll as presented by the garbage superintendent and passed it without questioning its correctness. A letter of thanks was ordered sent to the treasurer for calling the attention of the board to the matter.

Another thing that will be investigated is the relation between territory and county in regard to the electric lighting plant. A letter from Superintendent of Public Works Holloway was read yesterday stating that, while the territory retained possession of the plant, the county was welcome to such power as remained "after the territory had used as much power as it needed." The county was to pay for the maintenance of the plant in consideration of the power furnished it. Moore was afraid of the clause giving the territory prior right to such power as might be needed by it. He thought that with this clause the territory might at any time lease the plant to the Hawaiian Electric Company or other parties, thus putting the county at the mercy of the lessees. He felt that the county should have an agreement with the territory which should give it the plant for a specified term of years. The Electric Light Committee will investigate this matter.

Lucas had something that he wanted investigated also. This was the payment by the county of lunas in charge of territorial prisoners engaged upon county work. He thought that the Legislature had appropriated sufficient money to pay the lunas and was in favor of letting the territory pay them. Some of the board, including Lucas, did not like to pay for lunas chosen by High Sheriff Henry, as this would mean that "pure straight ticket money" would go to "tainted" Civic Federation appointees. The salaries in question were held up for investigation.

Archer will make another investigation at Waialua. A bill was presented yesterday for the salaries of three policemen at Waialua. The bill was properly certified to by Sheriff Brown, but the Deputy Sheriff of Waialua in his estimate at the beginning of July only mentioned one officer on his force. Archer wanted to know where the other two came from. He was appointed a special committee to find out.

Scores of endorsed applications for county jobs were presented and placed on file, as there are no vacancies for the applicants. From the increasing stream of such applications it would seem as if half the population of the county was trying to get into the county bandwagon.

Supervisor Cox was the only member of the governing board of Oahu county not present at the meeting held in the board rooms yesterday afternoon. Considerable time at the opening of the session was devoted to the reading the minutes of several previous sessions. The clerk's minutes were all approved.

Mr. Adams raised the point of appropriation of funds by motion. Attorney Douthitt was asked for his opinion and held that as the County Act was silent on the method of appropriating funds the board might appropriate by resolution or motion as it saw fit. Adams thought that a set form should be adopted so that the auditor and treasurer would receive proper notification. After discussion it was decided that to each report of a committee approving bills be added the words "and the auditor and treasurer are hereby notified that the sum of — has been appropriated for —." The reports are to be made out in triplicate and copies sent to the auditor and treasurer.

The clerk was commended by all the supervisors for the excellent manner in which he had prepared the great mass of minutes. Clerk Kalaukalanui has had to work day and night to get up the records and there was not a flaw found in the minutes.

The clerk read the report of the Committee on Public Expenditures recommending certain material demands, Nos. 574 to 578 amounting to \$285.55.



RICHARD H. TRENT.

This is for printing and materials in the county offices. Approved and ordered paid.

The same committee presented salary demand No. 434, amounting to \$443.70, for repairs to Honolulu Police Station. Approved and ordered paid.

Mr. Adams presented salary demands of David Wahine, keeper of police shooting suits, \$10; E. Strouch, luna in charge of prisoners caring for parks, \$75; Kimikuma and two other police officers at Waialua, \$40 each. These are for July salaries.

Mr. Archer moved that a special committee investigate the salary demand for salaries of two police officers at Waialua. The deputy sheriff of Waialua, he stated, sent in the name of only one police officer at Waialua, but at the end of the month sent in a demand for salaries for three officers. Mr. Archer was appointed a committee of one to investigate the matter.

Mr. Lucas wanted to know why the county should pay the lunas in charge of prisoners even if they engaged in county work. He thought that the territorial legislature appropriated money for the care and maintenance of prisoners. He thought that the territory was "rubbing it into" the county and making the county pay for men whom the territory had money to pay. High Sheriff Henry appointed the lunas and the county paid for the men the territorial authority wanted. Lucas intimated that the good "straight ticket" Board of Supervisors should not pay for Henry appointees when men were being fired from the prison because they didn't vote for Henry.

Lucas objected to the payment of the bill for the luna. The demand was referred to the Committee on Roads, Bridges and Parks for investigation.

In reply to a question from Archer, Lucas explained why the keeper of Aala park had been removed.

Mr. Lucas reported from the special committee appointed to investigate the alleged irregularities in the Koolauloa Road Board. He reported that the trouble had occurred during the territorial administration and was out of the province of the board. There seemed to be no crime committed. The matter was simply one of loose business methods.

A communication from the County Attorney announcing the appointment of F. W. Milverton as Deputy County Attorney was read and the appointment confirmed.

The communication from the treasurer published yesterday, stating that warrants would be cashed without discount was read and placed on file.

Several communications from the various road boards asking various questions were read. The Koolau-poko board asked whether the cantoniers should be paid from the road appropriation. It was moved and seconded that the board be notified that such was the case.

A communication from the Acting Governor relating to leaves of absence of certain officers was filed.

The clerk read a communication from C. S. Holloway, Superintendent of Public Works, stating that the electric light plant could not be turned over to the county, but that the county had the use of it by paying the running expenses. Moore asked whether it would not be better that the county have an agreement with the territory giving it the use of the station for a certain specified time. As it was the territory might lease the plant to the Hawaiian Electric Co., or any other persons at any time thus forcing the county to pay for its light. Referred to the Electric Light Committee.

Several communications from the Superintendent of Public Works acknowledging the receipt of certain communications were filed.

Letters from the Republican County Committee and other persons endorsing certain persons for office were placed on file to be considered when vacancies occurred.

A letter from certain persons asking for employment in the quarry was referred to the road supervisor.

A communication from the Territorial Board of Health calling the attention of the supervisors to the unsanitary mud hole in the lot near Halekaula and South streets was read. The board suggested that the county haul the necessary earth (about 900 yards at 25¢ per yard), the territory to furnish the earth. This with other communications regarding unsanitary places was referred to the Committee on Sanitation and Public Health.

A communication from Treasurer Trent calling attention to alleged overcharges in the garbage department was read. There was little comment on it, but it was evident that the garbage department plan was news to the supervisors who had accepted the pay-

roll as certified to by Sam Johnson. The matter was referred to the garbage committee. The supervisors then adjourned until Wednesday at 7:30 p. m.

SOLDIER ROBERTS DISCHARGED

John C. Roberts of the Twenty-eighth Coast Artillery, who was brought from Honolulu under arrest on a charge of burglary, was exonerated yesterday after a full investigation and discharged from custody. Roberts was accused of breaking into the residence of John Lawson near the Presidio and stealing a clock and other articles. He felt the disgrace of the affair so keenly that he attempted to commit suicide in Honolulu when arrested. He will go to San Diego to join his company.—Chronicle.

VARIOUS MATTERS ON COURT FILES

Three amended petitions for registration of land have been filed in the Land Court by Sophie K. Walker, with W. T. Rawlins as her attorney. The first is for land in Lunalilo street containing 18,000 square feet. The second is for land at King and Pili streets containing 24,326 square feet. The third is for land at Alapai, Young and Hotel streets containing 4965 square feet.

A. G. M. Robertson, attorney for plaintiff, gives notice that at 10 o'clock on Monday he will move to have argument on demurrer in the libel suit of Albert V. Gear vs. Hawaiian Gazette Co., Ltd., set for hearing.

Esther C. Lucas, one of the defendants in the petition suit of Lyle A. Dickey vs. Wm. C. Cummings et al., makes answer saying that the property cannot be partitioned justly, but must be sold to give the parties their respective rights.

George H. Holt petitions that letters of administration on the estate of his late mother, Hanakaulani Holt, be issued to Wade Warren Thayer. The estate consists of Queen street land valued at \$6000, and the heirs at law are six sons, two daughters and six grandchildren.

A suit for ejectment has been brought by the trustees of the B. P. Bishop estate against W. R. Castle and Fong Inn & Co., for two pieces of land containing 1022 1/2 and 1022 square feet respectively at Kaunakapili, Honolulu. Damages of \$500 are asked.

Isaac Noar died at the Queen's Hospital late yesterday afternoon of pneumonia, after an illness of about two weeks. For sometime past he has been in failing health, and a fortnight ago was taken to the hospital where he died. Dr. Hoffman was the attending physician.

Mr. Noar's daughter, Julia, visited him here several months ago, but is now in the States. He also has a son, who is a lawyer in California, who was to visit his father here, but he lately changed his plans. Mr. Noar was sixty-nine years old.

Of Isaac Noar's life before he came to these islands, but little is known. He first arrived in Honolulu in June 1900 and becoming attracted by the place decided to stay here instead of returning to New York City, his former home. According to his own statements he had been a manufacturer, inventor, merchant and student of science, besides taking a deep interest in politics. At one time he was chairman of the executive committee of the Sixth Assembly district of New York.

Upon his settling here he invested considerable money in real estate. He built the Star block above the Orpheum, and soon afterwards was involved in litigation over the same. In April 1903 the Supreme Court decided that the block must be sold. In 1902 Noar was out for the office of Territorial Treasurer, and during the election of last year he was nominated as a member of the Republican District Committee. He also sought to become a member of the Oahu Board of Registration in 1900. During his residence here he has not only been active in politics but in business as well.

CAPE HORN SUGAR FLEET.

The Sugar Factors have secured the following vessels to take sugar around the Horn next season. The capacity of the vessel in tons is given after each name:

Barks: Fooling Suey, 1785 tons; Nuuanu, 1700 tons; Willisoot, 3725 tons; schooner Kineo, 2500 tons; ships: Hawaiian Isles, 3750 tons; Tillie E. Starbuck, 3175 tons; Fort George, 3025 tons; Edward Sewall, 5500 tons; Kenilworth, 2900 tons; Arthur Sewall, 5500 tons; Bangalore, 3900 tons; Atlas, 5500 tons; Acme, 5500 tons; Manga Reva, 4000 tons; John Ema, 4700 tons; Erskine M. Phelps, 5100 tons; Dirigo, 5100 tons; Wm. P. Frye, 5600 tons.

Prof. Pickering's party, consisting of that eminent scientist, his son, C. A. Brown, Frank Woods and several others, will make the ascent of Mauna Loa from Kalaieha. They will be joined on the mountain by the Holloway party, and Eben Low. After climbing Mauna Loa, the party will return to Kalaieha and go up Mauna Kea, and afterwards make the ascent of Huai-alai. In no other country in the world, probably, could three such mountains so close together be ascended on horseback.

LET IT BE KNOWN.

The widest possible publicity should be given to the fact that summer diarrhoea in children and cholera infantum can always be cured by the judicious use of Chamberlain's Colic, Cholera and Diarrhoea Remedy. It never fails. For sale by all Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

CARTER AND ROOSEVELT

OYSTER BAY, July 24.—Governor Carter of Hawaii came to Oyster Bay at 12:30 o'clock this afternoon with a grim, determined air. He had his resignation in his pocket and drove straight to Sagamore Hill and presented it to Roosevelt. But the President would not hear of Carter's resignation. The President believes Carter is a "brick" and a most valuable man in the place, and insists that the Governor stay put.

The President declined not only to accept his resignation, but told him to go back to Honolulu and he should have the full support and sympathy of the National Administration. Governor Carter was in a much happier frame of mind after his interview with the President than he had been before. He will take a much-needed vacation before returning to Hawaii, probably in this country, for several weeks. When he returns to Honolulu it will be to resume his official duties with new confidence and vigor.

"I advised President Roosevelt," said Governor Carter, after his conference, "to accept my resignation, but he declined to take my advice. On the contrary, he advised me to withdraw my resignation, and I decided to take his advice. That is the whole story in a nutshell."

Since he was appointed to succeed Governor Dole, who was named United States District Judge of Hawaii, Governor Carter has encountered difficulty, particularly with officials in the islands. His administration has not been harmonious, evidently through no fault of his. The trouble culminated two or three months ago in the sending by Governor Carter of his resignation to the President. The President declined to accept it, because he had great confidence in the Governor's ability to administer Hawaiian affairs as he would have them administered. Finally the Governor decided to come to the United States to talk over the situation with the President. He arrived here at 12:30 o'clock today and was driven directly to Sagamore Hill.

"I felt," said he, "that the best way to restore harmony in Hawaii was for me to resign the Governorship. The President does not think so. We went over the situation fully, and I have accepted his advice and will continue as Governor."

"Who is the principal disturbing element in Hawaii?" he was asked.

"George R. Carter," he replied promptly, with a laugh.

"Is the trouble local or is it due to the National Government in this country?"

"Oh, it is purely local," the Governor replied. "You know we have home rule in the islands. Our general political divisions are about the same as they are in this country. We have two political parties, the Republican and Democratic. The former is the party which stands for the development of the islands, which established the republic and which favored annexation."

"The race question has been eliminated practically from our politics. This is a distinct advance. Then, too, we have advanced in other respects. A law passed at the recent session of the Legislature provides that the United States flag shall fly from every schoolhouse while school is in session. That law could not have been enacted three or four years ago."

"Then you have hopes for ultimate harmony?"

"I am sorry to say I have not," replied the Governor. "I am going back to Honolulu to stand by my position, but it is an uphill fight."

Governor Carter is a man after Mr. Roosevelt's ideals, outspoken, fearless and determined. The President said after he left:

"Governor Carter is a brick." The Governor will go back to Honolulu feeling that he has the sympathy and full support of the President. Carter will not return immediately to Hawaii, but will take an extended vacation in the United States before the opening of the Hawaiian Legislature.

It is always cheering to hear of the work and prosperity of the laborers, who once toiled in the vineyard in these islands. Not long ago we heard of the preference of the Rev. W. A. Swan, once attached to St. Andrew's Cathedral, to a canonry in Adelaide Cathedral, Australia. By a recent mail we have good news of the Rev. Louis Bryde, formerly of St. Augustine's, N. Kohala. He is at work at Wuchow, a Scotch-port on the West River, and if he is not the editor of a very healthy Missionary Magazine called The Kwansei Hunan Newsletter, he is certainly a very liberal contributor to its interesting pages.

The Rev. Canon Groser, who formerly ministered to the parish of the Good Shepherd in Waialuku, Maui, has just reached his Australian home, in safety. He is delighting his parishioners and friends with an account of his year's travels.

The friends of the Rev. Brooks O. Baker, M.D., who in years past officiated in Hawaii, both as a clergyman and as a physician, and who has been for many years rector of Port Townsend, will be glad to hear of the success of Harford, the doctor's only son. The young gentleman has been appointed to a very responsible and lucrative post as chief civil engineer of the government.—A. C. Chronicle.

The objections of the Territory to a land title for the Kentwell property at Ford and School streets have been withdrawn.

Captain Niblack is under orders to erect a lighthouse on Midway Island, which will be of the type designed by Lieut. Slattery for these islands.

HAWAIIAN GAZETTE

Entered at the Postoffice of Honolulu, H. T., Second-class Matter. Semi-Weekly—Issued Tuesdays and Fridays.

WALTER G. SMITH, Editor.

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A. W. PEARSON, Manager.

TUESDAY AUGUST 8.

PUBLIC ADMINISTRATION.

The late defalcation of the trustee in the estate of Barate, confirms the belief of many that necessity has long been felt in Hawaii for establishing the office of public administrator. In that particular case, there was an administrator under the will, but, when he resigned, had there been such an officer as a public administrator, it is more than likely the court would first have turned towards him to continue the administration.

In California the public administrator takes charge of estates of persons dying within the county, for which no administrator has been appointed, and which, in consequence thereof, are being wasted, unearned for or lost. Also of the estates of decedents who have no known heirs, and also of the estates ordered into his hands by the courts, and of the estates upon which letters of administration have been issued to him by the court.

In some counties the public administrator has a regular salary, but generally they are paid fees, the same as other administrators. In event of his not qualifying, on appointment or election, the coroner performs the duty of the office. Hundreds of small estates unprobated should have been probated, if merely to obtain a decree of the court as to who were the heirs. Our records show innumerable deeds where the grantee describes himself as the only heir of so and so, purchasers taking the risk that his statement is true. Many small estates are not of sufficient magnitude to warrant the paying of costs of the court and a special attorney's fee, in which instances the court remits the fee and the public administrator does the work together with other cases.

In Hawaii the administrator merely takes charge of the personal estate and collects the rents on real property. It frequently happens that it is necessary to sell the real property to pay the debts or to maintain the widow and orphans in which case the administrator, after closing the administration, applies for an order to sell for good cause shown. All this the public administrator would do as part of his duties.

Public administrators in California are elected, but in our belief, it is safer that they be appointed, as the political machine cannot always be depended upon to select a competent, as well as trustworthy man. The bond of the public administrator need not necessarily be large, as he is compelled to make very frequent returns to the court and make his deposits with the treasury from which money is drawn on an order of the court, when necessary in the administration. Biannually he has to make sworn statements to the court of the status of each estate which has come to his hands. The possessor of any house, wherein a stranger dies intestate or any one knowing the facts of the death, must notify the public administrator or he is liable for any damage to the estate. Like any other administrator, the public one can only sell real estate on order and approval of the court. Should a regular administrator be appointed, which is frequently the case, the public administrator must turn over to him all of the estate which has come to his hands and not wait to complete the administration. All civil officers are compelled to notify the public administrator of all property known to them, belonging to a decedent, which is liable to loss, injury, or waste and ought therefore to be in the custody of the public administrator.

The office of public administrator would have been established in Hawaii many years ago, but for the jealousy among aspirants for the office. In California it is not customary to permit attorneys to become sureties for their clients nor to be appointed as receiver on estates in which they are interested.

The argument that Hawaii should elect a public administrator lest Washington appoint judges who will place estates in the hands of grafters shows a beautiful confidence that the discretion of the local electorate is superior to the judgment of Washington.—Star.

The files of the Star will show how ably that paper has argued against the past policy of Washington in the matter of appointing circuit judges here. Certainly the appointments which followed annexation were about the worst made in the United States, as the Star pointed out at the time. As for the local electorate it has no discretion in the matter. Recent and better appointments to the bench have been made by the President in consultation with the Governor alone.

It is to be hoped that the President has not charged Governor Carter with the millennial task of establishing harmony in Hawaii. Only once in the history of the United States has a state of harmony been approximated and that was during a short period when the people were so busy prospering that they forgot their politics. The circumstance was so strange and novel that the time which included it became known in history as "the Era of Good Feeling." There has been nothing of the kind occurring since on the mainland and it not likely to reappear among the complex and disturbing conditions of Hawaii.

An evening paper does not believe in having a public administrator because of the chances for graft. Why not take the same ground against having a county treasurer or auditor or even a circuit judge? There are opportunities for graft in almost everything, but there are fewer where responsibility is centered in one well-chosen official than where it is divided among a group of irresponsible clerks.

It seems to have been made clear that the Bennington's boilers were leaking on the voyage from Honolulu. The conclusion is reasonable, therefore, that the sudden entrance of cold water to a hot boiler from which the original contents had run out, was the cause of the explosion.

Having lured the Japanese to a jumping-off place the Russian commander in Saghalien promptly surrendered. Kuropatkin may be out of a job, but his influence in the army is still strong.

The late Isaac Noar was a genial citizen who kept up, in his old age, an intelligent interest in public affairs. Those who knew him best liked him well. Isaac Noar will be missed.

The Chinese boycott on American goods has reached Singapore. What have the sand-lotters got in stock to make good the loss of American trade?

Marshal Oyama appears to be getting ready to back up Japan's demands at the peace conference with another victory.

If the Manchurian railway can be double-tracked before winter the whole army may escape.

Norway seems to have given her proxy vote to the Kaiser in the matter of a new king.

Gov. Vardaman is arrayed against the yellow fever probably as a counter-irritant.

Which will Russia prefer—a shameful peace or a humiliating war?

WEEKLY CROP BULLETIN.

For the Week Ending August 5, 1905.

Honolulu, T. H., August 7, 1905.

GENERAL SUMMARY.

The weather has continued steadily warm during the past week, with moderate trade winds. In Hawaii, the rainfall has been quite heavy in the Hilo and Kona districts, and moderate rains have occurred in all other sections of the island except Kau. In Maui, the precipitation has been heavy in the mountains and exceptionally so over the windward slope of Haleakala, while the lower levels to leeward have continued dry. Heavy showers have also occurred over windward Oahu, and moderate showers in eastern and northern Kauai.

Growing cane made good progress during the week under the generally favorable weather conditions. In the Hilo district of Hawaii, upper cane lands were too wet for cultivation, and conditions were rather too moist for young cane although highly beneficial for 1906 crop cane; weeds also grew rapidly. The condition of cane in the north Kohala district of Hawaii and the Kipahulu district of Maui was much improved by the more favorable weather, although more rain would still be welcome in the former section. In portions of the Kau district of Hawaii high trade winds had a drying effect. In Maui, there was a considerable increase in the supply of water in the plantation ditches, permitting the almost entire suspension of pumping. Leafhoppers are causing damage in northern Kauai. Pineapples continue to ripen rapidly in all sections. The transplanting of rice continues, and the patches already set out are in good condition. Coffee is ripening in all sections, and picking has begun in Kona, Hawaii. Pastures in most leeward sections need rain badly, but those in the lower levels of Kona, Hawaii, have improved greatly during the past week.

A sharp earthquake shock was felt in Kona, Hawaii, about 8:30 p. m. of the 2nd instant.

REMARKS BY CORRESPONDENTS.

ISLAND OF HAWAII.

Kaunua—Weather continues rainy and sultry, and in consequence upper lands are too wet for cultivation; growing crops making good progress; pastures and grazing stock in good condition; stripping and harvesting cane.—J. E. Gamalielson.
Hilo—Warm and showery weather all week; total rainfall, 2.68 inches.—L. C. Lyman.
Ewa—Weather just right, and all crops doing well; weeding, stripping and cultivating cane.—John T. Moir.
Pepeekeo—A little more rain than necessary for young cane, but crop cane being benefited by it; weeding, hoeing and fertilizing cane.—Jas. Webster.
Hakalau—Warm, moist weather very favorable for growing crops; planting and harvesting cane.—Geo. Ross.
Laupahoehoe—Showery and sultry weather all week; all crops making very rapid growth.—E. W. Barnard.
Ohelele—Warm and showery weather continues, with stronger winds than during the preceding week; stripping and hoeing cane.—W. G. Walker.
Pauhanui—Warm and moist weather conditions are making young cane start up strongly; older cane is being stripped; cane crops at all stages looking in excellent condition; moderate trade winds all week.—H. Glass.
Hoopaka—Weather continues warm and showery and very favorable for growing cane crops.—C. H. Bragg.
Niihau—Warm and showery weather favorable for growth of both cane and weeds; hoeing, replanting, cultivating, plowing, harrowing and stripping.—Robt. Hall.
Kohala—Weather conditions fairly good, but more abundant rainfall would improve cane growth.—W. O. Taylor.
Kohala Mission—Continued warm weather; more than an inch of rain fell during the past week and has greatly improved conditions.—Dr. B. D. Bond.
Kamuela—Moderate temperatures and very light showers during entire week.—Mrs. E. W. Hay.
Puuwaawaa—Heavy fogs during first part of week, with a refreshing rain on Thursday.—Robert Hild.
Honokahau—Weather during the past week has been unusually wet, and pastures on lower lands have responded fluently in consequence; coffee crop ripening rapidly.—F. R. Greenwell.
Kealahou—Abundant rains and very warm nights; a quite heavy earthquake shock, direction of transmission cast to west and duration about three seconds, at 8:30 p. m. of 2nd.—Rev. S. H. Davis.
Kealahou—Sultry weather and good rains during week; live stock doing well; a sharp earthquake shock about 8:30 p. m. of 2nd, and another about 8:00 a. m. of 3rd.—Robert Wallace.
Naalehu—No rain this week, but crops look well and are growing rapidly.—G. G. Kinney.
Pahala—Another hot, dry week, with high trade winds which are parching all vegetation.—H. D. Harrison.
Kapoho—Weather very warm, with abundant moisture and fresh winds.—H. J. Lyman.

ISLAND OF OAHU.

Mauunawili—Weather has been warm, with an abundance of rain amounting in all to 2.66 inches during week; coffee doing very well, and pastures in fair condition.—John Herd.
Waimanalo—Weather very warm all week, with .75 inch of rain.—A. Irvine.
Sisal—Weather very dry and hot, and crops suffering for want of moisture.—Wm. Weirich, Jr.
Waianae—The weather remains unchanged here; dry and warm.—F. Meyer.
Ewa—Weather very warm and dry during week.—Ewa Plantation Co.
Wahiawa—Week dry, with moderate temperatures which have retarded the ripening of pineapples; season now at its height, and an exceptionally fine crop will be secured; original estimate of cannerly will be exceeded at least one-third; pastures getting a little dry again.—B. O. Clark.

ISLAND OF KAUAI.

Elele—No change from conditions of preceding week; weather still dry and warm.—McBryde Sugar Co.
Koloa—Weather continues warm; first part of week comparatively dry, but good showers fell during first three days of August, amounting to .92 inch.—P. McLane.
Lihue—Cloudy during first part of week with clear, hot weather during latter part; .30 inch of rain; conditions average for growing crops.—F. Weber.
Kilauea—Continued warm weather, with some light showers; weather conditions very favorable for cane, but leafhoppers are plentiful.—L. B. Boreiko.

Kahului—Warm weather all week.—R. W. Filler.

Punene—Warm weather, with good rains at ditch heads and only one station pumping; 1906 crop cane growing fast; planting for 1907 crop proceeding rapidly.—J. N. S. Williams.

Wailuku—Weather cloudy and oppressive with light winds; considerable rain at water heads, and ditches and streams running full; setting out rice plants; fruit scarce.—Bro. Frank.

Kihei—Weather very warm and dry, with high northeast winds during latter half of week; rains have fallen to windward, but much more rain would be beneficial; pastures around here all dried up; planting, plowing and cultivating cane.—James Scott.

Olowalu—Weather warm, with heavy northeast winds during fore part of week followed by steady rains on the mountains; weeding and fertilizing cane; plowing and planting.—George Gibb.

Maunawili—Weather has been warm, with an abundance of rain amounting in all to 2.66 inches during week; coffee doing very well, and pastures in fair condition.—John Herd.

Waimanalo—Weather very warm all week, with .75 inch of rain.—A. Irvine.
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LOCAL BREVITIES.

Miss Honey Voss will leave for the Coast Wednesday.

Dr. J. H. Raymond is resuming practice at Wailuku.

Excelsior Lodge No. 1, I. O. O. F., meets this evening at Odd Fellows' hall, Work in the second degree.

The Board of Education will meet on next Friday afternoon at 3:30 in the Superintendent's office.

There will be a special meeting of Pacific Lodge tonight at the Masonic Temple. Work in the first degree.

A special order of business at the meeting of Court Camoes, A. O. F., this evening will be revision of the bylaws.

Judge Perry's appeal was heard by the tax appeal board yesterday. J. A. Magoon's and Dr. Hoffmann's appeals have been settled out of court.

A statement presented by the Board of Trade of Hilo to Lieut. Slattery represents that the loss to the port of Hilo last year from the want of a breakwater was \$208,291.75.

The Hawaiian Poultry Association will meet tonight at the residence of W. E. Fisher at 7:30 o'clock. The subject of holding the first annual poultry show will come up for discussion.

It is stated that Captain Berger elected to travel steerage with the handboys so that Mrs. Berger might have a stateroom, which she could not otherwise have had owing to the crowded condition of the Mongolia.

W. A. Kinney leaves for Hilo today to represent A. W. Carter, guardian of Annie T. K. Parker, a minor, in an application before Judge Parker for leave to sell the Pauhanui lands at an upset price of \$124,000. The hearing is set for the 12th inst.

Teachers' examinations for Primary Grade certificates will be held on Thursday and Friday, August 10 and 11, at the following places: Honolulu, Lihue, Wailuku, Hilo, Kohala and Hoouluoa. The Honolulu examination will be held in the High School, beginning Thursday morning at nine o'clock. Rev. A. Mackintosh and Inspector Wells will be in charge.

James Bicknell, the county attorney, received a cablegram yesterday from E. B. McClanahan at Suva stating that his claim to an undivided one-half interest in Fanning and Washington islands had been sustained by the British High Commissioner's court. Mr. McClanahan went to Fiji as Mr. Bicknell's attorney in the matter. The elder Greig and Bicknell owned the islands in partnership and latterly the Greig descendants, who had continued to live at Fanning Island, set up a claim to sole ownership.

Judge Dole yesterday rendered a decision refusing Delegate Kalaniana'ole's motion for a rehearing of his libel against Pacific Mail Steamship Co. As to the allegation that the court erred in awarding but one dollar damages, the court held that the complainant having neglected to produce evidence of value at the time of suing, but only evidence of original cost of the property alleged to have been damaged, he could not raise that issue on a motion for rehearing. It was not a matter of newly discovered evidence as claimed.

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MAUI GONE ON TENNIS

MAUI, August 4.—Last Saturday and Sunday George H. Perkins of Burlington, Vermont, and Rob. C. Barrows of Haverford, Penn., visited the crater of Haleakala and were especially delighted with their trip. Mr. Perkins is professor of biology in the University of Vermont and state geologist of Vermont. Mr. Barrows is the nephew of Dr. Hitchcock, the well known scientist, now on Hawaii. Prof. Perkins, in describing the view from Haleakala, stated that the cloud effect in conjunction with the crater and the sea was unequalled anywhere in the world and that no language could describe the beauty of the scene presented. The two gentlemen returned to Honolulu by the Mauna Loa, having visited both Kilauea and Haleakala.

TENNIS EXCITEMENT.

As the 32th approaches the enthusiasm for tennis increases—in truth, nothing is talked of on central Maui excepting tennis. Eighteen couples—36 players—from the center of the island have entered the present cup tournament and there are certainly as many more who for various reasons did not enter, and then there are quite a number of tennis experts in Lahaina, the members of a formerly flourishing club. There are perhaps altogether 100 men and women players on the island and these with proper management should cause tennis to become the most popular Maui sport excepting only the national game of baseball.

Appropos of the coming tournament, it is generally conceded that Messrs. Krumphaar and Busata will be winners, though there are several couples who will make the contest a close one.

Last Saturday, on the tennis court at the Haiku residence of Hon. C. H. Dickey, W. W. Westcott of Punahoa threw his knee out of joint. The doctor states that Mr. Westcott will be unable to play on August 12.

Thursday afternoon—seven of the ladies of the Makawao Tennis Club by invitation played on the fine new court at Kahului. They left Paia by the regular afternoon train and returned in a special by the courtesy of H. B. Weller.

POLO ITEMS.

Kauai will probably not send a team to the September polo tournament in Honolulu, owing to the report that the Rice brothers will be unable to play—Charles having injured his shoulder and Arthur being ill.

The Maui club has recently built large stables on its Paia grounds and a dozen and more ponies are now in the hands of a regular horse-trainer, who lives at the polo stables and is putting the animals into fine condition for the September contest. The players for the Honolulu game have not all been selected, though the quartet will be much as follows:

- No. 1, G. W. Wilbur or H. A. Baldwin.
- No. 2, Fred Baldwin.
- No. 3, F. F. Baldwin (captain).
- No. 4, D. T. Fleming.

There is some uncertainty as yet as to No. 1, but the other positions will probably be filled as above mentioned.

WAILUKU, August 5.—With the selling and razing of the buildings, plants and fixtures of the taro factory of the Hawaiian Fruit & Taro Co., disappears one of Maui's pioneer industrial landmarks. The taro factory was built somewhere in the neighborhood of thirty years ago, and was used for the manufacture of taroena, a vegetable food product which is being advertised in the monthly magazines. Last year a quantity was made up and shipped to New York, and at that time there was some talk of continuing operating the factory, but a sufficient quantity of taro which would warrant making up into taro flour could not be had without paying a prohibitory price. Thos. W. Hobron of Honolulu bought the machinery, and W. T. Robinson the building. The ground will revert to the government and will be used for an armory for Company I.

COKE DISAFFECTED.

Hugh M. Coke has sent in his resignation as treasurer of the eighteenth precinct club of Maui county. Mr. Coke when asked why he took this action intimated that recent recommendations pertaining to county appointments sent in by his and other clubs had been flatly ignored. In his letter of resignation he says his decision is final and under no circumstances will it be reconsidered.

VIVAS ALSO RETIRES.

Attorney J. M. Vivas, who at the last county election ran for the office of county attorney on the Fusion ticket announces that he is out of politics for good. From what the Maui News considers a reliable source it is stated that the reason Mr. Vivas retires is because the democrats have fused and will work under the Home Rule banner in the future.

PERSONAL AND SOCIAL.

At the residence of B. C. Searle, on Sunday afternoon, his son, Searle C. Searle, Jr., and Lucy Kusana of Lahaina were united in marriage by Rev. D. W. K. White. A large number of friends witnessed the ceremony, and were guests at the wedding dinner.

A letter has been received from Dr. Charles Davison, stating that he will return to Lahaina in about six weeks. He is at the home of the sister, Miss Carrie Davison, in Detroit, Mich. She has the honor of being the clerk of the Supreme Court in that city.

The birthdays of Miss Rachel Hayselden and Walter M. Vetsien having occurred last week, and David K. Apuni Hayselden being about to take a pleasant journey, a triple celebration took place at their historic palace home on Saturday evening. There was a

large attendance of friends, and there was a fine program of dancing, singing and instrumental music.

Miss Laura Wells, Ward Wells and Fred Motraw, accompanied by Manager C. B. Wells, left last evening by the Kiana for Honolulu. Miss Wells will enter Stanford University, while Ward and Fred Motraw will return to Belmont college. Ira Wells, who has been under the physicians care, is unable to return to school at present.

Dr. McGettigan of Hana was a returning passenger from Honolulu last Saturday. Dr. McGettigan will leave the Hana district and settle permanently at Oloa.

Bishop Ristariak came up on the Mauna Loa last night on his way to the Chinese mission in Kula, where he will hold service on Sunday morning. He will probably return in the afternoon and preach at Punene in the evening.

William Robb of Kanapali is fast recovering from the injuries received in a runaway accident.

One of the Lahaina Christian ministers has received a generous donation from the Buddhist priest, K. Y. Arai.

A rumor is in circulation that the old fish market will soon be torn down, and that a handsome row of trees will be planted along the water front.

W. L. Decoto of Lahaina left last evening for Honolulu, en route to Centerville, Alameda County, Cal.

NOTES.

The sheriff's office is at present in the old Waituku school building and the other county officials are domiciled in fine rooms in the story of the new Waituku bank building.

W. F. Crockett of Waituku has been appointed deputy county attorney.

The rice crop on the Keanae and Honomahu plantations has just been harvested. The amount raised this season has been fair but not large in quantity—planting will begin next month.

Contractor Duggan has purchased the privilege of constructing the new Haleakala summit road from L. M. Whitehouse. On Monday Mr. Duggan accompanied by S. R. Dowdie, government inspector of the road, departed for the scene of their labor to begin operations with the aid of twenty citizen workmen.

The pineapple cannery of the Haiku Fruit and Packing Co. is in full blast, having begun the canning of pines on July 7. A visit to the factory when all the machinery is in action is most interesting. The working of a number of unique machines, the making and sealing of cans, the paring and preparing of the apples for the tins together with the delicious odor of fresh fruit, all render a visit most attractive. Manager W. A. Baldwin and James Lindsay, the new processor (factory manager), are most courteously inclined and will "do the honors" willingly.

Fifth-class license saloons or liquor stores, as they are called are being established in Makawao (2), Pauwela, Kula and other localities on the island.

The Maui Agricultural Co. has been making some changes recently. J. J. Hair is soon to depart on a visit to the Coast. P. F. Peck, one of the lunas of Hamakua, takes charge at Kalaupani. Fred Baldwin, it is reported, will give up the management of the Grove and Haiku ranches and take Peck's former position at Hamakua, and D. T. Fleming will manage the two ranches.

W. H. Balfey of Oakland is visiting his daughter, Mrs. B. V. Bazata of Paia.

Misses Mary Alexander and Kellogg after a brief visit at Paia returned to Honolulu via Lahaina per Mauna Loa.

Miss M. E. Fleming of Makawao departed for Hawaii by Tuesday's Kiana.

Miss Massey of Hawaii is the guest of her niece, Mrs. L. von Tempky of Haleakala Ranch.

Tuesday afternoon the Ladies' Aid Society met at Mrs. D. C. Lindsay's, Paia.

Jack Dow of Lahaina has two automobiles which he keeps for hire.

Miss R. E. Crook of Makawao left for Honolulu by the Maui of Wednesday and W. C. Crook departs for Naha, Hawaii, today.

A fungus blighted and destroyed much of the Maui watermelon crop this season.

Weather—Light, spray-like showers from the sea, Tuesday, Wednesday and Thursday.

VOLCANO DRAWS MANY PEOPE

VOLCANO HOUSE, August 4.—The volcano is just as grand as ever, even better than when Mr. Sheridan was with us. All the guests were delighted with the display tonight—never better. For one week it has been increasing in forming new cones and heavy fogs.

The following is a list of guests at the Volcano House for one week, from July 29 to August 3: W. H. Pickering, Mrs. W. H. Pickering, W. F. Pickering, Miss Pickering, Miss C. L. Alexander, Cambridge, Mass.; Mrs. E. Butts, Providence, R. I.; Miss D. W. Russell, Miss M. A. Clark, Boston, Mass.; E. N. Hawkins, San Francisco; Roy Nance and wife, Miss Marie Nance, Richard Nance, Los Angeles, Cal.; F. R. Fertschans, Berkeley, Cal.; Lewis T. Wolfe, Miss Helen I. Wolfe, Cambridge, Wyo.; R. T. Forrest, Punahoa; Alvah A. Scott, Irwin Scott, Waimaku; Ethel M. Augsburg, Kohala; Ira S. Hatch, Mrs. S. J. Lumt, Miss Retta Grant, Miss Hopper, Mrs. C. E. Bunker, Florence E. Hoffman, May Fraser, Miss Katherine Hopper, Alice Hopper, I. H. Petterson, R. B. Anderson, Mrs. Lewis, Irene Boyd, O. E. Wall, Honolulu; Emma Lewis, S. Grace, Norman G. Campion, Wm. Yannatta, Lizzie Yannatta, Charles Yannatta, Katherine Yannatta.

Ewa mill finished grinding the 1905 crop last Saturday. The yield is about the same as that of 1904, about 30,000 tons.

EXPERTS ARE PLEASED WITH HAMAKUA TOBACCO

HILO, August 4.—The Tribune prints this story: The Hawaiian Experimental Station on the Louissou plantation in Hamakua is producing some wonderful results in the growth of tobacco. In a conversation with Mr. C. R. Blacow, who is in charge of the tobacco culture, a Tribune representative learned that he now has three acres of land under cultivation, and that he is growing from six to eight varieties of tobacco on the place. Among those grown are some from Havana seed, ling, Connecticut seedling, Comstock, Spanish, Dimmer Spanish, Sumatra, Japan, Hawaiian and Vuelta Abajo Havana seed. Some of these varieties grow to the height of six to ten feet with stalks two inches in diameter. The leaves of the coarser quality measure from thirty-six to forty inches in length and from twelve to fifteen inches in width, while the Vuelta Abajo being of a finer quality measures from twelve to twenty-two inches in length and from eight to fourteen inches in width. On account of the larger leaves of the coarser quality, an acre of land will produce about from 1500 to 2000 pounds per acre, while the Vuelta Abajo will produce only about 1000 pounds to the acre. It takes about one man's attention for every acre during the maturing of the crop. In Hawaii we can obtain two crops in one year. At the experimental station they are planting and taking off crops every month in the year. After the crop is off it has to be cured for about eight months. Mr. Walter S. McLean, manager of the tobacco department of the Hilo Mercantile Co., obtained about three pounds of the cured tobacco grown on the island and forwarded the same to the manufacturers of the famous El Pelancia, Clear Havana and the El Merito cigars. He has received a box of these Hawaiian cigars, which he declares to be excellent in their aroma and the fineness of their smoke. He also received the following letter from the manufacturer, which indicates the quality of tobacco grown in Hawaiian soil:

Philadelphia, July 8, 1905.

Dear Sir: We mail you today under separate cover, a twenty-five box of cigars made of your tobacco. The writer, Mr. B., is smoking one while

dictating this letter, and is surprised to find such a sweet, clean smoke produced from the Connecticut seed. The tobacco itself is what we would consider a very good, sweet, domestic tobacco, having a superior quality of this class, and would compete with tobacco raised in this country sold to the manufacturer at from 10 to 15 cents a pound. It will, of course, depend largely upon what a farmer could raise per acre to ascertain whether it would become a profitable investment to grow a crop.

We should like to have the pleasure of a further experiment if there are any farmers in your locality who have raised any tobacco; we would like to have about 50 or 100 pounds of it, which would enable us to investigate it more thoroughly than we have done with the small sample we have had to experiment with.

As we are aware that your country produces a great deal of sugar, it appears to us that you should be able to grow a finer quality tobacco from Havana seed on your sugar soil, or soil similar to that of the sugar land. Tobacco raised from the Vuelta Abajo Havana seed, of course, will not produce the same number of lbs. per acre as our domestic tobacco, but if successful in the growing of it, and producing at least a part of its character of the Cuban aroma, the farmer in your country should be able to realize considerable more money for his tobacco.

The burning quality of your sample is exceptionally good, and the taste of it we take pleasure in saying would be likely to grow upon a man smoking a nickel cigar, and to be manipulated with a good Hawaiian tobacco, we believe it would bring good results.

To give you an idea how to test the cigar with Havana tobacco, take and light a cigar of your tobacco, and at the same time take a fine Havana cigar—draw the smoke from both the cigars at the same time—this will give you an idea of how fine a smoke your tobacco would produce if it was placed with, say, half Havana tobacco. In our estimation it makes a finer smoke to mix with Havana tobacco than any of our ordinary domestic tobacco today on the market, and by all means the pleasure and taste of it is very

CITIZEN LABOR ACT DECLARED NULL AND VOID

Attorney R. W. Breckons, who is the local United States District Attorney, has furnished a legal opinion on the law which the Territory is enforcing to exclude Japanese laborers from public works. He finds that the law is unconstitutional, for reasons which are very clearly set forth in his opinion, delivered to the editor of the Shippo. The attorney's opinion is given in full below with the exception of some references he made to cases decided in the United States, illustrating the points he makes:

In my opinion, the law in question is invalid and the courts will not enforce the same. My reasons for this opinion are as follows:

The fourteenth amendment to the Constitution of the United States provides among other things as follows:

"No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

This provision is also enforced by legislation enacted by Congress, being Sec. 1977, Revised Statutes of the United States, which is as follows:

"All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other."

The latter part of the amendment above quoted "nor deny to any person within its jurisdiction the equal protection of the laws" has in every instance in which it has been before the courts, been held to cover the case of all persons, whether citizens or aliens, residing within the jurisdiction; hence all aliens, residents within the Territory of Hawaii, are protected by the clause.

The law of the Territory of Hawaii, referred to, certainly discriminates between persons resident within the Territory. By its terms all persons are not equally entitled to acquire and enjoy property. By its terms, impediments are interposed to the pursuits of some which are not applied to the same pursuits by the others.

The constitutional amendment has been applied by the Federal and State courts in a variety of cases, many of them, to my way of thinking, involving the same principle as is involved in this question under consideration. The Territorial Act is as palpably aimed at Japanese and Chinese labor, as though it had said so in as many

words. It is well known that a very large percentage of laborers in the Territory are either Japanese or Chinese. Under the laws of the United States neither Chinese nor Japanese can become naturalized; they are not eligible to American citizenship. The act, therefore, might just as well have said that everybody but Japanese and Chinese might be employed on public works, irrespectively of their citizenship. Should the law be held valid, practically the only persons who could be prohibited by its provisions from being employed on public works would be Chinese and Japanese.

I am not prepared to say what my opinion would be as to the validity of a law preventing all aliens from engaging in public work. The question does not appear to have been flatly decided by any court, although in one very recent case the Supreme Court of the United States, while refusing to pass on the question, intimated that it was a most serious one.

Aside from the constitutional question, there is, in my judgment another reason why the Act should be declared void.

By a treaty between the United States and Japan, ratified in 1895, it was provided as follows:

"The citizens and subjects of each of the high contracting parties shall have full liberty to enter, travel or reside in any part of the territories of the other contracting party, and shall enjoy full and perfect protection for their persons and property."

"In whatever relates to the rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort, and in any manner whatsoever, which they may lawfully acquire, the citizens or subjects of each contracting party shall enjoy in the territories of the other the same privileges, liberties and rights, and shall be subject to no higher imposts, or charges in these respects than native citizens or subjects, or citizens or subjects of the most favored nation."

"They will not be compelled under any pretext whatsoever to pay any charges or taxes other or higher than those that are, or may be paid by native citizens or subjects, or citizens or subjects of the most favored nation."

The provisions quoted, and others in the treaty, are in my judgment opposed to the provisions of the territorial law.

The law of the territory in question, as I have already said, distinguishes clearly between subjects of other countries and those of Japan and China, and for this reason is void as being in conflict with the treaty referred to.

Very respectfully,
R. W. BRECKONS,
—Hawaii Shippo.

much superior to the tobacco grown in Florida, which is now so successfully used by numerous manufacturers in Tampa and Key West posing as clear Havana manufacturers.

Any further information that you desire from us we shall be pleased to give you at any time that you may command us.

We hope that you will enjoy the cigars in question, while we beg to remain,

Yours truly,
(Signed) BOLTZ CLYMER & CO.

A SORDID TRAGEDY.

The coroner's jury in the murder that took place at Papaikou last Tuesday have brought in a verdict, in which they say that by reason of the very conflicting testimony and the apparent perjury that was committed before the inquest board, there is reason to believe that the dead man in the case may have been murdered, and they therefore say that he came to his death by means of some unknown hand. Kiuma was the Japanese man who came to the Honomu camp and after a prolonged conversation with his wife Yoshina set upon her and killed her. He was found dead also with several wounds upon his body, and his throat cut across, and with signs that he had attempted to commit "harkari."

The investigation of the coroner's jury showed that there were a couple of knife cuts on his wrist, also across his stomach and upon his back, which might indicate that some third party may have done the deed. Yoshina, the woman in the case, was living with Oguishi Tarokichi with the consent of her husband. It seems that the husband was in camp on the day in question endeavoring to get from Oguishi \$250, the same being the price of his wife. On the day of the homicide, he had received \$40 from Oguishi, which, according to the receipt, was to cover his expenses in going to Honomu. As a side issue resulting from the investigation, three Japanese, named Shibus Kingoro, Shibus Momokichi and Okubo are now under arrest for conspiracy to extort money from Oguishi Tarokichi.

DROWNED NEAR ONOMEA.

Mr. Robert Ramsay, team luna for the Onomea Sugar Company, was drowned Sunday afternoon while bathing in the outlet of the stream which empties into the sea this side of Papaikou mill. He was in bathing with two others, but got beyond his depth on account of the strong undertow. A Portuguese companion jumped in to save him, and there nearly occurred a double tragedy, for the Portuguese was almost pulled down by the drowning man. After considerable struggling, he was able to free himself, but was unable to lend assistance before Ramsay disappeared for the last time. The body was found yesterday morning near the place where it had gone down, and the funeral of the unfortunate young man occurred from the First Foreign Church yesterday afternoon.

CRATER VERY ACTIVE.

Increased activity is the report received of the condition of Kilauea. It is told by visitors who were up at the crater over Sunday that the floor is rapidly filling. This report is getting threadbare, but when it is considered that there are many thousand cubic feet of space to be filled it is not surprising that it takes months before the flowing lava reaches the surface of the main crater. The crowd that spent Saturday night at the brink was more than satisfied with their experience.

HILO NOTES.

Miss Ruth Rutherford of Oakland, Cal., will arrive on the Roderick Dhu latter part of August to take charge of the Hilo Free Kindergarten. In place of Miss D. E. Sumner, resigned.

Quite a number of local people have already engaged passage on the Enterprise for her next voyage to the coast. Miss Dorothy Sumner, who has had charge of the Free Kindergarten here for several years, returns to the mainland and her place will be taken by a lady from Oakland.

Mrs. S. C. Ridgway will leave for Washington tomorrow to spend the winter with her daughter, Mrs. Rodenberg.

The Breakwater Committee, appointed by the Board of Trade, held a meeting yesterday morning and formulated a report which will be forwarded to Honolulu tomorrow. The committee is composed of J. A. Scott, E. F. Nichols, Adam Lindsay and R. T. Guard. Within the limited time at their disposal the committee learned that approximately \$200,000 per annum is the cost to merchants and shipping by the absence of a breakwater.

Mr. and Mrs. James Sisson and baby leave for the far East tomorrow. A brother of Mrs. Sisson is in Singapore and they will locate for the present with him.

Thomas C. Ridgway leaves for the coast via Honolulu tomorrow.

Mrs. Philip Peck is confined to her room from an attack of illness.

MORTUARY REPORT FOR LAST MONTH

The report of the Board of Health for the month ending July 31 shows that there were sixty-nine deaths in Honolulu during the month, which was a decrease of eleven from the corresponding months of last year. There were fifty-one males died during the month, and eighteen females. The total under one year old was nineteen, and over seventy, nine. By nationality, the figures are: American, five; British, two; Chinese, twelve; German, one; Hawaiian, twenty-nine; part Hawaiian, two; Japanese, seven; Portuguese, two; other nationalities, three. Of those who died, four were non-residents.

The number of births reported during the month was forty-one, and the number of marriages reported fifty-six.

There was one death due to accident and violence, and there were two suicides. There was no homicide reported during the month. Nine deaths occurred in public institutions.

LONG JOB ON DITCH

PUKOO, Molokai, August 4.—C. W. Renear, accompanied by four assistants, left Honolulu for Kohala on the Likelike last Tuesday, to look after the concrete work on the Kohala ditch. In the hold of the steamer was also a large amount of heavy machinery, which is to be used for this work.

Mr. Renear expects to be absent from Honolulu about two and a-half or three years. This length of absence indicates to some extent the magnitude of the Kohala ditch enterprise. The entire length of the ditch, estimated at thirty-three miles, is to be concreted—sides and bottom. This is owing to the porous condition of the lava across and through which the ditch is being constructed. Mr. Renear did a similar work on the eleven-mile Maui ditch.

Another epidemic of fever has broken out at Halawa, mainly among young people. The symptoms appear to be the same as those of the fever prevailing when Acting Governor Atkinson, Dr. Yost and others found three dead at Pelekuu on the famous expedition of several months ago. It would seem a wise thing for the Board of Health to send a supply of medicines to Halawa to be dispensed by the school teacher.

A. P. TAYLOR.

REDUCED SUGAR CARRYING RATES

The keen rivalry of the railroads which run out of New Orleans has caused the Southern Pacific and the Santa Fe roads to make the largest reduction on its rates for sugar from San Francisco to the Missouri river that has yet been put into operation.

It was formally announced yesterday that the railroads from this city will henceforth charge a rate of 28 cents per hundred on refined sugar to all points on the Missouri river as well as in Kansas and Nebraska. The rate has hitherto been 50 cents per hundred pounds. But the competition was so keen, because of the cut made by the roads out of New Orleans, that, in order to offset the lines in the South, the reduction was forced. There is a bitter war being waged now on sugar rates between the Illinois Central, the San Francisco and the Harriman branches of the Southern Pacific road from New Orleans East. While the rates hitherto prevailing for sugar was 32 cents, a cut was made to 19 cents.

By the reduction of the rate here it, to a great degree, offsets the competition in the South and somewhat equalizes things.—San Francisco Examiner.

JUDGE PARKER NEARLY DROWNS

NEW YORK, July 22.—Judge Alton B. Parker and his favorite grandson, Alton Parker Hall, five years old, were in a moment or so of death by drowning in the Hudson river opposite Esopus early this morning. They were rescued at a critical moment by Edouard Fritz, who came running to the shore in response to the hoarse cries of "Help!" that came from the Judge.

As has been his habit for years, a habit that has become noted from one end of the country to the other during the last Presidential campaign, Judge Parker went this morning to the river to take his regular swim. His little grandson accompanied him; in fact, he often plays in the water alone, as Judge Parker has instilled in him his own love for the water.

Placing the boy on his back, he swam around for a while. The little fellow became frightened and tightly clasped the Judge about the neck. Judge Parker called to the boy to let go his hold, but the lad held on with the desperation of death, and every effort of the Judge only plunged them both beneath the choking waves. With his last few remaining breaths Judge Parker gave up the struggle and shouted for assistance.

A few hundred yards down the river Fritz was sitting with his family. He heard the shouts of the sinking man and, throwing off his coat, ran down the bank and plunged in. Before he reached the two, however, the boy had become half drowned by being submerged, in the efforts of the Judge to shake him loose, and had lost his hold and gone down.

"Save the boy," gasped Judge Parker, treading water and trying to catch his breath. "Save the boy."

Although hampered with his clothes, Fritz dived, and on the second plunge succeeded in catching the boy by the hair. When he came to the surface and turned to give assistance to Judge Parker, he found him recovered sufficiently to swim back to the dock alone.

For twenty minutes the two worked over the boy and finally brought him around. He was then carried up to the house, where restoratives were applied.

Judge Parker would not discuss the accident tonight, contenting himself with the statement that he was thankful he was saved. He took Fritz to his own home, provided him with clothing in place of his wet garments, and warmly thanked him for the rescue.

Frank E. Thompson, attorney, cabled the news of Isaac Noar's death to his relatives.

BURIAL OF THE SAILORS

SAN DIEGO, July 23.—They buried the Bennington's dead today—forty-seven of them—in a common grave. On the crest of the promontory of Loma, high above the shimmering waters of San Diego bay on the one side, and within sound of the booming surf of the Pacific on the other, they were laid to rest in the peaceful little military burying ground. Without the crash of drum or the sound of brass, without pomp or parade, yet with simple impressiveness, all honor was paid the Nation's dead.

They have honored dead to keep them company, these brave boys of the Bennington. All about them lie those who died in their Nation's service in more trying times. Gravestones, yellow with age, bear the names of men who died at Monterey, in the Mexican War; others who gave up their life in the conquest of California and who followed Commodore Stockton at old San Pasquale. These are their neighbors in death. Surely they should rest well.

SURVIVORS AMONG MOURNERS.

Army and Navy paid their last tributes no less sincere than the simple brief of the representatives of peace, who made the long journey around or across the great bay. From Fort Rosecrans came the One Hundred and Fiftieth Company of Coast Heavy Artillery; from the city of San Diego the Naval Reserves; from the Universal Brotherhood's Home on Point Loma a company of khaki-clad representatives, and from the Government ship Fortune a dozen of her sailors. But the most impressive body of mourners were fifty-two men from the battered Bennington. Besides these there were hundreds of civilians who, unthoughtful of the fatiguing journey from the city, brought their offerings of flowers to lay upon the graves.

San Diego was a city of mourning today. Although the people of this city have taken in the Bennington catastrophe an interest that was personal to all from the moment it happened, they set apart this beautiful Sabbath day to pay last and loving tribute to the dead. Thousands filed through the morgues this morning with arms filled with flowers, dropping thiblossoms here and there upon some unfortunate's flag-draped coffin. Other thousands gathered in the plaza whence the procession of coffin-laden wagons was to start.

FLAGS AND FLOWERS DRAPE COFFINS.

Promptly at noon the long line of vehicles began the journey around the bay to the burial place. Owing to the steep hills and the rough roads it was found impracticable to use hearses or even dead wagons, and the bodies were carried in heavy express wagons and other vehicles of everyday commerce. There were no bands of music to stir the people with doleful melody—everything was quiet and businesslike. The task was too big to be hampered by any of the usages of ordinary funerals. Forty-seven men were to be buried, and to bury them it was necessary to carry them ten miles up steep hills and along dusty roads, and so there were only flowers and flags, and so there was a striking display of these. Every casket bore a beautifully executed wreath of asparagus ferns, white carnations and immortelles, thoughtfully sent by the San Diego commercial bodies. The flags came from the Nation in whose service the dead had died. Every one of the plain black stained caskets was draped with the national emblem, and the plain commercial utility of the dead wagons was disguised under the folds of the national colors.

TOIL MILES OVER DUSTY ROADS.

From noon until 3 o'clock the dead-burdened wagons tolled toward the burial ground, and not until almost 4:30 o'clock was the last casket placed in the rock-ribbed trench. Hundreds of other vehicles stirred the choking dust of the ten-mile road throughout the forenoon, all making for the same point, while every craft that could be had brought hundreds across the five-mile stretch of bay who, unmindful of the precipitous heights to be scaled, climbed 500 feet to the crest of the ridge. In this way the soldiers from Fort Rosecrans came, toiling up the steep footpath, their striking full-dress uniforms giving color to the dull gray hills. After them came the naval reserves, and still later the survivors of the Bennington. Captain F. J. Drake, Commander Lucien Young of the Bennington and the members of his staff, Captain E. D. Scott, commanding Fort Rosecrans; Captain Rolfe of the same post, Mayor Sehon of San Diego and members of the executive and legislative branches of the city were hauled around the steep hills in ambulance wagons from Fort Rosecrans.

The deep trench in which the bodies were placed in two rows, feet to feet, is sixty feet long and fourteen feet wide. It was finished but a few minutes before the arrival of the first load of bodies. Around it were drawn up in long lines the artillery company from the fort—seventy-five men strong—on the west; the naval reserves, bearing armfuls of flowers, on the north; the Bennington's survivors on the east, and the Universal Brotherhood on the west. Just outside the simple picket fence inclosing the burying grounds gathered the public in solid masses on

all sides. This was the setting for a most impressive spectacle—the culminating scene of San Diego's week of sorrow.

COFFINS LIFTED BY SHIPMATES.

Without a moment's delay the work of lifting the coffins from the wagons and ranging them in the trench was carried on. Shipmates from the Bennington performed this sad duty. Squads of six came forward from their ranks in rapid succession, lifting the caskets gently, entered the trench at the head and deposited the bodies as directed by Lieutenant Tobin, who checked them and saw that the board placed at the head of each was properly marked and numbered. In just one hour and fifteen minutes the last body had been deposited in the trench. The work of caring for the unfortunate men, which began last Thursday morning, was completed.

It only remained for the representatives of the church to pronounce final blessings of the dead. Rev. J. A. M. Richey, rector of St. Paul's, read the Episcopal burial service, the twenty-first Psalm, and repeated the Lord's Prayer. He closed his impressive duty by casting a handful of earth upon the coffins. The venerable Father A. D. Ubach of the Catholic church, attended by two censor boys, then stepped forward. In a resonant voice he read the service to the dead, blessing them with water and incense.

YOUNG'S TOUCHING FAREWELL.

Believing all was over, many turned to go. There was yet to come, however, the most impressive incident of the scene. Commander Young of the Bennington stepped out from the group of officers at the head of the trench, and, raising his hand, commanded instant attention. In a deep, gruff voice—the voice of a typical sailor—he said:

"Captain Scott, commander of Fort Rosecrans, and his successors: I commit to your tender care the bodies of our unfortunate shipmates and patriot dead. May their graves never be forgotten by the hand of affection. May there rise above this, their last resting place, marble slabs to mark the place as sacred to the Nation's care, and may the morning sun ever kiss the green sod above their dust, emblematic of our love and affection."

"I accept the sacred trust of the honored dead," replied Captain Scott.

There was many a furtive tear brushed from moistened eye by this simple but impressive scene. "Attention!" came the command in sharp tones from the big sergeant in command of the artillery company. There was a rapid, concerted movement along the double file of soldiers at the head of the grave. Another command and every gun was pointed over the long rows of caskets. In quick succession three sharp volleys crashed noisily.

Out of the ranks stepped a bugler, and with impressive deliberation the solemn, quivering notes of the last bugle call over the dead sounded far out over the bay, waking the echoes far down among the rugged rocks below. The crowd turned and walked away. The Naval reserve boys cast their flowers upon the coffins.

Thus they buried the Bennington's dead.

NOTHING THAT WILL TAKE ITS PLACE.

We have used Chamberlain's Colic, Cholera and Diarrhoea Remedy in our family for years for all bowel troubles, and it always gives the best of satisfaction. We never could find anything to take its place.—D. S. Booth, editor and proprietor of the Echo, Alice, Texas, U. S. A. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Col. W. C. Church, proprietor of the Army and Navy Journal, has headed a subscription list here for the wives and families of the Bennington disaster victims with \$25. Captain Niblack of the naval station has charge of the list.

Prof. W. H. Pickering of Harvard will deliver an address to the Research Club the latter part of August on "The Astronomy of the Moon." Date of meeting will be given later.

CAMPBELL MILLIONS

A bill in equity for the construction of will has been filed by Abigail K. Campbell-Parker, Joseph O. Carter and Cecil Brown, trustees under the will and of the estate of James Campbell, deceased, vs. Abigail K. Campbell-Parker, Abigail W. Kawanakoa, Alice K. Macfarlane, Muriel K. Campbell, a minor, Beatrice U. (Mary) Campbell, a minor, Abigail Helen Kaplioni Kawanakoa, a minor, David Kalakau Kawanakoa, a minor, and Kawanakoa, a minor.

Judge Lindsay's order discharging the complainants as executrix and executors of the estate, and directing them to distribute the property, real and personal, is mentioned.

It is stated that the real property is of the value of \$900,000 or thereabouts, and the annual rentals therefrom about \$80,000, while the personal property in the hands of the trustees is of the value of \$700,000 or thereabouts, invested so as to yield an annual income of about \$40,000.

It was provided in the will that the trustees keep separate the accounts pertaining to the realty from those pertaining to all other property of the estate. The trustees go on to state certain doubts in their minds as to the true construction of the will.

By the third clause of the will the testator bequeathed to his wife, now Abigail K. Campbell-Parker, a sum of money equal to one-third of what the court should finally decree to be the value of the personal property at the date of decree, after the payment of all debts and obligations as directed by the second clause. It was provided that the amount should be paid in cash and, if the condition and interests of the estate should not warrant the payment of the entire sum at one time, the executrix and executors should pay the same as rapidly as the income and interests of the estate would permit, without the sale of real or the sacrifice of personal property.

By a decree of August 31, 1900, the value of the personal property was found to be \$1,073,225.74 and it was ordered that \$357,741.91, being a third thereof, should be paid in the manner provided by the third clause of the will to Abigail K. Campbell-Parker.

The complainants are uncertain as to the sources from which payment should be made, whether they should draw from the net income of the realty and personalty as well as from the cash on hand at the date of the testator's death and proceeds of personalty subsequently converted.

By the fourth clause it was provided that the wife and unmarried children should have the free use and occupation of the Emma street and Diamond Head (Leahi) residences, to be maintained for them under the trust during the wife's life and thereafter while all of the testator's children then living should be entitled to reside therein. The cost of maintaining and repairing the residences since the death of the testator has amounted to \$46,000 or thereabouts, which has been paid by the complainants. They are uncertain as to whether this sum should be charged against the principal of the personalty or the income thereof.

By the fifth clause, as carried out thus far under decree of the court, the complainants have paid Mrs. Campbell-Parker \$1500 a month as a "family allowance" for herself and children, to the amount of \$93,000 up to the date of their discharge. They are in doubt as to whether this sum should be charged against the principal or the income of personalty, or against the realty, or against all of those three funds or any two of them. Also, as to whether Mrs. Campbell-Parker, after their discharge as executrix and executors, is entitled to any "family allowance."

At various times, in managing the estate, the complainants have paid an aggregate of \$85,000 as expenses in

connection with the realty, and they are in doubt as to what fund or funds this expenditure should be charged.

It was provided in the ninth clause of the will that one-third of the net revenue of the realty should be paid to Abigail K. Campbell-Parker during the term of her natural life, and in the tenth clause that the remaining two-thirds of such income during the widow's life, and the entire amount afterward, should be included in one fund with the revenue from the personalty and, at intervals of six months, be equally divided into as many parts as there should be then children living and paid to them from and after their respective majority or marriage, with the proviso that, during the minority or unmarried state of the children respectively, the complainants should provide them with suitable maintenance and education and funds for foreign travel. Under this provision Mrs. Campbell-Parker has expended, over and above the monthly \$1500 family allowance, \$3745.95 for the purposes in this clause mentioned, and claims that this sum constitutes a proper charge against the estate and should be paid to her by the trustees. Besides being in doubt over this claim, the complainants are "uncertain whether, under the provisions of the tenth clause of the said will, the children of the testator are entitled to any share of the income of the estate pending the closing of the administration of the estate by the executrix and executors; and whether or not a share of the income of the estate vests in any of them, during minority or being minors before marriage; and whether, if it so vest, such share vests absolutely (the payment thereof only being deferred until they reach majority or marry) or contingently upon their reaching majority or marrying."

In conclusion the complainants, Holmes & Stanley being their attorneys, state that they, "having taken upon themselves the execution of the said will, are desirous faithfully to perform their duties in relation thereto, but are advised by counsel that they cannot with safety to themselves and the rights and interests of the respondents proceed in the execution of the said will and of the trust thereby created without the advice and protection of this court in giving a construction to the several clauses and provisions of said will set forth in paragraph 9 of this their petition, and in respect of which have arisen such doubts and uncertainties."

Searching for It

SOME HONOLULU CITIZENS CAN TELL YOU WHERE IT'S FOUND

If you have any itching of the skin Irritating Eczema, Itching Piles; You're looking for relief, Searching for a cure. Honolulu people have found a cure for itching skin diseases. They tell about it. Read what this citizen says:

Mr. H. Ryall, of No. 11, Grosvenor St., South Yarra, a very old resident of Melbourne, Australia, states: "For some considerable time I have been a sufferer from that annoying complaint known as irritating piles. At times the irritation was very annoying, especially at night, and in the warm weather. I applied some of Doan's Ointment, which I had obtained and I am pleased to say that it gave me the desired relief from this annoying disease."

Doan's Ointment is splendid in all diseases of the skin: Eczema, piles, hives, insect bites, sores, carbuncles, etc. It is perfectly safe and very effective. Very frequently two or three boxes have made a complete cure of chronic cases that have not yielded to other remedies for years.

Doan's Ointment is sold by all chemists and storekeepers at 50 cents per box, or will be mailed on receipt of price by the Hollister Drug Co., Ltd., agents for the Hawaiian Islands.

Rudolph Spreckels is reported to have been much pleased with conditions he observed on Oloa plantation.

BOARD OF EDUCATION

(From Saturday's Advertiser.)

The Board of Education met yesterday afternoon at 3:30 p. m.

The report of the Committee on Teachers was first read and approved as read. The report was as follows:

The resignations of Miss Mary Vincente, assistant at Kealahou, Miss Teura Henry, assistant at Kaahumanu and Miss Abbie K. Kekaula, assistant at Hilea, were accepted.

Complaints regarding the ability of Mrs. Mary Ann Pa, at Peahi, Maui, to teach English, were considered. Voted to recommend reconsideration of the appointment of the teacher at Peahi school.

Application of Mrs. Rachael Kaiwiese for position of assistant at Haou School was deferred.

List of appointments and transfers recommended by the committee:

Oahu— \$44—Miss M. M. Douglass (N. M. State Normal) Royal vice Miss Sadie McLain, leave of absence of four months.

\$44—Miss Lizzie Ayau (Nor. Cert.) Kalulani vice Mrs. E. P. Freitas, resigned.

\$44—Miss A. J. Gault (Chicago Uni.) Kalulani vice Miss Mae Giles, leave of absence of three months.

Hawaii— \$30—Miss Elvira Osorio (Nor. Student) Papaikou (additional).

\$42.50—Miss Kalei Ewaliko (Nor. Cert.) Papaikou, desires to remain. Granted.

\$25—Mrs. H. N. Wilson, Hilea vice Miss A. K. Kekaula, resigned.

Maui— \$30—Miss Hattie Kalino (Nor. Student) Kealahou vice Miss Mary Vincente, resigned.

\$40—Mr. Sam Kahale, (Nor. Student) Makena vice Miss Hannah Kunukau.

A letter was read from L. Severance of the Hilo school asking for two rooms in the Spreckels Block, Hilo, that the High school pupils might be separated from the grammar grades. It was decided to wait before taking any action, inasmuch as a new school was likely to be built in the near future which would hold all the classes. Mr. Holloway notified the board that he would look up suitable sites for the proposed school on his visit to Hilo.

The following letter of importance from quartermaster in charge of the transport service was read.

Honolulu, H. T., August 2, 1905. To the Superintendent of Public Instruction, Honolulu, H. T.

Sir: I would respectfully inform you that the Quartermaster General of the Army has advised me by cable, this day, that authority for transportation on U. S. A. transports for territorial officers and employes has been withdrawn, in effect from date.

I am therefore compelled to cancel all applications for transportation now on file in this office from teachers and other employes in your department. Please advise all concerned.

Very respectfully, G. F. G. HUMPHREY, JR., Captain and Quartermaster U. S. A. in charge of Transport Service.

Mr. Davison informed the Board that all the schoolhouses were being put in repair during the summer. The schools on the other side of the island were being put in good shape and the teacher's cottage at Waianae was being made over so that it would be more comfortable.

Mrs. S. B. Harry of the Wailuku school was allowed to appear before the Board to file a written answer to charges preferred against her by Principal C. E. Copeland of the Wailuku school. Copeland charged Mrs. Harry with insubordination and incompetence. Mrs. Harry denied many of the allegations made by the Principal. The matter will come up for settlement at a meeting of the Teacher's Committee. No further business coming up the Board adjourned until next Friday at 3:30 p. m.

Hamburg-Bremen Fire Insurance Co

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

North German Marine Insurance Co. OF BERLIN.

Fortuna General Insurance Co. OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

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

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

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

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HAWAII SUPERVISORS

AFTER THE SHERIFF

The Board of Supervisors of the County of Hawaii have passed but five ordinances since they have been in office. Three of these are directed against the Sheriff, and relate to the appointment of policemen and their manner of drawing their pay. One provides that no policeman shall be paid who is not appointed by the Supervisors themselves.

"The matter must go into the courts," said Auditor Maguire of Hawaii county to a Honolulu visitor. "There is no other way to settle it. I do not know how it will be taken up. Presumably, the payroll will come to me, and I will either sign or refuse to sign it. Then mandamus proceedings will follow to make me sign, if I do not, or to keep from signing if I show a disposition to do that."

FEARS FOR THE HAWAIIANS.

Editor Advertiser: In your paper of August 3 I notice an article titled "A Neglected Opportunity."

Urging the proposition of an Acclimation Camp in Hawaii nei, for 5000 men for the U. S. Army, as a good thing for our business men, which would probably be worth a \$100,000 per month to them.

This project is without a doubt a happy event to our wealth citizens. But has anyone taken the trouble, or thought it of any consequence, to look forward to the moral effect and danger of inviting such a horde of men amongst us, while the necessary remedy for evils as adopted by other civilized communities is lacking in ours? (As a Hawaiian-American citizen, I feel that the outcome of this proposition will be felt by us more than any other). It becomes therefore the duty of all God-fearing men and women to protect the homes, before entering on the common field of speculation. Let our future legislature give us protective and necessary laws in advance first, before we attempt on our own account to invite a course that will bring about such destructive results. In considering my reasons on this subject, I hope most sincerely you would take some consideration of the weaknesses and other peculiarities of the Hawaiian character.

Your humble servant, R. N. BOYD.

HAWAII'S RIFLE TEAM FOR THE SEAGIRT COMPETITION.



Back row, standing: Capt. J. A. Thompson, Lieut. T. P. Cummins, Maj. W. E. Riley, Lieut. Chas. Coster, Lieut. O. T. Whitehead, Capt. A. Coyne, Capt. G. Rose, Maj. J. W. Pratt, Capt. A. D. Wise, Capt. Sam Johnson.

Second row: Sergt. Duvachello, Col. J. W. Jones, Col. J. H. Soper, Sergt. Wm. Ellis.

Lower row: Private Jos. Gouveia, Private Wm. Todd, Private J. Ferreira.

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CHAS. BREWER & CO'S NEW YORK LINE Bark Nuuanu sailing from New York to Honolulu on or about March 1st. FREIGHT TAKEN AT LOWEST RATES. For freight rates apply to CHAS. BREWER & CO., 27 Kilby St., Boston, or C. BREWER & CO., LTD., Honolulu.

REAL ESTATE TRANSACTIONS.

Entered for Record August 2, 1905. Mark P Robinson to Jno E Bush... Fred A Luning to William R Castle... Fred A Luning to William R Castle... Mrs Koolau Malle to Loo Chong... Est of B P Bishop by Trs to Edw... D R-edia Baretto to Agnes Soares... A Fuller to Mary Stillman and hsb... Mary Stillman and hsb to J K Sumner et al... Entered for Record August 3, 1905. Alice M Hastings to Western & Hawn Invt Co Ltd... Mary M Bullelyne and hsb to Western & Hawn Invt Co Ltd... Kahl and hsb to L L McCandless... D Hawn Trust Co Ltd to Notice... N G W C Jones to K L Kahaule et al R

William R Castle and wf to Board of Hawn Evangl Assn... William R Castle and wf to Board of Hawn Evangl Assn... William R Castle Tr to Board of Hawn Evangl Assn... Entered for Record August 4, 1905. Jas Manoaona to In-Lowian... H Kamaooha gdn to Ah Kun... Mrs K Kahaulekupu to Leong Man Gear, Lansing & Co by Trs to Amy E Day... May L Walter to Eugene A Clark... Wm S Ellis to E G Ferrelra... Honer Bldg & Loan Assn of Haw to Agnes Cameron... Agnes Cameron to William O Smith Tr... James E Keama and wf to Allen & Robinson Ltd... First Am Savs & Tr Co of Haw Ltd to Mrs Melie E Hustace... Melie E Hustace and hsb to Bathsheba M Allen (widow)... Est of Chas Notley Sr by Exors to Union Express Co Ltd... Western & Hawn Invt Co Ltd to H W Schmidt... Western & Hawn Invt Co Ltd to H W Schmidt... William R Castle Tr to G K Kapahala... Ernstberger... Jas F Morgan et al to Woodlawn Dairy & Stock Co... Woodlawn Dairy & Stock Co to Benj F Dillingham... B F Dillingham to S N Castle Estate Ltd... Apu and wf to Chang Kim... David Kim and wf to En Koh... D Ching L Peterson and wf Edith W Blackman... Harmony Lodge No 3, I O O F, by Trs to Edith W Blackman... Recorded July 25, 1905. K N Kekai by sheriff to John F Baker, Sher D; R P 4899 kul 8484, Waipio valley, Hamakua, Hawaii. \$700. B 269, p 253. Dated July 17, 1905. Est of Thomas H Hobron by Tr to Mrs Nancy L McStocker, D; Int in 2190 sq ft land, Ernest St, Honolulu, Oahu. \$j. B 269, p 255. Dated July 15, 1905. W F Allen Tr and wf to Alice Tullett, D; 5599 sq ft land, bldgs, etc, Waikiki Rd, Honolulu, Oahu. \$2500. B 269, p 257. Dated July 25, 1905. Alice Tullett and hsb (A) to Mutual Bldg & Loan Socy of Hawaii Ltd, M; 5599 sq ft land, Waikiki Rd, Honolulu, Oahu. \$2900. B 275, p 87. Dated July 10, 1905. Recorded July 26, 1905. William P Thomas to William B Thomas, D; lot 5B and por lot 5A, Waihiwa tract, Waiulua, Oahu. \$280. B 269, p 258. Dated May 23, 1904. Lee Yun Kwai to Lee Toma, C M; Int in leasehold bldgs, etc, Kaulaupa, Honolulu, Oahu; 1 share in Wah Yuen Co, Maunakea St, Honolulu, Oahu; 22 shares in Lee Toma & Co Ltd, Honolulu, Oahu; mdse, furniture, fixtures, etc, Fort St, Honolulu, Oahu. \$2000. B 275, p 89. Dated July 25, 1905. San Ant Port Ben Socy of Hawaii to Bernardo da Camara Sr and wf, Rel; 1-4 acr land (Kukuau 2, Hilo, Hawaii). \$500. B 244, p 439. Dated July 25, 1905. T R Keyworth by gdn to Annie P Mott-Smith et al, Rel; por R P 4475 kul 7713, Waiulua Beach Rd, Honolulu, Oahu. \$4000. B 275, p 91. Dated July 24, 1905. Annie P Mott-Smith and hsb to Bank of Hawaii Ltd, M; por R P 4475 kul 7713, Waiulua Beach Rd, Honolulu, Oahu. \$4000. B 275, p 91. Dated July 24, 1905. Recorded July 27, 1905. Bank of Hawaii Ltd to John L Kaula, Par Rel; por kul 137, Kikihale, Honolulu, Oahu. \$700. B 275, p 94. Dated July 19, 1905. Manoel P Rapozo and wf to Manoel Jose, D; lot A blk C, Puuomalei, Makawao, Maui. \$400. B 269, p 260. Dated July 22, 1905. John Ferreira to Ellen K Robinson, D; Int in 35-109 acr land, Waikapu Rd, Waikuku, Maui; Int in pes land, Market St, Waikuku, Maui; Int in pes land, Main St, Waikuku, Maui; Int in pes land, Ahuakokoie, etc, Waikuku, Maui. \$2500. B 269, p 262. Dated July 22, 1905. John Ferreira to Ellen K Robinson, D; por R P 2629 kul 398, Kalaupa, Waikuku, Maui. \$1099 and mtg 883. B 269, p 264. Dated July 25, 1905. J J Newcomb and wf to W L DeGoto M; por R P 1943 and 1881 bldgs, etc, Main St, Lahaina, Maui. \$3099. B 275, p 95. Dated July 22, 1905. Wm L Peterson to Est of W C Lunalilo Trs of, Add Secy; rents on lot 4 R P 157, Palama, Honolulu, Oahu; rents on lot 7 Kalia tract, Honolulu, Oahu; lots 15, 16, 27, 28 and 36 blk 7, lots 29 and 21 blk 8, and lot 29 blk 3, Kewalo tract, Honolulu, Oahu. \$1. B 275, p 97. Dated Jan 11, 1905. Est of S C Allen Trs by Regr, Notice; of decree of title in Land Regr Court case No 34. B 274, p 295. Dated July 14, 1905. Est of S C Allen Trs by Regr, Notice; of decree of title in Land Regr Court case No 34. B 274, p 298. Dated July 14, 1905. W G Irwin to Anna M Paris, Rel; lots 29, 30 and 31 blk 25, Pearl City, Ewa, Oahu. \$1860. B 189, p 151. Dated July 27, 1905. Bank of Hawaii Ltd to Nora E Holdings, Rel; lot 20 blk B of gr 3406, Kinau St, Honolulu, Oahu. \$3900. B 213, p 361. Dated Dec 6, 1904.

Recorded July 25, 1905.

Recorded July 25, 1905.

Recorded July 25, 1905.

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COMMERCIAL BY DANIEL LOGAN.

A handsome dividend list between months and a considerable revival of business on the stock exchange have made the week an improvement over several weeks preceding. Withal the raw sugar market is holding its own and a little better. While there is no change in centrifugal 96 degrees test at New York from 4.06250, pound, \$81.25 ton, yesterday's cable shows European beets to have advanced from 10s 3/4d to 10s 5/4d, or in parity with centrifugals from \$84.40 to \$85 ton. Whether, and to what extent, the week's failures of sugar speculating firms in France, which have been reported by cable, will affect prices remains to be seen. It may happily mean the elimination of a disturbing factor. The Federal weather bureau reports favorable sugar cane growing weather in these Islands, excepting for high winds in places which have dried the growth and done slight damage to tender stalks.

RESULTS ARE DISAPPOINTING. Remark continues to be common regarding the slight benefit to business in general, and to real estate and other large interests than sugar, that has thus far resulted from the greatly improved prices of sugar, comparing this year's marketings with those of several years previous. One intelligent observer has been heard to put the situation as strongly as this: "There never has been so much money in the country, and never so much poverty before. The increased wealth is really going into the hands of six or seven men." This is really the judgment of many. Occasional periods of fitful activity in stocks do not appear to have any better effect on times than the proverbial swapping of jackknives. It would seem that occasion has arrived for the masters of industry and the manipulators of commerce in this Territory to put their heads together for a thorough study of conditions and a search for a remedy of the situation.

THE WEEK'S TRANSACTIONS. Following are the dealings in Hawaiian securities listed on the local exchange for the past week, also the July sales and the dividends announced: Ookala (\$20), 5, 70, 100 at \$7.50; Hawaiian Agricultural Co. (\$100), 28 at \$10; Kihel (\$50), 80 at \$7.75, 80 at \$7.50; Ewa (\$20), 20 at \$26.75, 50, 65, 10, 45 at \$26.50; Pioneer (\$100), 5 at \$151, 5 at \$150, 15, 5 at \$151, 24, 25 at \$150, 5, 15 at \$151; Waiulua (\$100), 10, 30 at \$66; McBryde (\$20), 5 at \$7.25; Oahu (\$100), 25, 19 at \$105; Kahuku (\$20), 200 at \$30; Hawaiian Sugar (\$20), 125 at \$32.50; O. R. & L. Co. (\$100), 10, 50 at \$80; Honokaa (\$20), 80 at \$16.50; Oiaa (\$20), 10 at \$5; Oiaa 6 per cent bonds, \$5000, \$6000 at 100; Hawaiian Government 5 per cent bonds, \$15,000 at \$100; Waiulua 6 per cent bonds, \$1000 at 101.75.

JULY SALES. 40 Ewa, 27.50 to 27.75; 51 Haw. Agr., 97.50 to 100; 10 Haw. Com., 82; 10 Haw. Sugar, 34.50; 9 Honomu Sugar, 150; 55 Honokaa Sugar, 17.50; 183 Kihel, 7.75 to 9.57; 1896 McBryde, 7.50 to 9; 80 Oahu Sugar, 105 to 116; 340 Onomea, 36.50 to 38; 240 Ookala, 7.50; 25 Oiaa, 5; 5 Pioneer, 150; 20 Waiulua Agr., 70; 546 Waimea, 55 to 60; 5 Hon. R. T. & L. Co., Pfd., 103; 10 Mutual Tel., 9; 10 Oahu Railway, 77.50; 500 Hon. Brew. & Malting Co., 29; \$56,000 Cal. & Haw. Sug. Ref. Co., 100 to 100.25; \$5000 Oiaa Sugar Co. 6s, 100; 2000 Pioneer 6s, 104.50; \$18,000 Waiulua Agr. 6s, 101.75.

DIVIDENDS. July 31—C. Brewer & Co., 3 per cent; Ewa, 1 per cent; Honomu, 2 per cent; Kahuku, 1 per cent; Waiulua, 2 per cent; Waikuku, 4 per cent; Haw. Electric, 1 per cent; Olowalu, 1 per cent; Hon. B. & M. Co., 1 per cent. August 1—Haiku, 1 1/2 per cent; Paia, 1 1/2 per cent; Pioneer, 2 per cent; Honokaa, 3/4 per cent. August 5—Haw. Com. & Sugar Co., 65c share; Onomea (S. F.), 2 per cent.

GOVERNMENT FINANCES. The Territorial Auditor has published his report of the state of the treasury for the year ending July 30, 1905. The receipts of current revenue were \$2,354,813.03, against \$2,560,356.33 for the previous year, a decrease of \$205,543.30. The expenditures out of current revenue were \$2,246,430.40, against \$3,045,225.56 for 1903-04, a decrease of \$798,795.16. These figures show a net saving of \$593,251.86 over the previous year. Loan fund expenditures amounted to \$582,059.50 as compared with \$505,036.78 for 1903-04, or \$357,022.72 more. Putting both current and loan figures together, it will be seen that the Territory has expended \$441,772.44 less in 1904-05 than in 1903-04. This amount is \$236,229.14 more than the deficiency in current revenue receipts from the previous year. It indeed exhibits a shrinkage in Territorial expenditures great enough to account for much of the dullness of general trade during the year. The current cash balance on June 30 last was \$59,408.49 as compared with \$56,613.29 on June 30, 1904, or \$2795.20 excess. This cash exhibit is, however, further improved by the fact that there was \$105,587.42 less of unpaid warrants, those on this June 30 being \$603,426.89 against \$709,014.31 on the corresponding date of 1904. Legislative expenses were \$28,339 more in 1905 than in 1904, and the interest bill paid was \$42,163.23 in excess, these two items making \$70,503.23, against which may be placed \$145,000 to the credit of 1904 for treasury notes retired. The bonded indebtedness of the Territory on June 30, 1905, was \$3,137,000 as compared with \$2,155,000 a year previous, an increase of \$982,000.

GENERAL ITEMS. William G. Irwin has bought the entire issue of the refunding loan bonds at 101 1/2, the amount being \$900,000 at four per cent, to replace the same amount of bonds at five per cent. The Government will probably allot to the Kau Settlement Association 800 acres of which the lease to Hutchinson plantation will shortly expire, and an arrangement is being negotiated whereby the settlers will raise cane for the plantation's mill as its present Japanese employes are now doing on the same land by contract. Acting Governor Atkinson has suggested the placing of a clause in suburban homestead grants requiring the purchasers to erect buildings of a certain value thereon with citizen labor. The Rapid Transit Company's extension of its King street line to the U. S. Army reservation at Kahaui is nearly completed. Judge De Bolt has under advisement the question of whether estates in probate but not closed prior to the passage of the inheritance tax law are liable to the tax. The Hawaiian tobacco and vanilla industries are attracting much attention on the mainland. A Philadelphia cigar manufacturer has sent to a Hilo merchant a box of cigars made from Hawaiian tobacco, accompanied with high praise of the quality. The Von Hamm-Young Co. is applying for a reduction of capital stock from \$100,000 to \$50,000. Jas. F. Morgan yesterday sold under foreclosure a house lot in Manoa valley, near the church, for \$250 to H. E. Cooper. Many auction sales of real estate are advertised. Ocean steam arrivals for the week have been the transports Solace and Lawton from Manila, and Alameda from San Francisco. The departures have been the freight steamer Kirklee for Newcastle, N. S. W., and the transport Solace for San Francisco.

NEW ORLEANS, August 6.—Archbishop Chapelle of the Roman Catholic archdiocese of New Orleans has been stricken by the yellow fever. Twenty-nine other new cases were reported to the health authorities yesterday.

The Most Reverend Placide Louis Chapelle, Roman Catholic Archbishop of New Orleans, who is reported ill with yellow fever, is one of the best known American prelates. He was born in France, August 28, 1842, and came to the United States in 1859. He was educated here and ordained a priest in 1865. He rose rapidly, becoming Coadjutor Bishop of Santa Fe in 1891 and later Archbishop of that archdiocese. In 1897 Archbishop Chapelle became Archbishop of New Orleans, one of the most important of the American sees. The Archbishop is especially well known for his services as Apostolic Delegate to Cuba and Porto Rico in 1898 and to the Philippines in 1899. He had the oversight of the interests of the Catholic church in the islands just after the Spanish war, when they were turned over to the United States. In the Philippines he did much toward settling the friar title question. There has been much talk of his elevation to the rank of Cardinal.

FEDERAL AUTHORITIES IN CHARGE.

NEW ORLEANS, August 5.—The United States Public Health and Marine Hospital Service has taken charge of the fever situation here and is dealing with the yellow fever epidemic. Revenue cutters are maintaining a quarantine of this port.

CUTICURA REMEDIES THE SET

Consisting of CUTICURA SOAP, to cleanse the skin, CUTICURA Ointment, to heal the skin, and CUTICURA RESOLVENT, to cool the blood, is often sufficient to cure the most torturing, disfiguring skin, scalp, and blood humours, rashes, itchings, and irritations, with loss of hair, when the best physicians, and all other remedies fail.

Millions of Women Use Cuticura Soap. Exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of dandruff, scales, and itching, and the stopping of falling hair, for softening, whitening, and cooling red, rough, and sore hands, in the form of baths for soothing irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes for excessive weaknesses, and for many sensitive antiseptic purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the power of cleansing ingredients and the most refreshing of flower essences. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath and nursery. This it combines in ONE SOAP at ONE PRICE, the best skin and complexion soap, the BEST TOILET and BEST HAIR SOAP in the world. Sold throughout the world. "All about the Skin," post free of Aust. Depot: R. Towns & Co., Sydney, N. S. W. So. African Depot: LEBSON LTD., Cape Town. POTTER DRUG AND CHEM. CO., Sole Props., Boston, U. S. A.

R. J. COLLIS BROWNE'S CHLORODYNE. ORIGINAL AND ONLY GENUINE. Each Bottle of this well-known Remedy for Coughs, Colds, Asthma, Bronchitis, Neuralgia, Toothache, Diarrhoea, Spasms, etc., bears on the Government Stamp the name of the Inventor DR. J. COLLIS BROWNE. Numerous Testimonials from Eminent Physicians accompany each bottle. Sold in Bottles, 1/1 1/2, 2/9, 4/6, by all Chemists. Sole Manufacturers, J. T. Davenport, Limited, London.

SUGAR AND COTTON RAISING IN BRAZIL

Writing from Bahia, Brazil, Mr. Lincoln Hutchinson, one of the Commerce and Labor Department's special agents, furnishes information regarding native industries of the Northern States of Brazil. Mr. Hutchinson says: "The two most important native industries are the raising of sugar and cotton, both of which grow in profusion. I visited the principal centers of both these industries and noted carefully the methods of cultivation, etc., employed. This was in the State of Pernambuco. There are similar centers in the States of Parahyba and Rio Grande do Norte, which time did not permit me to inspect personally, but through inquiries from those familiar with the industries I learn that processes there were identical with those which I saw. In general, it may be said that nature has been too indulgent to the inhabitants, for the soil and climate produce the commodities in question in such profusion with so little assistance from man that there is no incentive to especial effort or the introduction of improved methods. "Sugar cane and cotton grow wild over a large part of the region, and the native does but little except to see that his little patch is occasionally weeded, that the stalks of the cane are occasionally cleared, and that the crops are gathered when ripe. In neither sugar nor cotton is there anything which corresponds to the 'plantation' system of Cuba or Hawaii or of the Southern States of America. Some of the sugar mills do, it is true, hold and cultivate sugar lands, but the relative area of such holdings is small, and the mills in general are content to let the native cultivate the cane on his small 'farm' and to purchase the product from him when it is gathered. In regard to cotton this statement is of even more universal application. I have heard of no instance in which the cultivation has been undertaken on a large scale; the natives raise it on their small holdings, harvest the crop, and sell it to the factory or to the exporter. "The native methods are crude in the extreme. When it becomes necessary to set out new sugar plants it is done in the usual fashion by cuttings from the old, but with little of the systematic regularity which is seen on an up-to-date Cuban or Hawaiian plantation. Then the field may be neglected for months. When the time for ripening approaches, the stalks are cleared of all the lower leaves in order to permit freer access to the sunlight. After that the only work remaining to be done is to cut the cane when it is fully ripe. The next year even the process of planting is dispensed with, the new crop being allowed to spring up spontaneously from the roots of the old remaining in the ground, and these spontaneous crops are then gathered for five, six, or even as many as ten successive years, until the yield becomes so small as to render a replanting imperative. This growing of spontaneous crops from the old roots is by no means unknown in other cane-producing regions of the world, but in modern plantations, I believe, the efficient limit of the system is considered to be two or at the most three crops before a replanting. In short, there is nothing of the large cultivation, the use of machinery and labor-saving devices, the efficient organization which are now considered essential in the greatest sugar-producing countries. Yet here the possibilities are very possibly unequalled in any part of the world. No irrigation is necessary (as in Hawaii); the crop matures in twelve months (as compared with eighteen months in Hawaii and Cuba); there is abundance of cheap labor (though it is very inefficient when left to its own devices), and the sugar lands lie comparatively near to good shipping ports. "Not only does the absence of modern methods pertain to the raising of the cane; it affects, though in less degree, the mills of the country. In the native mills or 'usinas' this might be expected, but it is rather surprising to find it in those established by foreign capital. The crude native mills, I am told, are satisfied if they get 7 or 8 per cent of sugar from their cane; the foreign mills get as high as 12 per cent. A properly equipped mill in Cuba is said to get as much as 17 per cent."

LONDON, August 6.—Kieran, the Australian amateur swimmer, broke the world's quarter-mile swimming record here yesterday. He made the distance in 5 minutes, 22 1-2 seconds.

OAKLAND, August 6.—Three children were burned in a fire here last night.



GERMAN SHIP'S GOOD TRIP.

The German ship Marie Hackfeld, Captain Grube, arrived from Hamburg yesterday noon after a voyage of 119 days, an excellent run. The Marie Hackfeld has a reputation for making good time, having come out once in 305 days. The ship was in the best of condition when she came alongside the Sorenson wharf. Her deck was as clean as that of a man-of-war, and she bore no marks of her long sea voyage. Fine weather was experienced on most of the trip, although the usual stormy weather was run into off Cape Horn. No ships bound to or from Hawaii were sighted. The Marie Hackfeld has 2600 tons of general cargo, consigned to H. Hackfeld & Co., Ltd. She will probably remain at the Sorenson wharf until the Mongolia has come and gone, as the Hackfeld dock will be pretty well taken up with her cargo tomorrow and the Coptic will be using that dock Wednesday.

ISLAND STEAMER SAILINGS.

Two island steamers departed yesterday. They were the Nihaui, which went to Kaaanapali, and the Ke Au Hou, which went out on her regular run to Kauai, calling at Kapaa, Anahulu, Kilauea, Hanalei and Kalihiwai. She took explosives to Kauai ports, besides a lot of general freight. No passengers were taken. Today the Kinaiu will sail for Hilo, via Lahaina, Nahaia Bay and Hawaii ports at noon. The Likelike will also get away at noon for her run to Maui, Molokai and Lanai ports. The W. G. Hall and Noeau will sail at 5 p. m., the Hall for Kauai and the Noeau for Kukuhaele and Honokaa, in Hawaii. The Mikahala will arrive on Wednesday morning and depart on Thursday. The Maui arrives from Maui ports on Thursday and departs again Friday. The Mauna Loa will be in Friday morning from her run down the Kona and Kau coast. The Kinaiu and Likelike will be in Saturday.

FELL OFF WALL.

Considerable excitement was created along the waterfront yesterday afternoon by an accident to one of the Japanese laborers engaged in tearing down the old Cooke building on the Queen street esplanade, opposite the Ippard wharf. The Japanese was on top of the walls, which are two stories high in some places, and one story high in others. He was engaged in prying the stones apart with a pick and letting them tumble to the ground below. Suddenly the wall gave way and the man was hurled with the debris to the ground. When the cloud of dust had rolled away his companions rushed to the rescue, expecting to find the mangled remains under the heap of building stone. To their surprise they found their comrade crawling out of the ruin, bruised and with a badly injured shoulder, but otherwise unhurt. A hurry call was sent in for the patrol wagon and the injured man was removed to the Japanese hospital, where his bruises were dressed.

WAS LAWTON OVERLOADED?

There is considerable talk about the crowded condition of the navy transport Lawton which sailed from Honolulu Sunday morning for San Francisco. It is said that the ship is only supposed to carry 607 persons and that she has boats and life rafts for only that number. Yet she carried 629 persons on this trip. And there is good chance that she will have an even seven hundred by the time she reaches San Francisco. "Yes, we are expecting an addition to our company and to the family of one of the government officers at Guam," said Executive Officer Leonard, before the transport sailed. "And we have already requested that it be named 'Lawton'—if it is a boy."

SAN FRANCISCO OBSOLETE.

The Board on Construction of the Navy has recommended that no further work be done in the way of repairing the cruiser San Francisco, on the ground that the ship is obsolete and not worth spending much money on. A minority report was made by Chief Naval Constructor Capps, who called attention to the fact that in his opinion the ship is not obsolete and that in view of the fact that four months' repair work has already been done on the vessel, the best interests of the Government would not be subserved by discontinuing work at this point. The Acting Secretary of the Navy, has directed that only sufficient work be done on the San Francisco to prevent her from deterioration.—Army & Navy Journal.

The Occidental & Oriental liner Coptic is due from San Francisco tomorrow morning with mail. It is possible that she may make port tonight.

SHIPPING INTELLIGENCE

ARRIVED.

Sunday, August 6.
Strmr. Nihaui, W. Thompson, from Kauai ports, 3 a. m.
Strmr. W. G. Hall, S. Thompson, from Kauai ports, 5 a. m.
Strmr. Ke Au Hou, Tullett, from Hawaii ports, 7:15 a. m.
Strmr. Noeau, Pederson, from Hawaii and Maui ports, 9 a. m.
Strmr. Kauai, Bruhn, from Hawaii ports, 2:10 p. m.

Monday, August 7.

Sc. Mol Wahine, from Kohalaie, 6:30 a. m.
Ger. sp. Marie Hackfeld, Grube, from Hamburg, 12:30 p. m.

DEPARTED.

Sunday, August 6.
U. S. S. Lawton, Winder, for San Francisco, 10:15 a. m.

Strmr. Nihaui, W. Thompson, for Kaaanapali, 5 p. m.
Strmr. Ke Au Hou, Tullett, for Kauai ports, 5 p. m.

DUE TODAY.

P. M. S. S. Mongolia, Porter, from Yokohama and the Orient.
O. & O. S. S. Coptic, Finch, from San Francisco, may sail.

SAIL TODAY.

P. M. S. S. Mongolia, Porter, for San Francisco, about 5 p. m.
Strmr. Kinaiu, Freeman, for Hilo and way ports, 12 m.
Strmr. Likelike, Naopala, for Maui and Molokai ports, 12 m.
Strmr. W. G. Hall, S. Thompson, for Kauai ports, 5 p. m.
Strmr. Noeau, Pederson, for Hawaii ports, 5 p. m.

PASSENGERS.

Per strmr. Noeau, from Hawaii ports, August 6—Mr. F. Gay and 17 deck.
Per strmr. W. G. Hall, from Kauai ports, August 6—Col. Z. S. Spalding, C. W. Spitz, E. Weber, F. Y. Hare, Mrs. F. J. Hare, Mrs. C. M. Cooke, W. H. Rice and wife, Miss E. Rice, P. Rice, Miss L. Weber, Mrs. H. Weber, Mrs. S. D. Hoopy, Mrs. Alice Brown, Miss A. Mossman, Mrs. J. Hills, H. Rice, Dr. T. Motonaga, E. A. Knudsen, Mrs. J. A. Sinner, Mrs. C. O. Berger, Miss M. Berger, F. D. Mahone, Miss Eva Scholtz, N. Schimmelmann and wife, F. Schimmelmann, Miss H. Schimmelmann, W. E. Rowell, Chas. Herrick, A. Scott, A. G. Correa, and 56 deck.

Per strmr. Ke Au Hou, from Nawiliwili and Waimea, August 6—A. Hoosief. Booked.

Per S. S. Alameda, August 5, for San Francisco: Mrs. Bunson, Miss N. Craig, Miss E. Peterson, W. Wells, Leighton Hind, Mrs. Paris, Miss Paris, Dr. Crabtree, wife and 2 children; Master Purvis, Mrs. W. P. Fennell, Miss Stokes, Miss Stokes, Miss Shipman, Mrs. C. E. Dunsell, Miss M. Andran, P. A. Dias, J. H. Brown and wife, W. M. Bray and wife, Miss Wells, Mrs. Wells, D. Fenton Mann, C. D. McEachern, Brother Thomas, W. D. Adams, J. R. Bergstrom, Misses Shipman (3), Mrs. J. J. Connelly, Miss Connelly, G. S. McKenzie, B. T. Mase, S. H. Moses, Mr. and Mrs. Maertens and child, E. J. Benjamin, J. T. Angus, Mrs. J. T. Campbell, D. Angers, S. T. Deacon, T. McGrew.

SHIPPING NOTES.

The British bark Carradale is taking on ballast at the Fort street wharf.
The Oceanic liner Alameda shifted over to the railway docks yesterday to load sugar.

The army transport Sherman sailed from San Francisco Saturday for this port. She is the first of the transports to leave San Francisco on the new schedule.

The paving of Queen street along the waterfront from Nuuanu avenue to Maunakea street is proceeding rapidly. The portion of the street mauka of the car track is about finished and rock is being put on the makai side.

Preparations are being made to drive the pile foundation for the concrete walls of the new Brewer wharf. These piles are to be driven into the ground at an angle and a pile driver had to be rigged out that would strike on the top of the slanting piles.

The Pacific Mail liner Mongolia is due from the Orient this morning. She has over 1300 tons of freight for this port, so the Stevedores will be busy all day getting the cargo out. There is room for about 150 cabin passengers from this port and many local people are going on the big boat. The Hawaiian band will be among those departing and will have an opportunity to play itself off. It is probable that the Mongolia will sail at about 5 p. m.

COLLINS DIVORCE HAS BEEN DECREED

Judge Robinson granted a decree of divorce to Olnida M. Collins against Charles R. Collins on the ground of cruel treatment. The custody of the minor child, Charles R. Collins, Jr., was awarded to Mrs. Elizabeth Collins, mother of defendant, reserving to either of the parties the right to enjoy the society of the child at any and all reasonable times, subject to a general supervision of the child to be exercised by the court.

William H. Huihai has entered a general denial to his wife's libel for divorce. Maria Rodriguez Comprido has entered a general denial to the libel for divorce brought against her by Frederick Freitas Comprido. In each case Leon M. Straus is attorney for the defendant.

THE LOVE CASE.

James Love, who is suing for an allowance of \$900 out of his own estate in trusteeship, by his attorney, Henry E. Highten, has filed replications respectively to the plea in abatement of Annie K. Hart and James Love, Jr., and to the answer of Henry Waterhouse Trust Co., Ltd., trustee.

OFFICIALS BEGIN AN INVESTIGATION

(Continued from Page 1.)

The Board of Supervisors, by the way, meets on Wednesday night. "I am just beginning my investigation," Mr. Moore went on. "No; it is not true, so far as I know, that Sam Johnson was instructed by the board not to discharge any of his men. And he did not discharge any of them. He was given a certain amount of money with which to run his department, and that amount was expended."

This was because, among other explanations offered yesterday, it being a kind of all around explaining day, it was said that Sam Johnson might have been made a political victim, the Supervisors, in the interest of the popularity of county government, not wishing that any laborers should be discharged, and so forcing Sam to keep his full force, dividing it into shifts. The facts, however, seem to be that Sam did not want to deprive any men of their living, however meager it might be, and that is to his credit. In fact, every official seen yesterday was commendatory in his comment upon Sam Johnson, and if there is shown to be any graft in the Trent cloud, the utmost confidence is expressed that no taint of it will be found to attach to Sam Johnson.

The payroll presented to the county is on the same lines as those heretofore passed up to, and approved by, the Auditor. The "unearned difference" comes from the system of computing time. It has been the custom of the Department of Public Works where men are hired by the month, unless otherwise specified, to consider the month by the number of its calendar days. Hence a man who put in the full number of working days in the month of, say, 31 days, received pay for Sundays and all. If the full month were worked it would make no difference how many Sundays were in the month.

The garbage men have received a salary of \$45 per month of 31 days, or 30 days, according to the number of days in the calendar month, and for every day, Sundays and all, the laborer received 1-31st of the month. Whether there is a proper system in dealing with this labor, I will not undertake to say, but it is the system that has been in vogue in the Department of Public Works for years, and as I said before, this county payroll is on the same lines as those which have always been discharged by the Auditor's warrants.

Herewith I submit a statement showing the payroll submitted to the county computed by a system of 31 days to the month and also a system of 26 working days to the month. This shows a difference of practically \$5 in favor of the latter method. It is for the Supervisors to determine which plan they wish to follow, but there is no occasion for any suspicion of graft by the head of the Garbage Department or any of his clerks. When the men have been paid off, the payrolls have been signed by the men, for the most part, in the presence of one of the clerks, who has called off the amount to Mr. Johnson, he himself paying over the money.

The surprise expressed by certain men in this matter is totally unwarranted, as the system of computation and payment is the same as has always prevailed.

Respectfully, C. M. WHITE, Chief Clerk, Dept. Public Works.

DEPUTY AUDITOR MEYERS AT WORK

Deputy Auditor Meyers had his desk filled with old payrolls yesterday, and was going over them for possible discrepancies, and showing them to who ever had interest enough to call on him during the day to make inquiry. And, as has been stated already, he reported to the Acting Governor during the afternoon that he had found nothing wrong. He was showing them to Clarence White and Supervisor Moore, head of the Garbage Committee, when an Advertiser man entered his office, and there was a discussion going on among the gentlemen as to what was the proper payroll system to follow. The payrolls in the past were all made out upon the 30 or 31-day system, and there was nothing on the face of any of them to indicate that any wrong had been worked in the past. "But it is not the best system," Mr. Meyers said to Mr. White. "The men in the department should be paid by the day and not by the month, and should be paid for each day that they work."

"Well," said Mr. White, "it is up to the Supervisors to say what system they choose to follow."

SUPERVISOR MOORE BEGINS INVESTIGATION

"I do not wish to say anything about the matter until I have made a thorough investigation of it," said Supervisor Moore yesterday. "I am investigating it now. When will I be ready to make a report? Oh, before Wednesday."

The Board of Supervisors, by the way, meets on Wednesday night. "I am just beginning my investigation," Mr. Moore went on. "No; it is not true, so far as I know, that Sam Johnson was instructed by the board not to discharge any of his men. And he did not discharge any of them. He was given a certain amount of money with which to run his department, and that amount was expended."

This was because, among other explanations offered yesterday, it being a kind of all around explaining day, it was said that Sam Johnson might have been made a political victim, the Supervisors, in the interest of the popularity of county government, not wishing that any laborers should be discharged, and so forcing Sam to keep his full force, dividing it into shifts. The facts, however, seem to be that Sam did not want to deprive any men of their living, however meager it might be, and that is to his credit. In fact, every official seen yesterday was commendatory in his comment upon Sam Johnson, and if there is shown to be any graft in the Trent cloud, the utmost confidence is expressed that no taint of it will be found to attach to Sam Johnson.

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PAYROLL LAW AND SOME FACTS

There was some adverse comment yesterday upon the fact that County Treasurer Trent had stopped asking the men who came up to get their warrants cashed whether they were paid more than they had been in the habit of getting, but, as a matter of fact, Treasurer Trent is not an investigating officer. He discovered what seemed to him a wrong, although it may be explained amply, and called the attention of the Supervisors to it. He could not avoid doing that, under the law. In fact, he would have been negligent himself if he had not done it.

And, as to the facts, he did question many of the men, and although he mentions the name of but one man in his letter to the Supervisors, that one being his "concrete instance," he mentions the fact that thirty-three men altogether noticed the discrepancy.

The Territorial law under which the payroll warrant of any department may be given to the head of the department for disbursement among laborers is Section 1528, Revised Laws of Hawaii, and is as follows:

"Warrants for payrolls of mechanics and laborers, or others temporarily employed, may be drawn in advance and before the wages as shown by said payrolls shall have been received for by said mechanics, laborers and others, but in every such case such payrolls shall have endorsed thereon the approval of the officer in whose department the liability or expense has been incurred, and also the appropriation to which it is chargeable, and it shall also be specially certified to by the officer directly incurring the expense, that the services charged for have been faithfully performed; and, further, the auditor shall take a receipt from the disbursing officer in whose favor such warrant for said payrolls has been drawn, and shall retain said receipt until said payrolls shall have been properly received and returned to him, and under no circumstances shall the auditor hold more than one such receipt from the same disbursing officer for payrolls under the same item of appropriation."

Now, while all the officials unite in disbelief of the statement of the laborer who said that the men had signed the payrolls before they were filled out, the fact remains that it would be entirely possible for men, ignorant, crowded, pushed through on pay day in a great hurry, to sign for amounts that they had not received. In other words, the man would be apt to take his money, and not scrutinize the payroll very thoroughly, merely putting his name where he was told to put it. And, as the payrolls of record show no discrepancies, the only testimony as to whether this practice was indulged in would be the testimony of the men. They would know how much they had been paid. If their knowledge tallied with the payrolls, then the suspicion of graft would fall to the ground.

Still another difficulty that will confront the investigator is in the point as to whether, in working shifts of men, some of the men worked more than half a month, and some of the men worked less. As Acting Governor Atkinson suggests, it is always possible for a man to have worked over time. And the only thing to take for that is the payroll.

And one more point. Were men carried on the payroll for political purposes who did not work at all? The payroll would still be straight, if that were done, although a wrong was being perpetrated.

Altogether, Supervisor Moore, the only Democrat on the board, has now become the man of the hour. It is up to him. The public will watch with a great deal of interest for the result of his investigation.

"I have nothing further to say," said County Treasurer Trent yesterday. "The matter is in the hands of the Supervisors, where it belongs, so far as I am concerned. It is not a part of my duty to conduct investigations."

GOVERNOR ANXIOUS

(Continued from Page 1.)

Hawaii have any kick coming. They are doing not less than nine-tenths of the work that is done in the Territory now. It seems to me that they might be willing to leave a few odd jobs for citizens or, anyway, for those who are eligible to citizenship.

"Mr. Breckons' by the way, says that the alien labor law is in contravention of a treaty. And, of course, if he had told us that before we had passed the law, why we would not have passed it. But how was the Territory to know that the United States District Attorney would twist his treaties around so as to make them conflict with our laws? It is not fair.

"Seriously, as I said before, this law was passed to enable the Territory to contract to do certain work in a certain way, and the Territory assuredly has the right to employ whoever it pleases to do its work. There is nothing in the law about Chinese or Japanese. Mr. Breckons has rushed to the aid of his clients before anybody has attacked them."

WANTS INFORMATION.

Editor Advertiser: I read United States District Attorney Breckon's opinion on the constitutionality of the Territorial citizen labor law in this morning's issue of the Advertiser and owing to my having held contrary views on this subject until now, I take the liberty of requesting Mr. Breckons, through the medium of your paper, to give, for the benefit of myself and other citizen contractors and workmen, such further data relating to decisions on the subject as will more fully explain the sources from which he has drawn his conclusions, for we are all keenly alive to a matter so vitally affecting our interests.

I would also request information as to the time of enactment by Congress, of legislation comprehended in section 1577 of the revised laws to which he makes reference. I would further respectfully request Mr. Breckons to point out the particular words in quotation from treaty ratified in 1895 by which the right to labor on an equality with the citizens of the United States is granted to citizens of Japan. Thanking you in advance for granting space for this communication and for such further information as Mr. Breckons may favor us, I am, Yours truly, H. KENDALL, Honolulu, August 7, 1905.

KELLETT IN FOR MORE

P. D. Kellett, ex-clerk to the first judge of the First Circuit Court, was arrested at 12:05 yesterday afternoon on two charges of embezzlement. He was already out on bonds for a previous charge of embezzlement. The first of the new complaints charges him with embezzling the sum of \$1,743.97 from funds of the Barete estate, of which he was the trustee on July 17, 1905. M. T. Simonton, W. G. Cooper (cashier of the First National Bank), and W. R. Sims (clerk of the First Circuit Court) are named as witnesses. There are three counts on the second complaint. The first charges that Kellett did, on the 15th day of November, 1904, "unlawfully, fraudulently and feloniously convert, appropriate and embezzle" the sum of \$100 from the Barete estate funds. The second count charges the embezzlement of \$25 on January 14, 1905, and the third the taking of another \$25 on the 25th of January, 1905.

The sum of \$150, which forms the basis of the three counts of the second complaint, is alleged to have been money paid by one Goo Wan Hoy, a clerk to A. S. Humphreys, as interest on a mortgage for \$1200 given by Goo Wan Hoy to Kellett as trustee of the Barete estate. It is understood that Kellett claims that the money was never paid to him. At any rate, it was not accounted for by him in any of his books as far as the authorities can discover. County Attorney Douthitt stated yesterday that he did not want it to appear that he was trying to "rub it in" on Kellett, as there are other charges that might be brought if he wished to do so. However, it is intimated by the authorities that there was some fear that Kellett might jump his \$2500 bond and it was deemed wise to get him under heavier bonds.

It will be seen elsewhere that the additional bail fixed amounts to \$2250. Bonds were furnished at 4:45 p. m., with Abraham Fernandez as surety, under which Kellett was released.

COURT ITEMS.

A note for the reporters in the Judiciary clerk's office says the Chief Justice will be in his office on Monday morning next.

In the case of Neumann vs. Whiting & Robinson, time for defendants to plead is further extended to August 21.

WITNESS the Honorable Sanford B. Dole, Judge of said District Court, this 16th day of February in the year of our Lord one thousand nine hundred and five, and of the independence of the United States the one hundred and twenty-ninth.

WALTER B. MALING, Clerk. A true copy, attested: (Seal) W. B. MALING, Clerk.

Bank of Hawaii LIMITED. Incorporated Under the Laws of the Territory of Hawaii. PAID-UP CAPITAL, \$600,000.00 SURPLUS, 200,000.00 UNDIVIDED PROFITS, 102,617.80

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