

# Hawaiian Gazette.

VOL. XXXIX, NO. 33.

HONOLULU, H. T., FRIDAY, APRIL 22, 1904—SEMI-WEEKLY.

WHOLE No. 2583.

## FLEEING RUSSIANS DROWN BY HUNDREDS IN THE YALU

**Russia Threatens to Prey on Japan's Pacific Commerce—Japanese Spies Executed—Efforts to Keep Alexieff—Hatred of Americans and Englishmen.**

(ASSOCIATED PRESS CABLEGRAMS.)

NEWCHWANG, April 22.—A messenger from the Yalu says that the Russians are fleeing across the river in overcrowded boats and that hundreds are drowning.

**TO PREY ON PACIFIC COMMERCE.**

ST. PETERSBURG, April 22.—The Admiralty intends outfitting fast ships to prey on Japanese commerce in the Pacific.

**WANT TO KEEP ALEXIEFF.**

ST. PETERSBURG, April 22.—Despite his relations with Skrydloff, pressure is being brought to bear to retain Alexieff as Viceroy.

**SHOT JAPANESE AS SPIES.**

HARBIN, April 22.—Two Japanese officers have been convicted as spies and shot.

**JAPANESE SECRET SERVICE.**

MUKDEN, April 22.—Spies in various disguises are hampering the Russians in Manchuria.

**RUSSIANS TO ADVANCE.**

PARIS, April 22.—It is reported that Gen. Kuropatkin has ordered an advance of the Russian forces in northeastern Korea.

**A MUSCOVITE CANARD.**

BERLIN, April 22.—There is much bitterness throughout Manchuria against Americans and British whose naval vessels it is claimed assisted the Japanese bombardments of Port Arthur under the Japanese flag.

**AFTERNOON REPORT.**

ST. PETERSBURG, April 21.—The Russian Government has issued \$15,000,000 currency against gold deposits in the treasury. It is estimated that the daily expense of the war to Russia will be \$750,000.

TOKIO, April 21.—Thousands of Japanese are applying at the army posts and War Office for permission to join the army and fight against Russia.

NEWCHWANG, April 21.—Viceroy Alexieff has established a strict censorship at Yinkow.

The foreign pilots here have received notice that if they assist Japanese ships they will be held subject to Russian martial law.

SEOUL, Korea, April 21.—Lieutenant McDonald and seventy privates of the Marine Guard stationed here to protect the American Legation have been ordered to Manila. The situation in Seoul is so quiet that there is no necessity for the guard to remain.

ST. PETERSBURG, April 20.—Admiral Alexieff has resigned the vice-royalty of Manchuria. The immediate cause of this act is the appointment of Admiral Skrydloff who is the late Viceroy's enemy, to command the Russian naval forces. It is also reported that Alexieff and Kuropatkin disagree about the conduct of the war. It has also been apparent lately that Alexieff was losing the confidence of the Emperor. The appointment of Skrydloff was made without consulting Alexieff, who recommended another. Alexieff will go to St. Petersburg before Skrydloff arrives at Port Arthur to avoid meeting him. Skrydloff told the Emperor he would not accept the naval command unless Alexieff was relieved as he attributed to his mistakes the reverses suffered by the Russians.



ALEXIEFF, THE RETIRING VICEROY.

**PORT ARTHUR BATTLE RUMORED.**

YINKOW, April 20.—It is reported that a battle is raging at Port Arthur.

**RUSSIANS STRENGTHEN DEFENCES.**

SEOUL, April 20. The Russians are hastily strengthening Chiu-tien-cheng.

**CHINESE ARE RESTIVE.**

SHANGHAI, April 20.—General Ma reports that the Russians are moving west of the Liao river and that it is difficult to restrain the Chinese from attacking them.

**AFTERNOON REPORT.**

LIAOYANG, April 19.—Skirmishes are of daily occurrence along the Yalu river. Very few on either side have been killed.

ST. PETERSBURG, April 19.—Admiral Skrydloff, who has been selected to succeed the late Admiral Makaroff in command of the Port Arthur squadron, arrived here today. He was greeted with the greatest enthusiasm by the people.

VLADIVOSTOK, April 19.—This city is short of supplies and the inhabitants are leaving in anticipation of more serious conditions when the land campaign opens.

It is claimed that General Kuropatkin has 300,000 men mobilized in the Manchurian strongholds ready to meet the advance of the Japanese.

PARIS, April 21.—General Kuropatkin awaits 100,000 more men before risking battle.

**JAPANESE TRANSPORT LIGHTS SEEN.**

ST. PETERSBURG, April 21.—General Kuropatkin has telegraphed the Emperor that the Japanese are intrenching on the Yalu. The lights of Japanese transports have been seen opposite Potinsa, twelve miles west of Takushan. It is believed the second Japanese army is preparing to land. Ships have also been seen near Sou-chou.

**RUSSIANS IN KOREA.**

TOKIO, April 21.—It is reported that 1000 Russians occupy Yanggan, in northern Korea. Cossacks have burnt a Japanese settlement at Sungjin.

**AFTERNOON REPORT.**

PORT ARTHUR, April 20.—The reported sinking of a Japanese cruiser in a recent fight and the damaging of two others is reiterated.

NEWCHWANG, April 20.—War correspondents have been allowed to proceed from here to Mukden.

ST. PETERSBURG, April 20.—No action has been taken yet in the matter of the resignation of Admiral Alexieff. Admiral Skrydloff had a conference with the Emperor today.

## HAWAIIAN MATTERS AS TREATED BY CONGRESSMEN

**The Franchise Bills—McClellan's Work—Carter Bill May Not Pass—The Revenue Cutter. Withington and Smith.**

(Mail Special to the Advertiser.)

WASHINGTON, D. C., April 9.—The program for Hawaiian legislation here is proceeding much better than many of those interested had hoped. Probably by the time this letter reaches Honolulu all the bills of pressing interest to the territory will be before the President for signature. That statement may prove optimistic but none the less signs all point that way now. The gas bill has passed the Senate and before many days Senator Foraker will apparently be able to pass the electric bill there. The House has granted a special rule for consideration of the franchise bills there and under that rule those bills will be probably called up and passed within a few days. There will be some differences to be adjusted in conference or otherwise but these should not be serious obstacles as matters of legislation generally are. Speaker Cannon was

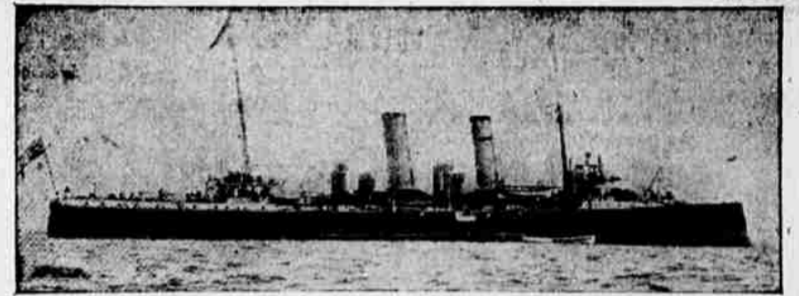
inclined to have the franchise bills called up during the suspension day of last Monday but friends of those bills were unwilling to risk as under suspension of the rules it requires a two-thirds majority to pass a measure. Hawaiian bills have failed too often in times gone by to make any of the Hawaiians or their representatives here desirous of repeating the experience.

The House during the past week has been considering the Philippine Shipping bill, which was passed yesterday, in the same form as it passed the Senate. Efforts to prolong the time, before it should go into effect were unavailing and the bill will become a law with July 1, 1905, as the date when it shall go into operation. This defers for one year the disadvantages to the Hawaiian sugar growers which the law will impose but that is regarded as far better than a law going into operation immediately.

(Continued on page 5.)

## BRITISH CRUISER MAY BOMBARD BLUEFIELDS

KINGSTON, Jamaica, April 22.—The British cruiser Retribution will sail for Bluefields on Tuesday to demand the release of six turtle schooners and their crews held by the Nicaragua authorities and to collect damages. Should it be necessary the Retribution will bombard Bluefields.



BRITISH CRUISER RETRIBUTION.

The six turtle schooners which may furnish an international incident, belong to a famous fleet of staunch craft owned by the people of the Cayman Islands. The Cayman Islands are British territory and are near Jamaica in the West Indies. Almost the sole commerce of the Cayman Islanders is that of handling turtles secured by the islanders on the Nicaraguan and Honduran coasts. They are the turtle fishers-in-chief of the world. The green turtle soup esteemed by the Aldermen of London and by the patrons of the best restaurants in all the cities of the United States is placed upon the tables through the energy and daring of the Cayman turtle catchers on those Central American coasts. The fishermen carry their catches in schooners to Jamaica and from that place they are exported by steamer to the principal cities of the world. In the past there have been many clashes between the Caymans and the soldiers of Honduras and Nicaragua as the governments of those countries object to the big profits the Caymans make on the turtles, and the latter can only be secured as they are basking in the sun along the beaches.



THE PETROPAVLOVSK TURNING TURTLE.

# PANEL AGAIN EXHAUSTED

## Fifty More Men for Murder Trial.

(From Wednesday's Advertiser.) Another exhaustion of panel took place in the attempt to obtain a jury for the trial of Man Chong, for the murder of Policeman Mahelona, after the return of the first special venire of twenty-six names. Judge De Bolt ordered another special venire to issue, returnable at 10 o'clock this morning, for fifty additional jurors.

**PACIFIC HEIGHTS CASE.** Judge Robinson yesterday, at the trial of the injunction suit of Charles S. Desky vs. C. W. Booth, in which a reformation of mortgage of Pacific Heights is asked as well as the enjoining of the foreclosure by defendant, granted a continuance for the purpose of taking the deposition in San Francisco of R. D. Silliman, who drew the mortgage.

There was a warm argument. Before the continuance was granted, counsel for defendant offered to admit that W. A. Wall, surveyor, if called would testify as one of the affidavits maintained he would. After the continuance for Silliman's testimony was granted, the offer relating to Wall was withdrawn.

Cathart & Milverton and Jos. G. Pratt appeared for plaintiff; J. Alfred Magoon and J. Lightfoot for defendant. Counsel are now engaged in preparing interrogatories and cross-interrogatories, which are to be forwarded to San Francisco by the steamer China's mail next week. It will take at least four weeks to get the return of the deposition.

**REMOVAL OF CHILD.** Judge De Bolt has modified the decree of divorce in the case of Harriet Moon Smith vs. Millard M. Smith, so as to permit the plaintiff to take the child, George M. Smith, from the Territory of Hawaii to the State of California. There were several postponements of the hearing until the final hearing was had yesterday. Henry E. Highton for plaintiff; Henry Hogan for defendant. Counsel for the father objected to the order of the court.

**DISCONTINUANCES.** The suit of Bishop & Co. vs. H. W. Schmidt, W. R. Castle, Jr., and E. H. Paris for \$15,000 on a note has been discontinued.

Kahalewal vs. Tong Yau, suit for \$1000 damages for malicious prosecution, has been discontinued.

The suit for restitution of leased premises brought by Julia Colburn et al. against L. Ah Leong has been discontinued. The premises are situated at the mauka end of Punchbowl and Queen streets.

**A. A. de Mattos vs. Hawaii Land Co.** was dismissed by Judge Robinson for want of prosecution.

**DREDGING CASE.** In the Pearl Harbor dredging case, Judge De Bolt has issued a commission, on the motion of plaintiff, to Edward Gray Stetson, San Francisco, to examine Lieut. W. H. Heuer of the U. S. Engineers, Lawrence Thompson, C.

**A FAIR EXCHANGE.** Large sums of money are no doubt realized from simple speculation, but the great fortunes are derived from legitimate and honest business—where the goods furnished are worth the price they bring. Certain famous business men have accumulated their millions wholly in this way. Prompt and faithful in every contract or engagement they enjoy the confidence of the public and command a class of trade that is refused to unstable or tricky competitors. In the long run it does not pay to cheat or deceive others. A humbug may be advertised with a noise like the blowing of a thousand trumpets, but it is soon detected and exposed. The manufacturers of **WAMPOLE'S PREPARATION** have always acted on very different principles. Before offering it to the public they first made sure of its merits. Then, and then only, did its name appear in print. People were assured of what it would do, and found the statement truthful. To-day they believe in it as we all believe in the word of a tried and trusted friend. 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. It aids digestion, drives impurities from the blood, and cures Anemia, Scrofula, Debility, Influenza, Throat and Lung Troubles, and Wasting Complaints. Dr. Louis W. Bishop says: "I take pleasure in saying I have found it a most efficient preparation, embodying all of the medicinal properties of a pure cod liver oil in a most palatable form." It is a scientific remedy and a food with a soft, creamy taste and is not at all disagreeable in any form.

E., and W. R. Clark of Clark & Henery, plaintiffs. Counsel for the defendants, H. Hackfeld & Co., Ltd., and Castle & Cooke, Ltd., file a notice that they do not object to the order for a commission, also saying they will file no cross-interrogatories.

**INSANE MAN'S ESTATE.** Father H. Valentin, guardian of Manuel Pederoto, an insane person, has filed an inventory showing cash in Bishop & Co.'s bank, \$800; land at Makiki, \$500; total value, \$1300.

# GOVERNOR IS PRAISED

Governor Carter went to Waiialua with Mrs. Carter after the adjournment of the Legislature, for a holiday in observance of the anniversary of their marriage. In the course of the day the Governor was the recipient of several congratulatory letters over the Legislature and the Republican convention.

**HIS PATRIOTIC ATTITUDE.** One writer expressed himself as follows: "I congratulate you heartily on the success of both the Legislature and the convention. Both were splendid demonstrations of the capacity of our people for self-government. The Quinn resolution was a deserving tribute to your patriotic attitude in public and party affairs."

**ENHANCED REGARD.** Another correspondent puts his congratulations in categorical form, thus: "Permit me to extend to you my congratulations upon the following grounds:

- "1. Upon the handsome vote received by you in the Republican convention last night as delegate to the Republican National Convention.
- "2. And, more important, upon the able manner in which you handled the extra session of the Legislature of the Territory, and upon the carrying out by the Legislature of your wishes.
- "My congratulations on this last score should be the more welcome to you by reason of the fact that I was very much in doubt as to your wisdom in calling the Legislature together.
- "Permit me in conclusion to say that I now know you to be a better man than I believed a short while ago, which is saying a great deal."

# FAIR EXCHANGE.

## A New Back for an Old One. How It is Done in Honolulu.

Sometimes the back aches with a dull, indescribable feeling, making you weary and restless; sometimes pain shoots across the region of the kidneys, and again the loins are so lame to stoop is agony. No use plastering or rubbing the back in this condition. You cannot reach the cause. To exchange a bad back for a new and stronger one, follow the example of this Honolulu citizen:

Mr. A. J. Cahill, of Fort street, this city, night watchman in the employ of Messrs. T. H. Davies & Co., Ltd., says: "Whilst a young man I was a sailor and at one time worked for the Inter Island service. I was, however, obliged to give up sea life on account of severe suffering from my back and kidneys. For this I had tried various remedies, but the one which restored me to health was Doan's Backache Kidney Pills—procured at Hollister's Drug Store. They relieved me completely after years of suffering. If any one desires further particulars he may apply to me. I am to be found at Van Dorn's Ship Chandlery, Fort street."

# PHYSICIANS USE CARRIER PIGEONS.

Country physicians in many instances have adopted the use of pigeons as messengers. A physician raises a loft of carriers, and when he visits a patient four or five miles away he carries with him a basket containing one of his birds. If dangerous symptoms arise in the night or the following day the pigeon is released with a message. Some physicians with long country routes carry half a dozen or more of these pigeons on their rounds and leave one at each place. A daily report of the different cases can thus be obtained by pigeon service. This service has also been extended on large Western farms. Some farmers receive daily reports of the market from the city in this way when there are no telephone or telegraph wires to send the messages. All that is required is a trip to the city once a fortnight to carry back the birds and send one in the city to write the reports and release the pigeons.

**THE SCRATCH OF A PEN** may cause the loss of a limb or even death when those poisoning results from the injury. All danger of this may be avoided, however, by promptly applying Chamberlain's Pain Balm. It is an antidote and is unexcelled as a quick healing salve for cuts, bruises and burns. For sale by all druggists and dealers. Each bottle 25 cents.

# LEGISLATURE CLOSSES ITS SPECIAL SESSION

## Governor Carter Signs All Bills and Resolutions Placed in His Hands—Congratulations and Cheers.

(From Wednesday's Advertiser.) Yesterday's session of the Senate was compared to an Egyptian labyrinth, there were so many recesses in it. An object lesson against hasty legislation was found at about the 59th minute of the closing hour of the Legislature. This was an error in designating a section of a law being amended, as the bill for that purpose came from the House, which if it had not been detected by the eagle eye of Senator Dickey would have made "ducks and drakes" of that particular enactment. Mutual congratulations passed between both chambers and between them and the executive over the successful completion, upon the twelfth day, of the business for which the special session was called. This exceeded most promises on the part of legislators who favored the call and agreeably disappointed the forebodings of many citizens. The Senate went out amidst the aroma of verbal bouquets, the House with vociferative cheers as well as rhetorical fiata. Like the House, the Senate left a goodly unexpended balance of its expense appropriation.

Within the twelve days the Legislature passed fourteen bills which are now law, two joint resolutions and one concurrent resolution. As every measure passed through the hands of committees in both houses, some more than once, the record is very creditable.

# THE SENATE.

After meeting at 9 o'clock yesterday morning, the Senate found nothing before it and took a recess till 10 o'clock.

# MESSAGES.

On resuming a letter from Secretary Atkinson was received, stating that the Governor had signed Act 9, amending Sec. 6 of Act 42, Laws of 1903, and Act 10, repealing Chap. 19, P. G. Laws.

The House by letter reported it had sustained the Governor's veto of House resolution No. 1, and passed the following resolution No. 3:

"Whereas, The Legislature of the Territory of Hawaii has been convened in special session to consider the serious financial condition of the Government; and, "Whereas, the people of the Territory have expressed themselves in favor of county government; therefore, "Be It Resolved, That a commission

# REPUBLICAN DELEGATES WILL LEAVE HERE ON MAY 31

Hawaii's Republican delegation to the National Republican convention, to be held in Chicago on June 21, will leave Honolulu for San Francisco on the Oceanic steamship Ventura on May 31. This much of the journey has already been decided on, although Governor Carter has intimated that he may be compelled to leave prior to that date to attend to business in Washington before the convention assembles.

Secretary Hoogs of the Territorial Central Committee hopes to keep the delegation together that it may go in a body to Chicago. Mr. Hoogs looks upon the journey of the delegates in a body as a means of indirectly advertising the Islands. Mr. Breckons has intimated also that he may leave ahead of time, but if popular sentiment obtains the delegation will keep together. The Californian delegation will probably go in a body, and Mr. Hoogs sees no reason why the Hawaii delegates cannot do the same.

Should his plan be followed the car in which the members travel will be decorated with a streamer announcing that the Hawaiians are on the train, and there will probably be a large quantity of advertising matter on the car for distribution along the line.

Railroad officials have already been written to asking them to pave the way with reduced rates, etc., for the delegation.

Governor Carter will shortly call a meeting of the delegates to arrange plans for the coming trip.

It is reported that of the alternates Rev. Stephen L. Desha may not accompany the party to Chicago.

# LOCAL DEMOCRATS MAY NOT INSTRUCT THEIR DELEGATES

In spite of the cable news from New York that the New York State convention of the Democrats pledged itself to Judge Parker for the Presidency, local Democrats may not instruct their delegates to the St. Louis convention either for Parker, Hearst or any one else. In all probability the delegation will go uninstructed so that it may be free to act in case a "dark horse" comes into view.

Col. C. J. McCarthy, former chairman of the Democratic Central Committee, when asked yesterday concerning his views on the New York pledge, said:

"I am and have been a Parker man, but I do not believe it would be wise for the delegation from Hawaii to be instructed to vote for Parker. There is no telling just which way the cat will jump, as, after all, Parker and Hearst may be consigned to the background. Should our delegation be instructed for Parker and policy should dictate the nomination of an outsider, our delegation would be in a hole.

"From all that I know of the New York convention, the up-country delegations were probably instructed for Parker, but the real voting is done down in lower New York, where Tammany would have most of the say.

"I am not a candidate for delegate, as I cannot afford to leave my business to go to St. Louis."

Senator Palmer Woods, the "lone Democrat" of Hawaii, said yesterday that he would prefer the Hawaiian delegation go to St. Louis uninstructed, leaving it free to act in case an outsider should be more favorably considered than Parker or Hearst.

of five be appointed by the Governor to draft a County Act, the members thereof to serve without pay. And that such Act so prepared and such expenses as may be incurred by them, with the approval of the Governor, be submitted to the next regular session of the Legislature."

Mr. Dickey moved that the resolution pass.

Mr. Paris did not believe in leaving the expenses open. Neither did he believe in having the members serve without pay. It was a serious piece of work and the Commissioners should be paid. He believed in putting a limit on the expenses as the Senate resolution did.

Mr. McCandless moved to defer action.

Mr. Achi moved to insert an amendment, "if paid at all, not to exceed \$1,500, and expenses not more than \$1,000."

Mr. Paris said if they went on amending they would get all tangled up.

The matter was deferred.

A message from the House intimated its concurrence in the Senate amendments to House bill No. 6.

Then another recess of ten minutes was taken.

# COUNTY RESOLUTION.

The Senate took up House resolution No. 3.

Mr. Paris moved the resolution pass.

Mr. Dickey moved to insert the amendment, "two to be nominated by the Senate and two by the House."

Mr. Paris—"Ah-h-h!" by Mr. Paris. The mover said the Governor preferred that the houses nominate the Commissioners. He had asked the Governor about it that morning.

Mr. Paris—"I do not believe in that. The Organic Act puts the responsibility on the Governor, and let him not shirk it."

Mr. Brown, speaking in Hawaiian, agreed with the previous speaker.

There was no second to the amendment, and the resolution passed on the following vote:

Ayes—Achi, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaokalani, McCandless, Nakapaahu, Paris, Wilcox, Woods—11.

# THE LAST THROES.

President Crabbe—"I believe that is all the business before the Senate."

Mr. Dickey moved that the House be notified that the Senate is ready to adjourn sine die.

# NEW TRIAL IS ORDERED

## Judge Little Reversed by Supreme Court Majority.

(From Wednesday's Advertiser.) Plaintiff's exceptions to Judge Little's judgment for defendant in the suit of T. K. Lalakea vs. the Hilo Sugar Co., Ltd., are sustained by Chief Justice Frear and Justice Perry, the latter writing the court's opinion. The judgment is set aside and a new trial ordered. Justice Galbraith dissents in an opinion at length. Smith & Parsons for plaintiff; Wise & Ross for defendant.

The trouble started with a mortgage of cane growing on a three-acre tract, executed by Sing Kee and Chan Choon to W. D. Schmidt to secure payment of a note of \$450. Nearly four months later Chan Choon, who had bought out Sing Kee, gave Lalakea a mortgage on his interest in the land and on the growing cane as security for a note for \$300. About ten months later still Chan Choon abandoned the premises and left the Territory and has not been heard of since by the lessors. Six months' rent had then become due and unpaid. Kapu, owner of the land, took possession of the premises the following month, claiming a forfeiture of the lease, and the same month executed a lease to the plaintiff of the same land for five years from the first of the next month. Lalakea also claimed to have entered and taken possession under his mortgage. Schmidt without entering foreclosed his mortgage by publication of notice and the Hilo Sugar Co. claimed to have bought the cane at the sale under this foreclosure.

The present action is for the value of the cane so taken by the defendant. Judge Little's judgment for the defendant, the Hilo Sugar Co., was based wholly upon the view that the Schmidt mortgage and the foreclosure proceedings thereunder were valid and that the defendant acquired title to the cane not from the plaintiff but through the foreclosure sale.

The reasons why the Supreme Court decides that the judgment was not right are sufficiently well revealed in the following syllabus of opinion:

"An unrecorded chattel mortgage is not valid or binding to the detriment of third parties.

"The registry of a chattel mortgage not entitled to be recorded is a nullity. Actual knowledge of the existence of a chattel mortgage is not a substitute for recording.

"It is a prerequisite to the valid registry of a chattel mortgage that the acknowledging officer endorse on such mortgage a certificate of the fact of acknowledgment.

"A certificate that on a day named personally appeared before me Chan Choon and Sing Kee, known to me to be the persons described in, and who executed the foregoing instrument who executed the same freely and voluntarily and for the uses and purposes therein set forth, does not state the fact of acknowledgment and is for that reason insufficient and invalid.

"Testimony of the acknowledging officer to the effect that the parties did in fact acknowledge before him the execution of the instrument can not cure the defect and is inadmissible to aid the certificate and to support the validity of the registry and mortgage."

Justice Galbraith concludes his dissenting opinion in the following words: "It certainly could not have been the intention of the legislature to declare an unrecorded mortgage void between the parties or as between the parties and others without interest in the property or between a first and second mortgage, the latter having notice of the first mortgage. The legislators are presumed to have known that the object of recording instruments is to give notice and that notice may be given aside from the record and that the notice given by one method is just as effective as the other and ought not to be held, in the absence of plain words to that effect, to have intended by this statute to make recording the exclusive method of giving notice of the existence of chattel mortgages."

While the statute is not happily worded I am inclined to think that it was not intended to do more than is accomplished by most statutes providing for the registration of written instruments, namely, to provide that the interest of no one in property should be prejudiced by an unrecorded instrument of which he had no actual notice."

# Russian Fleet Has Seldom Fought.

In the nature of things, Russia's present condition would subject her naval concerns to critical attention the world over. While her sea power was not brought to trial, it might pass for what it pretended to be not so when weighed in the balance of action and result.

A writer in a London journal points out that the Russian fleet has seen no fighting with an equal foe for two centuries past—not since the days of Peter the Great. Her naval officers up to recent years put in their service unprofitably on shore, making only little trips about the coast, with an occasional voyage to the Far East, in order to qualify for the pension and steps in rank given for sea service. In spite of all efforts to revive something like a naval past, Russia can point to only two successes in modern history when her ships were in action. One was the destruction of the Turkish squadron at Sinop, when the number of vessels was small, though the latter were greatly inferior in size and equipment. The other was the capture of the Japanese fleet by the Russian fleet in the Bay of Ussuriysk in 1904.

The present naval history of Russia is not so happy. The Russian fleet is now in the hands of the Japanese, and the Russian navy is in a state of complete demoralization. The Russian fleet is now in the hands of the Japanese, and the Russian navy is in a state of complete demoralization.

# THE RUSSIAN DISASTER TOLD

## Some Particulars of Makaroff's Loss.

ST. PETERSBURG, April 13.—It is rumored here that fighting off Port Arthur was resumed this afternoon, Admiral Prince Ukhtomsky, acting commander of the Port Arthur fleet, being engaged with eighteen Japanese vessels. Admiral Molas was among those killed on the Petropavlovsk. At the moment of the explosion an aid shouted to the Grand Duke Cyril to jump into the sea. The aid was killed. The total Russian loss is estimated at 700.

LONDON, April 13.—The Times prints a dispatch dated "Off Port Arthur," and sent by wireless telegraph to Wei-hai-wei, which says: "The Japanese torpedo boats attacked Port Arthur early Wednesday morning. The fleet is now shelling the forts. The bombardment began at 9:45 o'clock in the mornine."

In another dispatch the correspondent says: "At 4:30 this morning in the dim light amid rain squalls I saw a squadron of war ships in line ahead steering a course similar to our own. It proved to be a Japanese squadron of six battle-ships, followed by the first-class cruiser squadron. The six ships were in line ahead, the third and fourth vessels being the Kasagi and Nissin, which were making their first appearance in the fleet. The Mitska was leading. They were shaping a course for Port Arthur. Forty miles distant from port the battle-ships drew out at full speed and the Kasagi and Nissin left the cruisers and joined the battle-ships, the other cruisers remaining behind. The interval between them was maintained by the destroyer division and a dispatch-boat. As we neared Port Arthur we found two first class and four second class cruisers already there. This squadron had covered the torpedo-boat attack, which was made in the small hours of the morning. The battle-ships now hoisted fighting flags and steamed in formation, the Mikasa leading and the new ships bringing up the rear to within six miles of Port Arthur's frowning promontory.

BATTERIES OPEN FIRE.

"At 10:30 o'clock the shore batteries opened fire, but the fire was only desultory and it seemed as though Admiral Togo was making a demonstration rather than a bombardment. Three times his fighting squadron circled around in front of the enemy's position, drawing a desultory fire, and at noon Togo withdrew the battle-ships to the south. It was inspiring to see how the powerful squadron of fighting machines maneuvered. The battle-ships went boldly in, while the less protected vessels maneuvered with them, conforming to their evolutions at a safer distance.

"Later, although I went closer to Port Arthur than I had ever before, I saw no sign of any Russian ships. The shells which fell nearest to us exploded on impact with the water. The Japanese maneuvering was at eighteen knots an hour. As far as I could see they suffered no damage. The expenditure of ammunition was small. It was a magnificent force, the most powerful individual fleet, indeed, which ever sailed the Eastern seas. Including torpedo craft, there were forty Japanese vessels."

SAYS TORPEDOES STRUCK SHIP.

ROME, April 13.—A Chefoo correspondent of the Agenzia Libera telegraphs: This morning Admiral Makaroff made a sortie from Port Arthur with the whole squadron to attack the entire Japanese fleet, which was concealed at the back of Miaokoa islands. Seeing how he had been trapped Makaroff attempted to get back to Port Arthur, but the Japanese war ships being much speedier than the Russians, cut off the retreat and he was forced to fight a battle against enormous odds. The result of the engagement was disastrous to the Russians, who had all their ships damaged, while the battle-ship Petropavlovsk, while surrounded by torpedo-boats, was struck by no fewer than five torpedoes and blown up.

RUSSIA GETS THE NEWS.

ST. PETERSBURG, April 13.—Regarding the disaster at Port Arthur, a semi-official telegram was received this morning announcing that the Russian battle-ship Petropavlovsk had been sunk and that only four of the officers were

saved, among them being the Grand Duke Cyril, who was wounded. The dispatch also gave the information that Vice-Admiral Makaroff was killed and that the total loss of life was nearly 700.

The first telegram received by Grand Duke Vladimir said briefly that Grand Duke Cyril had been wounded and the Petropavlovsk had been lost, without mentioning a fight.

It was further reported that a naval battle was progressing off Port Arthur, the result of which was unknown.

Vice-Admiral Makaroff ordered his whole squadron out of the harbor to meet the attack, and while preparing to draw up his line of battle in the outer roadstead the Petropavlovsk struck a mine on her starboard side amidstships and immediately began to heel. Before the crew could flood the port compartments of the vessel in order to keep her on an even keel, she turned turtle and sank in a few minutes, carrying down almost the entire crew. Captain Njakovloff, the Grand Duke Cyril and two other officers were saved because they were standing on the upper bridge. The frightful loss of life among the officers and men was due to the fact that they were all at their stations ready for action.

The Petropavlovsk turned turtle in a manner similar to the British battleship Victoria, which was rammed by the Camperdown in 1853, and to the incident in the China-Japanese war when a Chinese war ship turned turtle, many of the crew remaining alive for several days hammering desperately on the up-turned hull.

OFFICIAL REPORTS.

The following official dispatch has been received here from Rear-Admiral Girkorovitch, the commandant at Port Arthur, addressed to the Emperor:

"PORT ARTHUR, April 13.—The Petropavlovsk struck a mine, which blew her up and she turned turtle. Our squadron was under Golden Hill. The Japanese squadron was approaching. Vice-Admiral Makaroff evidently was lost. Grand Duke Cyril was saved. He was slightly injured. Captain Jacksoff was saved, though severely injured, as were five officers and thirty-two men, all more or less injured. The enemy's fleet has disappeared. Rear-Admiral Prince Ukhtomsky has assumed command of the fleet."

The following dispatch to the Czar has been received from Viceroy Alexieff:

MOUKDEN, April 13.—A telegram has just been received from Lieutenant-General Stoessel, commander of the military forces at Port Arthur. I regret to report to your majesty that the Pacific fleet has suffered an irreparable loss by the death of its brave and capable commander, who was lost, together with the Petropavlovsk."

Another dispatch, from Viceroy Alexieff to the Czar, says:

"According to reports from the commandant at Port Arthur, the battle-ships and cruisers went out to meet the enemy, but owing to the enemy receiving reinforcements, making his total strength thirty vessels, our squadron returned to the roadstead whereupon the Petropavlovsk touched a mine, resulting in her destruction. Grand Duke Cyril, who was on board, was saved. He was slightly injured. The whole squadron then re-entered port. The Japanese are now off Cape Liao Shan. No reports had been received from the acting commandant of the fleet up to the time this dispatch was sent."

EMPRESS SHEDS TEARS.

PARIS, April 14.—The Echo of Paris's St. Petersburg correspondent says that the Emperor, when reading the dispatch from Rear-Admiral Grigorovitch, commanding at Port Arthur, announcing the loss of the Petropavlovsk, turned pale. He was much moved, and did not speak for several minutes. Then he asked a lady in waiting to inform the Empress, who burst into tears.

The Emperor ordered the news made public immediately and commanded the commission of censorship to communicate the dispatch to the newspaper correspondents. He next sent for his confessor to celebrate a requiem. His majesty said:

"God has willed that the Yenesei should perish by touching a mine, and that the Boyarin should be damaged. Now, providence, whose designs are inscrutable, has willed also to deprive us of the Petropavlovsk and the brave men aboard her."

HEARTBREAKING, SAY THE RUSSIANS.

ST. PETERSBURG, April 13.—The awful disaster to the battle-ship Petropavlovsk at Port Arthur, with the loss of almost her entire crew of over 600 men and the death of Vice-Admiral Makaroff, has been a terrible blow. It would have fallen less heavily if the ship and the commandant in chief of the fleet had been lost in battle, but to be the result of another accident, following upon the heels of a succession of tragedies of which the Port Arthur fleet has been the victim, has created something like consternation.

"Reverses we can endure," said a prominent Russian, "but to have the Petropavlovsk meet the fate of the Yenesei and the Boyarin is heart-breaking."

Besides, it has just become known that the battle-ship Poltava, several weeks ago, had a hole rammed in her by the battle-ship Sevastopol while the latter was maneuvering in the harbor of Port Arthur.

The day has been one of intense excitement in St. Petersburg. The first inkling of the catastrophe leaked out on the receipt of a telegram from Grand Duke Vladimir from his son, Grand Duke Boris, announcing the loss of the Petropavlovsk and the wounding of Grand Duke Cyril, who was first officer. Grand Duchess Vladimir was almost frantic on the receipt of the telegram, being convinced that the message was only a precursor of worse news, as it was signed by Grand Duke Boris, instead of by the aid to Grand Duke Cyril, Lieutenant Vonkarbe, Lieutenant Vonkarbe had come down with the ship.

The youngest son of Grand Duke Vladimir, Grand Duke Andrei, hurried to the Winter Palace, the Admiralty and elsewhere seeking confirmation of the news, which came three hours later in a message to the Czar from Rear-Admiral Girkorovitch, the commandant at Port Arthur.

A religious fast was immediately

# MEMORIAL SERVICE FOR THE LATE PAUL ISENBERG



THE LATE PAUL ISENBERG.

The Garden Island of Lihue, Kauai, publishes a very complete account of the ceremonies attending the unveiling of the Isenberg memorial. The Kapala band played a number of beautiful selections, showing great improvement. The program as carried out was as follows:

- KAPALA BAND.
1. Selection .....Coney's Orchestra
  2. Solo .....Mr. Vaughan
  3. Piano Solo.....Miss Mabel Wilcox
  4. Solo .....Mr. Paul Isenberg
  5. Selection .....Maser's Glee Club
  6. Solo .....Mrs. W. H. Rice
  7. Mr. Isenberg and Orchestra.
  8. Solo .....Mr. Paul Isenberg
  9. Quartette.....Maser's Glee Club
  10. Solo.....Mr. De Lacey
  11. Selection .....Orchestra

The Garden Island says: Everything was in order for the ceremony of unveiling by Thursday night. The plot of ground inside of the stone wall, topped by the neat iron fence, was decorated with flags suggestive, though not exhaustively so, of the various nationalities who had contributed to the fund. Four poles rose round the memorial stone to which was hung the curtain that was to fall at the proper moment. In front and to one side was a raised pulpit from which the speakers of the day were to address the surrounding multitude; this was draped with a German flag. The green background provided naturally by some hau bushes was made continuous to the left by a row of palm branches, and as seen from the post office the distant mountain range completed a very beautiful picture.

In spite of the gloomy anticipations of the previous evening, the day broke fair and clear, soft sunshine was over the scene.

By 10 o'clock there was much coming and going of people about post office corner and by the hour appointed 11:30, there was a large assembly of spectators in holiday attire. Every point that gave a good view of the ceremony was seized, and every one wore an expectant look. Only a few people more immediately connected with the ceremony were within the inclosure making necessary preparations. Suddenly the attention of the multitude was attracted by a procession of Chinese led by Mr. Ah Chuck of Kapala bearing numerous gifts consisting of cakes piled pyramid fashion, fire crackers and last and certainly not least a fine pig, laid on a board stung on a pole borne by two stalwart Chinese. No one could be other than moved by this singular and spontaneous gift. It was an evident token of the genuine regard our Oriental friends had for the late Mr. Isenberg and for the Isenberg family. The gifts were gracefully accepted by Mrs. Isenberg on behalf of her family, and a large number of friends having come within the enclosure, the ceremony began with the Kapala band playing "Deutschland, Deutschland, uber alles."

Mr. A. S. Wilcox made a few touching remarks on his acquaintance with the deceased concluding as follows:

One feature about it I appreciate more than anything else is that the poor people have contributed to it. If you look at the list of contributors, you will see there many people of moderate means and many of those who gave their quarters and half dollars who could not well afford to be without them. That can tell in what earnest they were. It was simply re-enacting the old Bible story of the widow and her mite. The impressions he made on the hearts of those who knew him are true monuments, but this will tell to our successors the story we know so well today. Now that he is gone and that we cannot have him back with us, we have to bow in resignation to the great father; we should continue to love him for his many noble and Christian traits and in his memory we shall ever be ready to pay a tribute to his noble record of honor and justice and manhood.

Mr. Maser's Gleemen then sang a beautiful song at quiet endeavor after right and duty.

Mr. Paul Isenberg said: Ladies and gentlemen, in the name of my dear good father's friends, in the name of the citizens of this beautiful Garden Island I will now unveil the monument.

The cords upholding the screen were then severed and the monument was now seen in its completed form. In the upper portion of the huge rock had been placed a bronze relief portrait bearing the inscription—"1837, April 15—Paul Isenberg. \*16th January, 1903," and another oblong bronze lower down on the rock has the words "Erected in loving memory by his Kauai friends, April 15, 1904. The portrait is excellent the closer one examines it. Around the base were disposed a number of wreaths and bouquets.

Remarks were made also by J. F. Hackfeld, Mr. Webber, Judge Kahala and Paul Isenberg.

Senator Isenberg said:

I am proud that the honor was given me to appear before you today and to thank you in the name of the Isenberg family for what you have done. To me, my dear fellow citizens of this island, it seems that I can say the only words I know "Thank you," and not for myself only, but for my dear mother at home and for my dear brothers and sisters. If the truth was known amongst you, no words of appreciation could tell you the mana in our hearts for erecting this beautiful monument to my dear good father. It proves to me, fellow citizens, that these good words—I have often thought of it—should be the motto of Kauai, "Love and good fellowship."

I not only want to thank you, fellow citizens, for what you have done, but I also in the name of the Isenberg family want to thank those who have spoken such beautiful words today. I want to take this opportunity here of thanking the press; it is no more than right that I should here publicly thank them in the name of my mother, brothers and sisters for the beautiful remarks that they made when father passed away. And one thing more; never will I forget what was said to me, when the news came, by a friend, "My boy, there is only one thing I can say; your father was a good man." Fellow citizens, I hope and pray each of his sons will follow in his footsteps, and I hope and pray every young man living here will follow in his footsteps.

Singing of Hawaii Pono and Star Spangled Banner by the Kapala band brought the ceremony to close.

Twenty pigs and four bullocks were used in the hua, besides an enormous quantity of fish, sweet potatoes and other supplies.

# HAWAIIAN COMMERCIAL NETTED LAST YEAR \$668,648.88

The report of the Hawaiian Commercial and Sugar Company was received in the mail last night. Following are the contents of pages 15 and 16:

SUMMARY OF SUGAR ACCOUNT.

For Crop of 1903.

Gross returns from \$1,111.	Gross Amount received per ton.....	\$10.50
\$111,100.00	Marketing Expenses per ton.....	1.50
Net returns from \$1,111.	Net Amount received per ton.....	\$9.00
\$9,999.00		

Division of Sugars.	
Hawaiian Com. & Sugar Co.	\$1,000,000.00
Kaunaloa Sugar Co.	500,000.00
Molokai Sugar Co.	500,000.00
Total	\$1,500,000.00

# STATEMENT OF PROFIT AND LOSS ACCOUNT.

For the Year 1903.

CREDITS.	
Net returns from sale of Sugar as shown by the Summary of Sugar Account.	\$1,901,297.54
Net Sundry Profits.....	154,993.44
	\$2,056,290.98

DEBITS.

Cost of Crop as shown in statement of Operating Expenses.	\$1,386,742.10
---	----------------

Net Profits for the year 1903. . . . . \$ 668,648.88

The above are the Net Profits after having written off \$199,010.23 for Depreciation, as per page 14 of this Report. The Profit otherwise would be \$668,648.88 plus \$199,010.23 equals \$867,659.11.

# TRUSTEESHIP MAINTAINED

(From Thursday's Advertiser.)

Justice Perry writes the unanimous opinion of the Supreme Court in the contest of the validity of Henry Smith's incumbency as trustee of the estate of Robert William Holt, whose will was admitted to probate on July 26, 1862, the testator having died on the 6th of the same month in that year.

The nature of the case has been repeatedly set before readers of the Advertiser. After reviewing the facts and contentions pro and con in ten typewritten pages the court decides thus: Judge Gear's order, appointing C. A. Long administrator de bonis non, "is reversed and set aside and the cause is remanded to the Circuit Judge with directions to deny the petition of J. F. Colburn praying for such appointment."

C. W. Ashford for J. F. Colburn and C. A. Long; Holmes & Stanley for Bruce Cartwright; Hatch & Ballou for Henry Smith; Smith & Lewis and L. J. Warren for certain of the beneficiaries. The law of the case is as follows:

A will was made at the time of his death administrator with the will annexed of the estate of H. A. as trustee of the said estate "in the place and stead of" A, "lately deceased," and an order of court, made in reference to such petition, that B be appointed trustee of said estate, construed to be respectively a petition and an order for the appointment of B as administrator with the will annexed of the said estate, and letters of administration issued in pursuance of such order held to be valid.

The petitioners for such appointment, having appeared and submitted themselves to the jurisdiction of the court, and their successors in interest are bound by the proceedings had, even though it be assumed that there was no publication of notice to parties interested and that such publication was required by rule of court.

A resignation by B "as such trustee," and the acceptance thereof held, under the circumstances of this case, to be a resignation of his office as administrator with the will annexed, and the appointment of S "as trustee to succeed B" in the trust under the will of H "deceased," held to constitute S administrator with the will annexed of the said estate.

Another decision relative to the same matter dismisses a petition for a writ of prohibition brought by Cartwright and Smith against Judge Gear and Long, the dismissal being without prejudice and on account of the necessity for the writ becoming non-existent through the decision above reported.

# CITY SANITATION DONE IN MARCH

Dr. J. S. B. Pratt, city sanitary officer, in his report for March tells of nine complaints of nuisances. Where they proved to exist they were abated. Inspector Nisner, district No. 4, arrested a Chinaman for committing a nuisance, who was fined \$3 and costs of court.

Twenty-nine recommendations for hotel, restaurant and lodging house licenses were made. The accommodations in these were for 1674 adults who might lawfully be lodged therein. Seventeen hold-over licenses were issued, the capacity being for 2462 adults. Two are still held over from previous months and five from March.

Seventy inspections of graves were made. In Kawaiahaio cemetery the edges of two coffins were exposed on account of the caving in of earth. In the digging of a grave in the Catholic cemetery on March 1 three bodies were dug up. The case was referred to the acting Attorney General for action.

Two burials in Waikiki cemetery were in 18 inches and two feet of water respectively, and one in the Catholic cemetery was in 18 inches of water.

Dr. Pratt was a witness at one coroner's inquest and with Dr. J. V. McDonald investigated a death at Maunaloa.

The new market of the Live Fish Co. were inspected and a number of changes were required to be made.

Plumbing work inspected in company with an Inspector and recommended some work.

Other industries numbered 64.

# TWO JURORS YET NEEDED

## Defense Has One Challenge Yet Coming.

(From Thursday's Advertiser.)

At the adjournment of court yesterday afternoon there were ten jurors passed for cause in the empaneling of a jury to try Man Chong for the murder of Policeman Mahelona. The panel of jurors was exhausted and another special venire, the fourth one issued, was in the hands of the High Sheriff, calling for twenty-five men and returnable at 10 o'clock this morning. One challenge remained for the defendant to exercise, the prosecution having exhausted all of its challenges.

It is unusual to have less than eleven men in the box when a panel has been exhausted, because a challenge cannot be exercised until there are twelve men sitting. In this instance, when the number had been reduced to eleven by a challenge of the defendant's, E. R. Bath, who had passed for cause, asked to be excused on account of pressure of business, a portion of which was a contract on the reformatory school. Judge De Bolt excused him but told him it would be the last time he would excuse him for that cause.

There are therefore two new jurors to be passed, without counting on the exercise of defendant's remaining challenge. The ten men in the box are Jas. Hiecknell, Percy Lishman, C. F. Fink, Sam. E. Pierce, Henry Gehring, John C. Dias, H. R. Macfarlane, Jr., John C. Lane, Levi K. Nakea, Jas. W. L. McGuire.

THE DREDGING SUIT.

H. Hackfeld & Co., Ltd., by their attorneys, Kinney, McClanahan & Cooper, and Castle & Cooke, Ltd., by their attorneys, Castle & Withington, yesterday filed admissions in the suit brought against them by Clark & Henery to recover the amount of a subsidy guaranteed them for dredging Pearl Harbor by Oahu Sugar Co. and Ewa Plantation Co., of which defendants are respectively the agents.

They admit that Lieut. Col. W. H. Heuer, Corps of Engineers, U. S. Army, being authorized by the U. S. War Department to arrange by contract for the dredging of the entrance into Pearl Harbor, advertised for proposals therefor in the manner shown in exhibits attached.

They further admit that the bid of Clark & Henery for such dredging was accepted, and that Clark & Henery on July 16, 1901, entered into the contract and performed the contract to the satisfaction and acceptance of the United States Government.

It is admitted that the channel was dredged, as a result of Clark & Henery's work under the contract, to a width of 200 feet and a depth of 30 feet, and that Clark & Henery were paid by the Government for the performance of their contract.

Defendants admit that Lawrence Thompson, civil engineer, was the inspector who inspected said channel and reported upon its condition after the completion of said dredging, and prepared a map or chart of the dredged channel which was deposited at the Naval Station in Honolulu, of which chart a blue print copy is attached as an exhibit to the admissions.

KONA COMPLICATIONS.

Henry Waterhouse Trust Co., Ltd., and Robert W. Shingle separately demur to the complaint of Robert L. Colburn against Clinton J. Hutchins and themselves. Castle & Withington are their attorneys. The ground of each demurrer is that the complaint is insufficient in law.

In the same matter a stipulation is filed by the attorneys mentioned above, C. W. Ashford for plaintiff and Cathcart & Milverton for Hutchins, so as to permit the defendant Henry Waterhouse Trust Company to pay to Kinney, McClanahan & Cooper \$1198.20, the damages and interest allowed to Wm. W. Bierce, Ltd., in its suit against Clinton J. Hutchins, trustee, for which execution has been ordered issued by the First Circuit Court. This stipulation is made without the waiving of any rights, Hutchins permitting the payment of judgment only in pursuance of the execution.

DEATH DAMAGES ASSET.

Judge De Bolt appointed C. K. Ai administrator of the estate of Chang Yee Tong, under bond of \$200. This is the value of the personal property, besides which the estate consists of a cause of action for the death of deceased by wrongful act of the Mutual Telephone Co. and the Honolulu Rapid Transit and Land Co. Chang Yee Tong was killed by a live wire in a mixup of electrical conductors on King street.

DIVORCE.

Judge De Bolt granted a divorce to G. M. Kaona against Rosalia Kahou on the ground of desertion. C. F. Peterson represented the libellant, who was also present in person. The deserting wife made no appearance, either personally or by counsel.

BURNS AND CUTS.—Slight injuries of this character are of frequent occurrence in almost every household. While they are not dangerous, except when blood poisoning results from the injury, they are often quite painful and annoying. They can be quickly healed by applying Chamberlain's Pain Balm. It allays the pain almost instantly and heals the injured parts without further being formed, which insures a cure in one-third the time that the usual treatment would require. It is the most perfect preparation in use for burns, scalds, cuts, bruises and the injuries that should be treated with a balm, and should be kept in every household. For sale by All Doctors. Honolulu: Smith & Co., Ltd., Agents for Hawaii.

Hawaiian Gazette.

Entered at the Postoffice of Honolulu, H. T., Second-class Matter, SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

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

Payable Invariably in Advance.

A. W. PEARSON, Manager.

FRIDAY APRIL 22

ALTON B. PARKER.

Judge Alton B. Parker, whom the New York Democrats will support for the Presidential nomination of their party, is not a national figure except as he has been made one by talk about his candidacy.

There was a time when the national Democracy insisted on men of records and ideas, men of known views upon public questions as their candidates for President.

The one argument for Parker is that he is safe. But safety has various aspects. That fine ship is safe while anchored in the harbor but if it stays there always it will make nothing for its owners and eventually will rot away.

RUSSIA'S CRISIS.

In the presence of the enemy and a victorious enemy at that, the Russians are changing their leaders in Manchuria. Alexieff has been forced to resign and a new man, possibly the half-exiled Dragimmaroff, possibly the Czar himself, will come to take his place.

Arizona and New Mexico have wanted Statehood for many years but they want it separately. There are too many aspirants for Statehood to be content with one State for both Territories.

The virtuous look on the face of the Legislature ought to tempt that body to have a new photograph taken.

The Chamber of Commerce has about made up its mind to import some currier killing birds and let 'em loose in Palama.

Mr. Roosevelt has no voice to be dimitted with the course of the New York Democratic State convention.

Dr. Rogers notes several drawbacks to the progress of Hawaii but forgets to mention the Home Rule party.

The British district officers out of the office of the Hawaiian consul have been very busy since the last meeting.

DELEGATION ADVERTISING.

Suggestions having been asked for about the manner in which the Hawaiian Republican delegation should advertise the Territory on its way to the Chicago convention, this paper would propose that if it makes a show of banners and music en route, it shall take pains not to make a show of itself.

CIVIL SERVICE REFORM.

The Springfield Republican complains that Admiral Walker objects to the appointment of inspectors engineers and other employees on the Panama canal by the Civil Service Commission and asks: "Why are civil service reform ideas not applicable to the isthmus?"

There is a split among local Democrats on the question of Hearst. Palmer Woods is on one side of the question and Colonel McCarthy on the other and their friends are divided.

THE HOME RULERS.

The Home Rule party is slowly disintegrating and it is only a matter of time when its membership will disappear in the Republican and Democratic parties.

Just as the Japanese try to attract tourists back to the crysanthemum paths, the Russians announce that fast cruisers will be sent to prey on Japanese commerce in the Pacific.

No doubt the Bishop Museum could safeguard its noxious importations of birds and reptiles under ordinary circumstances, but what if there should be a fire?

General Ma finds it difficult to restrain the Chinese from attacking the Russians. Perhaps if he lets his men try it once he will have less trouble with them hereafter.

Writing up is not what Hawaii needs. It has had more of that since 1893 than any other resort within easy reach of the United States and there are at least twenty books about it in every great public library.

The Russians do not intend to let the war correspondents see any more than is good for them; so when events begin to loom up near New-Cheng and in the Lanting peninsula, they send the press writers to Mukden.

Mr. Roosevelt has no voice to be dimitted with the course of the New York Democratic State convention.

The British district officers out of the office of the Hawaiian consul have been very busy since the last meeting.

EFFECT OF THE BRUSSELS CONVENTION ON SUGAR.

The article on the sugar business in Jamaica, published herewith, sets forth the deplorable condition of this business in the smaller English colonies.

JAIL ADDITION WORK DELAYED.

Work on the addition to the jail has been delayed by the failure of the iron work to arrive.

THOUGHT IT WAS THE THETIS.

When the U. S. S. Supply was sighted off Koko Head yesterday morning it was thought that the long expected revenue cutter Thetis was outside.

LOCAL BREVITIES.

Three new varieties of fish were added to the aquarium yesterday, making the total eighty-three.

HAWAIIAN STOCKS.

San Francisco stock quotations sent Henry Waterhouse Trust Co., Ltd., by Edw. Pollitz & Co.: Hawaiian Commercial, \$47.00; Honokaa, \$11.50; Makaweli, \$21.00.

METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

TIDES, SUN AND MOON.

First quarter of the moon, April 23d. Times of the tide are taken from the United States Coast and Geodetic Survey tables.

BAND WILL GO FOR A TOUR.

The Chamber of Commerce committee to which was referred the proposition of J. C. Cohen to take the Hawaiian band for a tour of the mainland, held a meeting yesterday and decided to make a favorable report to the trustees.

JAIL ADDITION WORK DELAYED.

Work on the addition to the jail has been delayed by the failure of the iron work to arrive.

THOUGHT IT WAS THE THETIS.

When the U. S. S. Supply was sighted off Koko Head yesterday morning it was thought that the long expected revenue cutter Thetis was outside.

LOCAL BREVITIES.

Three new varieties of fish were added to the aquarium yesterday, making the total eighty-three.

HAWAIIAN STOCKS.

San Francisco stock quotations sent Henry Waterhouse Trust Co., Ltd., by Edw. Pollitz & Co.: Hawaiian Commercial, \$47.00; Honokaa, \$11.50; Makaweli, \$21.00.

METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

TIDES, SUN AND MOON.

First quarter of the moon, April 23d. Times of the tide are taken from the United States Coast and Geodetic Survey tables.

LOCAL BREVITIES.

(From Wednesday's Advertiser.)

R. V. Woods and wife of Kealahouka, Hawaii, are journeying to London, to return in September.

Herr von Buri, German Consul-General at Sydney, and his wife are stopping at the Young Hotel.

Deputy Marshal Winter departed on the Kinaiu yesterday for Hilo to arrest a Japanese who is accused of selling his wife.

A quantity of koa lumber was shipped to the coast on the Sierra yesterday. It will be used in the manufacture of furniture.

The steamers Kinaiu and Mauna Lou were delayed an hour in sailing to accommodate home-going members of the Legislature.

H. McCallum, charged with selling liquor without a license, was put under suspended sentence for thirteen months by Judge Lindsay yesterday.

The body of a Japanese named Ishida was found hanging to a tree near Pualea-uka, Hawaii, on April 12. It is thought he had hanged himself some days previously as the body was badly decomposed.

Frank Harvey, president; Solomon Kealoha, vice-president; G. Smith, secretary, and John Kalama, treasurer, are the officers of a Democratic club formed in the seventh precinct of the Fifth District.

Mr. and Mrs. C. C. Perkins and Mrs. Kelley departed on the Sierra yesterday for San Francisco, and were given a big floral send off by a large delegation of friends.

Mr. Wah was arrested yesterday afternoon on a charge of receiving stolen goods. He is alleged to have bought of Chinese thieves tubs of soy.

(From Thursday's Advertiser.)

Judge Kepoikal and wife have gone to Maui.

Governor and Mrs. Carter are still at Waialua.

Solomon Meheula's trial for destroying House vouchers is further continued until the 27th inst.

Judge Dole granted the motion to allow David Lawrence & Co., in bankruptcy to continue business under W. W. Thayer, trustee.

Delegate Knudsen, besides attending the Chicago convention, expects to be present at the decennial reunion of his graduating class at Harvard in June.

The 10th of the 5th has a Democratic club with J. Naholawa president, S. K. Malou vice-president, R. M. Kaneoli secretary and David Kai treasurer.

District Attorney Breckons is bringing suits in the Federal court for Treasury Agent MacLennan to settle the interests of different parties in single fire claims.

Mrs. Ida Tenney Castle by G. P. Castle, her attorney in fact, has filed in the Court of Land Registration a petition for a "Torrens" title to certain land in Honolulu, the location being near Kapioai Park, containing an area of 65,430 square feet.

Judge Dole sentenced Torokichi Shoda, on plea of guilty to importing women, to imprisonment at hard labor twelve months. The prisoner told the Judge that his old mother in Japan would probably commit suicide when she heard he was in jail.

Samuel E. Damon, treasurer of the Leahi Home for Incurables, in his report for March to the Board of Health presented yesterday, shows receipts of \$354 and payments of \$98.57 for the month. There were 29 inmates at the end of the month, cared for by a regular staff.

Mons. Antoine Vizzavona, French Consul for Hawaii, returned last evening on the Ventura from a nine months' absence spent in France, Corsica and Algiers.

J. T. McCrosson of the Kohala Ditch Co. returned last night on the Ventura from San Francisco. Mr. McCrosson stated that he had been financing the company on the coast but nothing definite had been decided as to the funds. He will again leave for the coast in about two weeks to complete negotiations, and expects that most of the money will be subscribed in the west.

Two stragglers from the Iroquois were taken in by the police yesterday. W. C. Lyon and wife will leave next week on the bark G. C. Toby for San Francisco.

Dr. Russel will deliver a lecture reed for the benefit of the Japanese Red Cross Society.

District Attorney Breckons has been informed that \$20,000 is at the disposal of the War Department for purchase of the Kahaulani lands wanted for an army post.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Louis A. Howe is expected to arrive from Washington where he has been signing the bill which has been the primary cause of the present difficulty.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Louis A. Howe is expected to arrive from Washington where he has been signing the bill which has been the primary cause of the present difficulty.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Louis A. Howe is expected to arrive from Washington where he has been signing the bill which has been the primary cause of the present difficulty.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Louis A. Howe is expected to arrive from Washington where he has been signing the bill which has been the primary cause of the present difficulty.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Louis A. Howe is expected to arrive from Washington where he has been signing the bill which has been the primary cause of the present difficulty.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Louis A. Howe is expected to arrive from Washington where he has been signing the bill which has been the primary cause of the present difficulty.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Louis A. Howe is expected to arrive from Washington where he has been signing the bill which has been the primary cause of the present difficulty.

100 Doses For One Dollar

Economy in medicine must be measured by two things—cost and effect. It cannot be measured by either alone. It is greatest in that medicine that does the most for the money—that radically and permanently cures at the least expense.

Hood's Sarsaparilla

It purifies and enriches the blood, cures pimples, eczema and all eruptions, tired, languid feelings, loss of appetite and general debility.

"I have taken Hood's Sarsaparilla and found it reliable and giving perfect satisfaction. It takes away that tired feeling, gives energy and puts the blood in good condition."

Hood's Sarsaparilla promises to cure and keeps the promise.

BUSINESS CARDS.

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

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

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

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

HONOLULU STOCK EXCHANGE.

Honolulu, April 21, 1904.

Table with columns: NAME OF STOCK, Capital, Val., Bid., Ask. Includes Mercantile, Sugar, Steamship Cos., and Miscellaneous.

SALES BETWEEN BOARDS.

Fifty Ewa, \$20; 10 O. R. & L. Co., \$75.

METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

Table with columns: Day, Barom., Therm., Humidity, Clouds, Wind, Force.

TIDES, SUN AND MOON.

Table with columns: Days, High Tide, Low Tide, Sun rises, Sun sets, Moon rises, Moon sets.

First quarter of the moon, April 23d. Times of the tide are taken from the United States Coast and Geodetic Survey tables.

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

Hawaiian standard time is 16 hours 30 minutes slower than Greenwich time, being that of the meridian of 167 degrees thirty minutes.

The time while flows at 1:00 p. m., which is the same as Honolulu, 6 hours 9 minutes slower than mean sun for local time for the whole group.

# MAN CHONG BEING TRIED

## Story of Officer Mahelona's Death.

Only a few minutes were required yesterday morning to complete the jury for the trial of Man Chong for the murder of Police Officer Mahelona. Following is the panel:

James Bicknell, Percy Lishman, C. J. Falk, Sam. E. Pierce, Henry Gehring, Jas. W. L. McGuire, H. R. MacFarlane Jr., John C. Lane, Levi K. Naka, Chas. Hummel, Chas. F. Merrifield and B. S. Gregory.

The prosecution had exhausted its six and the defense its twelve challenges before the result was gained.

At the request of Mr. Peters for the prosecution, Mr. Ashford for the defense consenting, Judge De Bolt permitted the jurors to go to their places of business, in charge of bailiffs, and settle up their affairs before 1 o'clock p. m. Bailiffs Hopkins and Quinn were also authorized to take the jury to lunch. At 10:41 the court took recess until 1 p. m.

At the opening of court in the afternoon, Mr. Falk stated that it was the unanimous desire of the jurors that night sessions be held.

Mr. Peters, after reading the indictment charging Man Chong with murdering John William Mahelona on November 19 last, called Samuel M. Kerns as the first witness for the Territory. He also offered in evidence a map showing Kukui lane.

Mr. Ashford asked that Charles Clark be excluded from the courtroom until after his son Charles had testified. The court denied the request.

Stephen and Clement Parker, sons of Police Captain Parker, gave evidence and Mr. Peters, against the objections of Mr. Ashford, offered in evidence a revolver picked up at the spot where young Clark had held Man Chong down upon the ground after the shooting. The weapon was admitted, though the court did not quite like it in a loaded condition, as Mr. Peters said it was.

At 4 o'clock recess was taken until 7:30 p. m.

### THE TALE UNFOLDING.

The testimony thus far shows that Mahelona, the night of his death, caught Man Chong in a yard near Liliha street, with chickens in his possession. As the Parker brothers were on their way home shortly after 10 o'clock they met the officer and his prisoner on Liliha street. Mahelona returned with Man Chong into the yard to make investigation regarding certain sacks the Chinaman said were there. Charles Clark Jr., living in the vicinity, went to the assistance of Mahelona, as did the Parker boys. While the three young men were in the yard, Man Chong conducted Mahelona to a corner behind a two-story house. Clark followed them and, in a few minutes, a pistol shot was heard from the recess. It was a dark night. After a short interval there was a rapid succession of four or five shots. Clark called to the Parker boys in English for help. They ran to the spot and found Clark lying upon the prostrate body of Man Chong. Clement Parker took hold of the Chinaman, relieving Clark who had been wounded in the arm.

Other assistance appeared. Man Chong was removed to the street, struggling to escape, and was sent to the station. Somebody brought a lantern and Mahelona's dead body was found with face upward lying a few feet from where Clark had put the Chinaman down. A gunshot showed in his neck. The dead officer's nickel-plated revolver was found about a foot from his right hand. Upon the spot where the struggle between Clark and Man Chong had taken place a black revolver was picked up by Stephen Parker, who gave it to Detective McDuffie. The prisoner at the bar was identified by the witnesses from having the fingers of his left hand off.

### STOLEN WILL SETTLEMENT.

Judge Robinson made an order of distribution in the matter of the estate of Francisco Botelho, deceased, of which J. P. Dias is administrator. This is a case in which the will of the dead man was entered for probate, its contents being given in the daily papers at the time, and afterward lost. Proof of the will was made to the satisfaction of the court and the administration proceeded.

There is little doubt that the will was stolen from the desk of the clerk in his temporary absence. The testator had asked for a brass band at his funeral in addition to the ordinary accessories of a decent burial. Legatees were those named in the following schedule of distribution as ordered by the court:

Antonina Botelho, daughter, aged 14 years, \$4537 1/2.  
William Botelho, son, aged 3 years, \$4537 1/2.

Rev. Clement Everard, as trustee under the last will of Bishop Gulistan P. Roberts, \$4537.

Besides the foregoing portions the children will receive \$4000, a death benefit in the hands of the Portuguese Mutual Benefit Society. This sum the administrator reported the society claimed would only be paid over to the legal guardian of the children.

### MORE KONA LITIGATION.

The Supreme Court had a special sitting yesterday to try the appeal of the estate of E. A. B. Clark, deceased, who was killed by a steam train on the Kona Railroad. The court is expected to render its decision in the case by the end of the week.

of possession granted by Aliu to the Kaplani Estate, Ltd., against Clinton J. Hutchins, trustee, for the mill property of the Kona Sugar Co. Kinney, McClanahan & Cooper appeared for the motion; Cathcart & Milverton against. The court took the matter under advisement.

Eliza Roy has brought suit against Clinton J. Hutchins, trustee, as defendant and Henry Waterhouse Trust Co. as garnishee, for \$3401.36 alleged to be due in rental and taxes on 1000 acres of land leased to Kona Sugar Co. on February 1, 1899, for thirty years at an annual rental of \$375.50 for the first two years and \$562.60 for the remainder of the term. Summons is made returnable at the September term.

### JUDGMENT FOR PART.

Judge Gear rendered judgment in the replevin case of Manuahi vs. Mele Kakea. The property claimed made fifteen items, of which the total value alleged was \$161, and \$50 damages was asked. District Magistrate S. Hookano of Ewa gave judgment for the entire lot, with nominal damages of \$1 and costs of \$3.80, the defendant having declined to put in any evidence. Plaintiff had sued as administrator of the estate of Pila Manuahi, deceased. Judge Gear's judgment was in favor of the plaintiff for only a tool chest, a trunk and a safe, Robertson & Wilder for plaintiff; E. A. Douthett for defendant.

### MRS. KOLOMOKU'S DENIAL.

Mary Ann Kolomoku answers the libel in divorce brought by Hiram Kolomoku, admitting the marriage as alleged but denying every other allegation in the complaint. She also consents to an immediate hearing and trial of the cause without awaiting the expiration of twenty days from the date of the service of summons. Robertson & Wilder are her attorneys.

### DESERTION, CRUELTY, ETC.

Heleen Clara Fonseca has brought a libel in divorce against Joseph Fonseca on the ground of desertion. The parties were married at New Bedford, Mass., August 28, 1890, and these children have been born to them: William, aged 12; Lillian, 9; Walter, 7; Edwin, 5; Ethel, 2. The libel is alleged to be a steward earning about \$65 a month, who since February 22, 1902, has utterly neglected to provide his wife and children with the necessities of life.

Aracelia de F. Souza has brought a divorce suit against Jose de Souza, alleging extreme cruelty and habitual drunkenness. They were married Aug. 29, 1891, and have one son aged 3 years.

### WANTS TO DRAW MONEY.

Mrs. Sarah Ferry, guardian of Freddy and George Ferry, minors, petitions the Circuit Court for an order authorizing the clerk to pay to her the principal of \$60.88 remaining of the estate of the minors. Ever since the death of her husband, Frank Ferry, on April 28, 1897, the petitioner says she "has remained a widow, earning her livelihood by the work of her own hands, such as receiving clothes for laundry purposes from those who are willing to entrust to her such work." Now her father, a resident of California for three years, has written to her to join him in that State and "owing to the hard times now prevailing in Honolulu, petitioner intends to leave Honolulu with her two sons to better their condition in said State of California," and says it is not her intention to return to Honolulu with her two sons. She desires to draw the principal, of which the interest has been paid her all along, to be used as passage money and other personal necessities of the children. Frank Ferry, another son of her late husband by a former marriage, left the Hawaiian Islands with his grandaunt in 1898, to whom was paid \$132.65 as his distributive share of the father's estate.

### LOTS OF WRITING.

Clerk M. T. Simonton's minutes of the January term business before Judge Robinson, presiding, aggregated more than 77,000 words. This amount does not include the minutes of hearings at chambers held by Judge Robinson during the term.

### EXECUTOR APPOINTED.

Judge Gear appointed Wm. O. Smith as executor of the will of Josephine C. Barber, under \$5000 bond.

## HAWAIIAN MATTERS

(Continued from page 1.)

The Senate has had considerable debate during the past week on Chinese exclusion, as it is claimed that the denunciation of the treaty of 1894 by China will open all our ports to Chinese after December 7 next. The Republicans refuse to share that view but Democrats are pressing it, hoping to make political capital. Senator Lodge said today that he took no stock in the cry that the denunciation of that treaty would make ineffective the existing law. "But if the present law is corrected," he added, "it will be done by an amendment to one of the appropriation bills."

### MCCLELLAN'S WORK.

Mr. George B. McClellan closed up his work here, affecting the electric light franchise bill and regarding legislation to confirm the right of way to the Oahu Railroad and Land Company through the military reservation of Kahaiki and departed for the West Saturday last. He stated that it was his intention to tarry a little with some friends on the way and to sail from San Francisco on the Korea.

His bill to grant right of way to the Oahu Railroad was introduced in the House by Delegate Kalani'aoale and referred to the Committee on Military Affairs, by which committee it has been reported back favorably. Mr. Foraker, chairman of the Senate Committee on Pacific Islands and Porto Rico, has proposed the same measure in the Senate as an amendment to the Sundry Civil Appropriation bill, which will probably be reported in the Senate next week.

The language of the amendments and the manner of their introduction into the Senate have caused some discussion. The amendments proposed by Mr. Foraker are:

The amendments proposed by Mr. Foraker are:

## WARRANTS FOR GRAFTING SESSIONS TURNED DOWN

## Treasurer Campbell Refuses To Pay Expenses of House In 1903 Out of 1904 Appropriation.

"Warrants have been drawn for the payment of expenses of the regular and special session of the Legislature in 1903 which I as Treasurer will not pay."

Treasurer A. J. Campbell made the foregoing statement with decisive emphasis yesterday afternoon, adding:

"These warrants have been drawn by John H. Wise, clerk of the House of Representatives, under a resolution passed by the House that unpaid bills of 1903 should be paid out of the appropriation for the special session. That appropriation was made to pay the expenses of the House for the special session of the Legislature in 1904 and I have no authority for expending any of it to pay expenses of the Legislature incurred at the sessions of 1903."

Mr. Campbell gave the following list of the warrants in question drawn by Clerk Wise, the first payable to himself and the second to Solomon Meheula, his 1903 predecessor:

No. 838.	John H. Wise	240	80
No. 839.	Solomon Meheula	585	00
No. 840.	Paradise of the Pacific	634	20
No. 841.	D. H. Kahalelio	105	84
No. 842.	W. J. Coelho	458	60
No. 843.	Enoch Johnson	240	80
No. 845.	Hawaiian News Co.	21	25
		\$2,286	49

for the railway of said company through the military reservation of Kahaiki, district of Kona, Oahu, Hawaiian Islands, he, and the same are hereby, ratified and confirmed."

Having advanced his bill to this stage Mr. McClellan thought it could be well left in the hands of another here, who will watch it carefully and urge its passage in Senate and House at the proper time. A long letter from Secretary of War Taft, with enclosure, has been printed by order of the House, touching upon the proposed legislation. The Secretary includes a letter from Gov. Carter, calling attention to the case and the circumstances under which the deeds for right of way were given. Judge Advocate General Davis, of the Army, was asked to pass upon the letter of Gov. Carter and recommended that no further action be taken at present.

Then Assistant Secretary of War Oliver wrote to Gov. Carter informing him of the opinion of the War Department on the subject. Gov. Carter's letter having been addressed to Col. Oliver. Then when the subject was eventually brought before Secretary of War Taft, with a request for a recommendation from him, favoring proposed legislation, he wrote a letter, dated March 26, approving the bill. Secretary Taft said in conclusion:

"In both deeds the right of way for the railroad is described as being 40 feet in width, 20 feet on each side of the center line. The power to dispose of the real property of the United States is vested in Congress and can only be exercised by the Executive with express legislative consent. I know of no objection to a ratification of the conveyance in question, and in view of the facts as above stated it would seem that such action should be taken."

"I have the honor, therefore, to recommend that the act of the Hawaiian government in granting a right of way across the Kahaiki be authorized." With his letter Judge Taft submitted the draft of an appropriate clause of legislation, which was the same as that given above.

Mr. McClellan made a number of warm friends in Congress and elsewhere during his stay in Washington. He did not confine himself during his stay entirely to the two measures in which he was directly interested but gave attention to several matters of general interest to the islands.

### THE CARTER BILL.

A bill, following a recommendation by Gov. Carter extending the power of removal from office and amending the organic act to that extent has been introduced in the Senate and House by Mr. Foraker and the Hawaiian delegate respectively. What the prospects for the passage of such a bill are at this session cannot be definitely stated but probably they are not as bright as might be. The bill provides for amendments to the organic law so that Section 80 shall read as follows:

"Sec. 80. That the President shall nominate and, by and with the advice and consent of the Senate, appoint the chief justice and justices of the supreme court, the judges of the circuit courts, who shall hold their respective offices for the term of four years, unless sooner removed by the President; and the governor shall nominate and, by and with the advice and consent of the Senate of the Territory of Hawaii, appoint the attorney-general, treasurer, commissioner of public lands, commissioner of agriculture and forestry, superintendent of public works, superintendent of public instruction, auditor, deputy auditor, surveyor, high sheriff, members of the board of health, commissioners of public instruction, board of prison inspectors, board of registration and inspectors of election, and any other Territorial boards of a public character that may be created by law; and he may make such appointments when the Senate is not in session by granting commissions, which shall, unless such appointments are confirmed, expire at the end of the next session of the Senate. All such officers shall hold office for four years, and until their successors are appointed and qualified, unless sooner removed by the governor for cause, except the commissioners of public instruction and the members of said boards, whose terms of office shall be as provided by the laws of the Territory of Hawaii."

### MR. KALUA'S CASE.

None of the Honolulu people here has any inside information about the removal of Judge Kalua. The proceeding leading up to that action has apparently proceeded on information sent by Gov. Carter to President Roosevelt at the writing of this column, and has been approved by the papers of Friday morning, April 2, last, when the President issued his order.

## COULDN'T THE ALIENS

## Discussion As To the Benefit To Hawaii.

Builders and Traders talked long and earnestly last evening over the educational problems of Hawaii. What chiefly interested them was whether it paid to educate the Asiatics at the expense of the taxpayers to eventually compete with American citizens in the trades and professions. There was talk also of possible legislation at the next session of the legislature relative to this matter, and a strong committee was appointed to investigate, and if advisable, to report with a bill which might be presented to the next legislature. The majority of the members took a rather discouraging view of the situation, believing there was no solution possible, and that the Asiatic children, being American citizens could not be shut out from the advantages of the schools.

Charles Carter was the only member of the old committee present, and he reported that he had run against a stone wall and couldn't get over it. He said that from his investigations, he was persuaded that the Japanese and Chinese children could not be kept out of the schools. He believed that the best way was to drop the agitation and to permit the Asiatics to get an education.

Stanley Stephenson said he had studied the question at one time, chiefly from being in a city where the Japanese overran the place, and forced the white children into basements and new buildings. Finally the community was compelled to issue \$100,000 in bonds for new schoolhouses and then an investigation was made, the cause ascertained, and it was decided to charge the Japs, tuition sufficient to pay for their share in the educational system.

John Emmeluth thought the committee should have brought in statistics to show the cost per capita and the amount of taxes the Japanese are paying towards the support of the schools. He said the whole thing resolved itself down to a question of the survival of the fittest, and in this case the fittest would be the man who could live at the least expense and do the most work.

Mr. Clark stated that the aliens paid their taxes, and that in the country districts they paid the bulk of the school tax. Mr. Emmeluth disputed the assertion, and said that the entire school tax amounted to but \$20,000 per year, while the cost of the schools aggregated \$300,000 per annum.

Mr. Howard suggested that a more equitable division of taxes would be an assessment against the parent for each child of school age. He said that neither the Chinese nor the Japanese were illiterate; less so than the people of the Eastern States.

Mr. Carter said that the Asiatics were brought here originally to till the soil, that the taxes came from the plantations which were tilled by these men, and that he did not believe that anything could be done to relieve the present situation.

L. E. Pinkham read a letter which he had received from a school teacher in response to a question as to what should be done with the Asiatic in the schools. The reply had been, that had the Asiatics been given any inducement, other than field labor, when they came here, the problem would be much more complicated. But as they were brought here for field labor, they should be educated for it. It did no good to educate them for good citizenship as they couldn't become citizens, and the Hawaiian boys had no incentive to study when they had to compete with the Chinese. The teacher believed in America for the Americans, and only in educating good loyal American citizens.

Mr. Pinkham said that Hawaii was an agricultural country, and to educate Asiatics made them opposed to field work. He admitted that the Territory was right up against it.

Mr. Howard told of a Hawaiian who had come over from Kauai to take a course in farming in the higher schools, and afterwards returned but would not work on his farm.

Jas. Nott, Jr., opposed the proposition of taxing every man according to the number of his children, and asked who was to pay for the orphans. Mr. H. E. Hendricks believed in the more practical education of both Hawaiians and aliens, and said that the best way was to make them better citizens, whatever the cost to the taxpayers.

Mr. Stephenson said that they couldn't be made into American citizens, they went to the public schools in the morning, and to their own churches and schools in the afternoon. He believed in making them American citizens only if they paid pro rata for the support of the schools.

Mr. Craig thought it a deep and serious question and said that the legislature would take it up at the next session. He suggested the enlargement of the committee, and the committee was finally instructed to continue its investigations and report at the next meeting. Charles Carter and W. C. Weedon were already on the committee and W. W. Harris, Marion Campbell and H. E. Hendricks were added to it.

A letter was read from Delegate Kalua advising the exchange to continue itself in internal improvements of the island and to carry on in Hawaii. New rules for collections were also adopted.

Headmaster Hodge having the head school here in 1900, a bill passed in 1901, which gave the right to the school to collect for the support of the school.

## SCOTT SAID TO BE SHORT \$1600

W. B. Scott, a former employe of Bishop & Co., is held in Oahu Jail awaiting a charge of embezzlement, to be preferred by High Sheriff Brown this morning. Scott was in custody on another charge and Bishop & Co. examined his books, only to find an alleged shortage of about \$1600. Scott, according to the police when charged with the shortage, is said to have admitted it.

Scott was in charge of the foreign order department of Bishop & Co. and it is said that he failed to make remittances as he should have done. The shortage of \$1600 is alleged to have occurred within the past two or three months. Mr. Damon told the police that the shortage was such that Scott could not have carried it much longer, and that it would have been discovered in a few days whether he had been arrested or not. High Sheriff Brown said yesterday that he intended to file an information against Scott in the Police Court today.

## MANY LEPERS IN AMERICA

NEW YORK, April 11.—The statement that there are 2000 lepers in the United States started the Presbyterian ministers at their meeting today. It was made by John Jackson of London, England, who is the organizing secretary of the mission to lepers in India and the East. He has begun a tour of the principal cities of the Union in the interest of his organization.

Jackson explained that the lepers of the United States are largely confined to the extreme southern states and the Pacific Slope, and that, although there is little fear of the disease spreading to other parts of the country, it is important to keep it under in the sections infected. In his address, which treated especially of the work of the mission in India, he said that the disease was present in many of the principal cities of the United States and that it was spreading.

# HOW NEUMANN CAME TO HIS DEATH

## Story of Disaster On Battleship Missouri.

PENSACOLA, (Fla.), April 13.—The most appalling disaster in the history of the American Navy since the blowing up of the Maine in Havana harbor in 1898 occurred on board the first-class battleship Missouri here today, when 2000 pounds of smokeless powder exploded, killing twenty-nine officers and men outright and injuring five more, two of whom will die. The dead are as follows:

- Lieutenant W. C. Davidson.
- Lieutenant (junior grade) E. A. Welchert.
- Lieutenant of Marines J. V. P. Gridley.
- Midshipman W. E. L. Neumann.
- Midshipman Thomas Ward Jr.
- Coxswain J. Bloxopolus.
- Boatswain's Mate (first-class) G. K. Peterson.
- Seaman W. J. Bogard, O. N. Soder, Ralph H. Allison, Ordinary Seaman C. Rice, K. J. Kivlen, J. Gedris, J. F. Kennedy, J. P. Starr, J. C. Nunn, H. W. Franks, Landsmen H. S. Cherbath, E. J. Mulligan, J. M. Roche, Electrician (second class), T. F. Rowlands, Gunner's Mate (second class) A. Smith, Chief Gun Captain T. E. Belam, Private Marine W. L. Shipman, Apprentice (second class) G. C. Hardy, P. R. Oastler, C. H. Tobin and J. W. Cole.

The two men fatally injured are J. T. J. Donnelly, an ordinary seaman, and O. B. Moe, an apprentice (second class).

The accident happened about noon, while the Missouri, Captain William S. Cowles commanding, was going through her first regular target practice on the range about fifteen miles distant from the naval station here. She was accompanied by the Texas and Brooklyn.

As only one man of the twenty-five who composed the crews of the turret and handling-room survives, the exact cause of the disaster can only be conjectured. It is believed that the gun pointer accidentally fired the fourth shot of his string from the starboard gun in the after turret before the breech was locked. This was blown open by the explosion of the powder, filling the turret with flaming gases and hurling the blazing powder into the handling-room below, where four other charges of powder, weighing nearly 400 pounds each, also ignited.

All that is known is that the first gun pointer in the after turret had fired his string and the second pointer had fired the third shot of his string just before the accident. The open breech of the gun and the explosion of the powder with such terrifically fatal result, leave little room for imagination, there being but the one theory—failure to lock the breech in the anxiety to make a record for quick firing.

An instant after the two explosions in the turret and handling-room fire quarters were sounded, and every man of the crew responded, the magazine and handling-rooms being flooded with water.

In less than five seconds two streams of water were being played in the rooms, and when volunteers were called for every man responded, eager to go to the rescue of their comrades in the turret.

Captain Cowles issued his commands, and but for his presence of mind and that of his officers the Missouri must have been lost. The second explosion occurred near one of the magazines, and so hot was the fire that the brass work of the magazine was melted.

Leading the rescuing party was Captain Cowles. The officers endeavored to keep him from going below, as men were falling unconscious as they entered and had to be pulled out again by their comrades, but, unheeding their advice, the commanding officer rushed below, followed by Lieutenant Hamer, the ordnance officer, and Lieutenant Clelland David.

Captain Cowles caught up a dying blue-jacket and staggered to the deck with him. The blue-jacket with two others from the handling-room, had crawled partly from their place of duty when they had been overcome.

Before the fumes of the burning powder had left the turret officers and men were laying out the dead and dying men. Three minutes after the explosion all were on deck, and the surgeons from the Missouri, Texas and Brooklyn were attending to the injured. The twenty-five men of the turret were found lying in a heap. They had started for the exit when the first explosion occurred, and had just reached there, when the more terrific explosion in the handling-room burst and strangled them to death.

Lieutenant Peterson, the officer in charge of the turret, evidently had given some command to the men as he was on top of the turret when he fell. After the explosion he had crawled out to get on to the deck. The latter had crawled out with the turret and had crawled out to get on to the deck when he fell.

and the flesh hung from them in shreds. Their faces were mutilated by the smoke and flames. Only one man was breathing when the turret crew was rescued, and he died a moment after he reached the deck.

News of the disaster was conveyed to the commandant at Pensacola by wireless telegraph from the Missouri, and thence by him transmitted to Washington, while the battleship was steaming back to port with the dead lying on the deck.

The account of the accident which reached Washington was contained in the following official dispatch:

"Five officers and twenty-four men are dead. Two more cannot live, as a result of the explosion on the Missouri. Three rounds had been fired from the after twelve-inch gun, and a shell had been sealed and two sections of powder rammed home when the explosion occurred, killing every officer and man in the turret and all but three in the handling-room. The commanding officer has informed relatives.

"BARKER." The entire Navy Department is stunned by the appalling catastrophe. The bureau of navigation has been active since the first news of the accident reached here, shortly after 4 o'clock. Although the commanding officer of the Missouri, Captain W. S. Cowles, as soon as he arrived at Pensacola, sent dispatches to the nearest kin of the men killed, the department is also sending out these announcements so that there may be no mistake.

Captain John E. Pillsbury, assistant chief of the bureau of navigation, remained constantly at his desk, and, with the other officers of the bureau and a clerical force, started arrangements to care for the bodies of the officers and men. Secretary Moody is preparing a dispatch of sympathy to be sent to Rear-Admiral Barker, commander in chief of the North Atlantic fleet, requesting him to convey to the commander, the officers and men of the Missouri the profound sympathy of the department.

With only the brief dispatch from Admiral Barker telling how the accident occurred, all the officials of the department, from Secretary Moody down, hesitate to attempt an explanation of it.

It can be stated that officials of the department for more than a week past, while rejoicing in the world-breaking records in target practice on our war ships, have feared just such an accident as has occurred on the Missouri.

A naval expert tonight said: "The Missouri accident is too appalling to discuss. But I fear that enthusiasm in making world records has led us past the danger line. In our anxiety to surpass the world in the rapidity of big gun fire I fear we have permitted our enthusiasm to get the better of our judgment. How narrowly the entire ship escaped destruction outright is realized when it is recalled that near the handling-room is a magazine containing anywhere from 50 to 100 charges."

The Missouri is the very latest of the big battle-ships to go into commission. The flag was hoisted on her in December last at Norfolk by Captain Cowles, a brother-in-law of President Roosevelt. She collided with the Illinois off Pensacola a few weeks ago, and has had very little firing with her big guns; in fact, the nine or ten rounds which had been fired from each gun was in the course of official trials, and she was going through her first regular target practice when the disaster occurred.

The smokeless powder is put into the twelve-inch gun in three sections, each bag or section weighing 120 pounds. Some officers say that the turrets of the Missouri had no bottoms and express the opinion that after this accident the turrets of all battle-ships will be equipped with bottoms for the protection of the men in the handling-room underneath.

### If Both Sides Should Disarm.

If both belligerents in the present war should agree to throw away their arms and trust simply to nature's weapons, which would win? Some may think and say at once that the advantage would be with the big, burly Russian, well seasoned to hardship, but would it? The Japs are small people; but they are about as hardy and athletic a race as lives today. From childhood they are trained to bear burdens and to open-air life. They are plain livers, knowing little or nothing of dyspepsia or heart troubles. More than that, they are trained athletes. Their lungs have been expanded by systematic deep breathing. Their muscles have been enlarged and strengthened by careful development. Their judicious movements have given them an aptness, skill and power in grappling which are more than a match for big, strong men not skilled in those exercises. So, if the two armies could meet without guns or other arms, and go in for a grand wrestling and boxing match the chances would favor the victory of the little brown men of Japan.

This is on way.

The United States revenue cutter Thetis, Captain Hamlet, sailed from San Francisco for Honolulu on April 9, where she will remain several months. From Honolulu she will proceed north and make her regular cruises in Alaskan waters. The Thetis formerly belonged to the navy and in spite of her age is one of the stoutest vessels being the flag of the Treasury Department. She has the most comfortable quarters of any cutter in the revenue service.

### BEFORE YOU START on a journey

take a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy with you. It is a simple, safe, and effective remedy for all these ailments. It is sold in every drug store and is the only remedy that will cure you in a few minutes. It is a household necessity and is the only remedy that will cure you in a few minutes.

# THE HAWAIIAN FORESTS AND HOW TO SAVE THEM

The Hawaiian Forester and Agriculturist prints in full the report of Wm. L. Hall on the forests of the Hawaiian Islands. Following are some extracts: **LIMITS OF THE ORIGINAL FOREST.**

Originally the forests were limited only by such natural conditions as lack of rainfall, elevation and lava flows.

The northeast trade winds keep the windward mountain slopes saturated by frequent rains during the greater part of the year, and on these slopes, at elevations of 1,500 to 3,000 feet, where the rainfall is greatest, is found the heaviest forest. Towards regions of lessened exposure to trade winds and decreased rainfall the forest becomes thinner and of poorer quality, and on leeward, where the rainfall is in places less than 30 or 40 inches per year, there is often no forest at all. Probably the area which originally bore no forest because of insufficient rainfall was quite large, for it is certain that all of the important islands now have large tracts to which no trees of the native forest are adapted.

Elevation has put a sharp limit to the forest on the islands of Hawaii and Maui at from 6,000 to 8,000 feet. This leaves very large areas of Mauna Loa, Mauna Kea, Hualalai and Haleakala devoid of forest, and they have always been so. The mountains of the other islands, begin under 6,000 feet, are forested to their summits. Six to eight thousand feet is a surprising low timber line, considering the favorable conditions of soil, moisture and temperature which prevail at that altitude in Hawaii.

The sufficient reason seems to be that the species composing the native forests are all representatives of the torrid zone, and in these islands, which lie right at the edge of the tropics, find their limit at the low altitude named.

On the slopes of Mauna Loa, lava flows have put a sharp limit to the forest in a number of places. The flow of 1881, which ran from near the top of the mountain almost to the sea, cut a wide swath through a dense forest for fully fifteen miles. Many previous flows had resulted similarly, and while the forest is slowly replacing itself on the older flows, hundreds of years are required for the lava to decompose sufficiently to support a normal growth of forest. Many thousand acres which once must have been well forested are now surfaced with lava rock (pahoehoe), and support only a meager growth of fern and stunted trees. Slowly this rock is decomposing, and as it decomposes the forest improves.

### RAPID DECADENCE OF THE FOREST.

The above were the chief agencies restricting the forest up to about two years ago. Since that time various deleterious agents have worked so effectively toward the destruction of the woodland that every forest in the islands has been reduced until now it is only a fragment of what it was originally. The Island of Molokai well illustrates this point. This island, 38 miles long by 8 miles wide, has a range of mountains over 4,000 feet high at its eastern end, drops to a low plain in the center and rises to 1,300 feet near the western end. Originally all the eastern end well down to the central plain, and the highest part of the western end, were heavily forested. The plain was park-use, with scattering groves of trees. There is little at present even to indicate former conditions. All the western end is bare. The trees are gone from the plain, and also from the western and southern slopes of the mountains at the eastern end. Only a few thousand acres of the highest south slopes and the precipitous north slopes of the mountain are now covered by growing forest. Stretching around the living forest is a wide belt of leafless timber, which has died within the last decade, but has not yet fallen.

Each of the other islands exhibit just the same conditions. More marked examples of declining forests can scarcely be imagined than exist in the districts of Hamakua and Kohala in Hawaii, and Kula in Maui, in which one may pass through thousands of acres of totally dead forest into equal areas in a dying condition, and from these into the small remnant that yet remains thrifty.

No estimate can be given of the ratio of the present forest to that of a century ago. The former area is unknown, and the present forests are so inaccessible and so irregular in shape that a safe estimate cannot be made without much further study. But it is certain that the present area, which may not be more than 20 per cent of the islands, is but a small part of what existed at that time. This result has been brought about by perfectly evident causes working unretarded, year by year.

### CAUSES OF DECLINE.

The principal causes which have brought about the destruction of the forests are stock, insects, grasses, fire and clearing.

Stock.—Cattle were introduced into the islands late in the 18th century. They were turned out to run at large, and strict laws prohibited their slaughter for a number of years. Under these favorable conditions they had increased to such numbers by 1815 as to be a menace to the forest. Their slaughter was no longer forbidden, but they continued to multiply rapidly. By 1820 boiling plants had been put up in several places for the extraction of tallow, that being the only portion of the animal having any value. These plants were in continuous use until the twenties, and indicate the great numbers of cattle which must have been present at that time. Only within the last few years has the number of cattle been reduced to a few thousand.

the number of wild cattle on Mauna Kea to be 10,000.

That cattle did the first serious damage to the forest can scarcely be doubted when one considers their great numbers and the extent of the forest. At a very early day they must have gone through all the accessible parts. The more inaccessible and impenetrable parts remained intact till later, for cattle could only work around the edges of these, entering a little further each year. But now in many instances they have gone through the entire forest.

The character of the Hawaiian forest makes it peculiarly susceptible to injury by cattle. The tender, succulent undergrowth is easily trampled down, and much of it, especially i-e, banana and some of the ferns, is excellent food for stock. Yet this undergrowth is a vital part of the forest; without it the ground dries quickly, and the shallow-rooted trees soon die.

Goats were introduced into the islands many years ago, and have been particularly active agents of destruction. They are now found on all the important islands. Their work, though localized, is more thoroughly destructive than that of the cattle. Ridges where they rendezvous may be distinguished for miles by their utter barrenness and eroded condition. Goats are especially hard on precipitous slopes. They will lay completely bare places so steep as to be shunned altogether by cattle.

Wild pigs, the progeny of stock introduced years ago, have done some damage on all the islands. They tear up the tree fern, seeking its roots for food.

Deer, brought to Molokai in the early sixties, have taken their share in the destructive work. Several years ago they had increased to such immense numbers as to damage the forest considerably by browsing on and trampling down the undergrowth and rubbing the bark from the young trees.

Insects.—Following the attack of stock have come other agents of destruction. Injurious insects have at times appeared in numbers sufficient to destroy thousands of acres at a time. Ohia-oi, which grows in dense stands in low wet valleys, was so completely defoliated a few years ago as to be almost ruined. Koa is periodically defoliated. It has upwards of a dozen insect enemies which threaten its utter extinction. Borers are even more common than leaf-eating insects. In nearly all cases insects have been most severe where the forest was enervated by grazing. Portions of the ungrazed forest have at times been destroyed by insects, but only in consequence of the headway gained on near-by areas which have suffered by grazing.

Grasses.—Many thousand acres of forest land despoiled by cattle have been overrun by rank-growing grasses which have rendered conditions prohibitive of forest reproductions. Probably the worst of these is Hilo grass (*Paspalum conjugatum*), which grows to 3 feet high in the rainy districts and forms a dense mat several inches thick over the surface of the ground. Tree seeds cannot germinate beneath it. Another coarse grass of similar habits is the so-called rice grass (Maulike). But it is neither so common nor so prohibitive of reproduction as Hilo grass.

In drier districts Gerunda grass (*Mannié*) obtains such a hold as to prevent forest reproduction and even hinder tree growth. Some of the forests of Hamakua and Kohala in Hawaii have died from no other apparent cause than a predominant growth of this grass.

Fire.—Fire has done far more injury in Hawaiian forests than would be supposed in regions of so great rainfall. The most serious fire within recent years occurred two years ago in southern Hamakua. It burned an area five miles long and two to four miles wide, leaving unburned only occasional patches. Trees, undergrowth and humus were generally completely destroyed. The forest was a normal one for the islands, consisting of a fairly heavy growth of Lehua and Koa, with a heavy undergrowth of fern and a deep accumulation of humus. Ordinarily this forest could not have been burned, but a severe drought prevailing for several months previously had dried it out to the point where it burned with great rapidity. At the present time the land is covered with fallen trees and debris, and in places a growth of weeds. But little reproduction has as yet taken place, and as practically all seeds and seed trees on the area were burned, there is no possibility of immediate reproduction. Whatever growth comes up on the land must come from seeds carried in from other places.

Other forest districts, particularly on Kauai and Maui, have also suffered from fire, though there have been no other recent burns so severe as the one mentioned above.

There is distinct evidence of a severe fire upwards of fifty years ago in the southern part of Hamakua. This fire burned over a tract of large, though unknown, extent. It killed practically all the forest and undergrowth, and consumed the humus. Its heat must have been intense, for it baked the soil to such an extent that at the present time it shows as a brick-like layer from 2 to 6 inches thick. In many cases it burned the roots of trees several feet below the surface. The forest which has come up on the ground following this fire, though composed of the same species as the ordinary Hawaiian forest, differs from it distinctly in conditions and requirements. The trees have grown slowly, and have not the usual amount of undergrowth, but they have far greater power than the normal forest to withstand grazing. The forest has been cut down and is now being reseeded by cutting.

timber have been used for fuel in the past, but the demand is now very largely supplied by the Algaroba. Most of the sugar mills, which have been large consumers of native wood, have now turned to other kinds of fuel. Some use coal, some oil, and some the millings of the cane (bagasse). In southern Hamakua and Hilo, in Hawaii, a few of the mills are still consuming a large amount of native wood, and two or three, with surprising lack of foresight, are cutting away the timber which lies just above their plantations and upon which probably their water supply largely depends.

# THE RUSSIAN DISASTER TOLD

(Continued from page 3.)

held at Grand Duke Vladimir's palace, in which thanks were returned to the Almighty for the sparing of the life of Grand Duke Cyril, but the Emperor was so overwhelmed with grief at the death of Vice-Admiral Makaroff that neither he nor the Empress attended the service. Instead the Emperor sent a member of his personal staff to break the sad news to Vice-Admiral Makaroff's widow, who is living in St. Petersburg.

Meantime the city was filled with the wildest rumors, but the official dispatches so meager and private dispatches so conflicting regarding what had occurred that the public was kept in suspense for six hours. Then, although the report was incomplete, dispatches were posted on the Nevsky Prospect and other war bulletin boards. The grief of the crowds, whose worst fears were thus officially confirmed, was touching. The Ministry of Marine was soon surrounded by thousands of persons eagerly asking for more details. In the crowd of inquirers were the stricken relatives of those who were on board the sunk battle-ship. What occurred prior to the blowing up of the flagship was only vaguely known, except that Admiral Makaroff, with his flag flying on the doomed vessel, sailed out to engage the enemy until his re-enforcements appeared.

It is thought possible that Vice-Admiral Togo planned an ambush by sending in a small squadron in the hope of drawing out the Russian commander to the open and then cutting off his escape.

The location of six mines planted by the Venesei was unknown, the charts having been lost when that vessel went down. Probably it was one of these mines that the battle-ship struck. Makaroff is believed to have been in the conning tower when the Petro-pavlovsk was blown up. Grand Duke Cyril probably owes his life to the fact that he is a fine athlete and a splendid swimmer. Count Grabbe, aid-de-camp to Grand Duke Vladimir, will leave tomorrow to bring Grand Duke Cyril home. Nothing is known of the character of the Grand Duke's injuries.

There is a romantic story connected with Grand Duke Cyril's anxiety to go to the front. He wanted to win his spurs and then marry the woman with whom he is very much in love. The match was opposed by his parents. It is an open secret that the Grand Duke's lady love is his cousin, the divorced wife of the Grand Duke of Hesse and a daughter of the late Duke of Saxe-Coburg and Gotha, who married a sister to Alexander III.

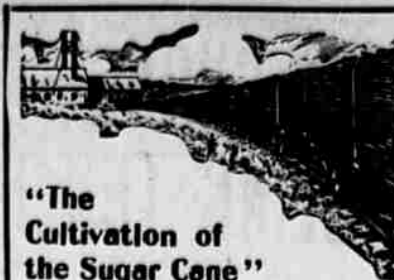
### JAPANESE OFFICER'S TREACHERY.

LONDON, April 6.—The correspondent of the Chronicle at Shanghai sends the following: A Japanese correspondent states that the Japanese plan of campaign has been changed because it was disclosed to the Russians by a Japanese officer, who is now waiting trial. This act of treachery was discovered by the Japanese finding that a place was thoroughly mined where they intended making the first landing of troops. The discovery has caused a great scandal. The utmost efforts are being made to keep secret the fact that national honor has been greatly tarnished. The Russians are apparently prepared to pay large sums for information concerning the movements of the Japanese army. They bought one Japanese map, it is said, for £40,000 sterling.

The Tokio and Osaka divisions, which have been recently mobilized, are destined to besiege Port Arthur. The commander of 5000 bandits northwest of Newchwang has told a British officer that he is preparing to destroy the railway immediately the Japanese land.

### Diamonds in Storage.

"There are thousands of millions of dollars' worth of diamonds stored in the deep depths, or underground safety deposit vaults at the Kimberley mines in South Africa," said J. H. Mortimer, of Chicago, the other day. Mr. Mortimer was a British soldier in the war with the Boers in 1881, and became intimately acquainted with the conditions there. "The natives go down deep into the mines and bring up the clay-like earth, which is spread in the sun and dried into a scaly brittle material. This is examined very closely for the precious stones, which are picked out. They are nothing but rough looking pebbles, and their value cannot be estimated until they are polished. But the pebbles are not polished at once. They are packed up and sent down into the bowels of the earth again. The mine owners will not allow them to be sold as the market would be flooded and the price would go down so that there would be no profit to be made. Instead they are stored in the vaults and are only sold as a matter of course when the price of diamonds goes up."



# "The Cultivation of the Sugar Cane"

a treatise on the fundamental principles of growing Sugar Cane, should be in the hands of every planter. The value and use of

**Nitrate of Soda** (THE STANDARD AMMONIATE) in increasing and bettering the growth of Sugar Cane is now so well understood that the real profit in sugar growing may be said to depend upon its use.

This Book and other valuable Bulletins of value to every one engaged in agriculture, are sent entirely free to anyone interested. Send your name and complete address on Post Card. Wm. S. Myers, Director, 12-16 John St., New York.

# CHAS. BREWER CO'S NEW YORK LINE

Ship Tulle E. Starbuck sailing from New York to Honolulu 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.

# Bomburg-Bremen Fire Insurance Co.

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

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

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

# "The Overland Limited"

ELECTRIC LIGHTED California To the EAST via The Union Pacific

his Train is really a First-Class Modern Hotel

with Handsome Parlors, Drawing Rooms, Bed Chambers, Boudoirs, Libraries, Smoking and Reading Rooms, Barber Shops, Bath Rooms (hot and cold water), superbly appointed Dining Rooms, glittering with Mirrors, Cut Glass, Fragrant Flowers, Electric Candelabra, etc.; Promenades, Observation Rooms, Electric Lights, Electric Fans, Telephones, Electric Reading Lamps, Perfect Heat, etc.

RUNS EVERY DAY IN THE YEAR

Full Information cheerfully furnished on Application to S. F. BOOTH, General Agent, 1 Montgomery St., San Francisco. E. L. Lomas, O. P. & T. A., Omaha, Neb.

IMPERIAL LIME

99 15-100 Per Cent Pure.

The very best Lime and in the best containers.

In Lots to Suit. Low Prices.

CALIFORNIA FEED CO. AGENTS.

CASTLE & COOK CO., LTD HONOLULU.

Commission Merchants

SUGAR FACTORS.

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

INSURANCE.

Theo. H. Davies & Co (Limited.)

AGENTS FOR FIRE, LIFE AND MARINE INSURANCE.

Northern Assurance Company OF LONDON, FOR FIRE AND LIFE. Established 1836. Accumulated Funds .... £3,975,000.

British and Foreign Marine Ins. Co OF LIVERPOOL, FOR MARINE. Capital ..... £1,000,000

Reduction of Rates. Immediate Payment of Claims.

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

Castle & Cooke, -LIMITED-

LIFE and FIRE INSURANCE AGENTS. . .

AGENTS FOR.

New England Mutual Life Insurance Co OF BOSTON.

Aetna Life Insurance Company OF HARTFORD.

CANADIAN PACIFIC RAILWAY

The Famous Tourist Route of the World.

In Connection With the Canadian-Australian Steamship Line Tickets are Issued

To All Points in the United States and Canada, via Victoria and Vancouver.

MOUNTAIN RESORTS:

Banff, Glacier, Mount Stephens and Fraser Canon.

Empress Line of Steamers from Vancouver Tickets to All Points in Japan, China, India and Around the World.

For tickets and general information apply to

THEO. H. DAVIES & CO., LTD. Agents Canadian-Australian S. S. Line, Canadian Pacific Railway.

THE NEW FRENCH REMEDY, THERAPION.

This successful and popular remedy, used in the continental hospitals by Huxley, Balfour, J. B. Williams, and others, combines all the ingredients to be sought in a medicine of the kind, and surpasses everything hitherto employed. THERAPION N. 1 maintains its world-wide reputation for its efficacy in the treatment of the various forms of influenza, pneumonia, and all the ailments of the respiratory tract, and is especially valuable in the treatment of the influenza which is now prevailing in the Hawaiian Islands. THERAPION N. 2 is especially valuable in the treatment of the influenza which is now prevailing in the Hawaiian Islands. THERAPION N. 3 is especially valuable in the treatment of the influenza which is now prevailing in the Hawaiian Islands.

BURTON AT THE BAR

How Kansas Grafter Received His Sentence.

KANSAS CITY, Mo., April 6.—United States Senator Joseph R. Burton of Kansas, recently convicted of receiving fees illegally from the Rialto Grain and Securities Company, as their attorney, was today given a sentence of six months in jail and was fined \$2500 by Judge Adams in the United States District Court here.

Judge Adams, summoning Senator Burton to stand up, spoke of the motions that had been filed for a new trial and for arrest of judgment. The court, after briefly reviewing the motions, overruled them both. The court then said to the defendant:

"Have you anything to say as to why sentence should not be passed upon you?"

Trembling and evidently suppressing his emotions with a strong effort, Senator Burton stood leaning with both hands on a chair back, as he said:

"Your Honor will please allow me to respectfully decline to say anything."

The courtroom was almost empty, with the exception of a few persons interested in the previous case, who had remained out of curiosity, and the silence was almost oppressive as Judge Adams, in low, modulated tones, began delivering the sentence. The court said:

"After a fair and impartial trial by a jury of exceptional intelligence you have been found guilty of the offenses charged in the indictment against you."

"A motion for a new trial in your behalf has afforded me an opportunity to carefully review and consider the evidence. As a result of this I am satisfied that the jury reached the just and true result. The evidence abundantly warranted their verdict, and I find no reason, either in the law governing the case or in the proceedings attending the trial, for disturbing it."

"Your conviction necessarily results in your punishment. Its importance, in my opinion, is not confined to its effect upon you."

"Your exalted station in life and the character of your offense give unusual significance to your conviction. It demonstrates that the law of the land is equal to any emergency, and that it can be administered regardless of the personality or station of the accused. It also demonstrates to all the people that public office cannot be prostituted to self-serving purposes and that public office is not a sure or safe passport to private thrift."

"The humiliation attending your conviction and the statutory disqualifications resulting therefrom, which forever incapacitate you from holding any office of honor, trust or profit under the Government of the United States, are in themselves heavy punishment for your offenses, and leave but little in the way of severity which could be added."

"It is neither my pleasure nor purpose to impose any unnecessary punishment. I think the majesty of the law will be sufficiently vindicated and the public welfare sufficiently safeguarded by imposing a single sentence, warranted, as it is, on any one of the six counts of indictments on which you were convicted."

"This sentence will be that you be confined in the Iron County Jail for a period of six months, and that you pay a fine of two thousand, five hundred dollars."

At the conclusion of the sentence, Senator Burton, who had not taken his eyes from the court and who had scarcely moved as he supported himself by the chairback, turned and sat down, with his head bowed and his eyes on the floor.

Attorney Krum immediately filed a bill of exceptions in the case and offered a bond for \$10,000, which was accepted. The case will now be appealed to the United States District Court of Appeals.

Senator Burton, who is senior Senator from Kansas, was convicted after an exhaustive trial, in which various letters from him to the Rialto Grain and Securities Company, the checks which he received in payment for his services in behalf of the concern before the Postoffice Department and the testimony of numerous agents of the Government were introduced. Senator Burton's defense was that he was acting merely in the capacity of an attorney and did not employ his Senatorial influence in the work.

LEGISLATURE CLOSES ITS SPECIAL SESSION

(Continued from page 2.)

following measures: Joint resolution No. 1, providing for the immediate carrying out of the changes and economies suggested in the appropriation bills.

Act 11, relating to payment of current accounts.

Act 12, providing for salaries and pay of employees of the Territory.

Act 13, making appropriations for the departmental use of the Territory.

Act 14, making appropriations for paying unpaid bills. In the latter was signed the Governor calls attention to an error in the footing of the total, being in excess \$12.01.

Joint resolution No. 2, providing for a County Act Commission.

PARTING BOUQUETS.

Mr. Paris reported that the joint committee had seen the Governor, who stated that he had no further business for the consideration of the Legislature, and desired to convey to all the members of the Legislature his thanks for the diligence and effectiveness with which they had conducted the business of the special session to a satisfactory conclusion.

The report was received with applause.

Mr. Paris moved, seconded by Mr. Dickey, that the Senate adjourn sine die.

President Crabbe wished, before putting the motion, to thank the members of the Senate for their kindness extended to him. One and all he thanked them for the support they had given him.

Mr. Paris withdrew his motion to propose thanks to their president for the impartial way in which he had ruled and carried on the business of the session, and he thought they could well pass a vote of thanks to the president for the manner in which he had treated all parties—Democrat, Republican and Home Rule.

Applause carried both motions and the president's gavel fell at 11:35 o'clock.

THE HOUSE.

There was practically no business transacted in the House of Representatives yesterday which is not revealed in the report of the Senate proceedings. The same messages were received by both houses from the executive, while the exchanges of documents for final amendments and passage are told about in the Senate report.

One exception was the giving of fifteen days to the clerk in which to complete the Journal and have 100 copies of it printed. Another exception was the more demonstrative closing accessories as compared with the retiring conduct of the staid upper chamber.

Mr. Aylett led the Representatives in cheering for Governor Carter, Speaker Beckley, Secretary Atkinson, President Crabbe of the Senate (who was on hand to respond with a speech) and for the reporters of the newspapers.

An attempt, while the session was still on, to cheer for the band, when its appropriation was found intact from the hand of the Governor, was discouraged by the Speaker.

THE TREASURE OF THE INOAS.

Sixteen Millions in Gold Dug Up in South America.

The New York Tribune prints a report that, after a search extending through several centuries and entailing the expenditure of many thousands of dollars, the fabulous treasure buried in the time of the Incas, and valued at \$16,000,000, has just been discovered by a group of British and American engineers, according to reports brought to New York by a South American official. Advice from Bolivia tell of great excitement among the natives, as there is, according to their belief, still buried gold valued at \$20,000,000. The newspapers of Bolivia and Peru publish the news of the discovery under "scare" headlines unusual in those parts.

This rich treasure, consisting of the purest gold, was buried and found at Chayaltaya, in the interior of the republic. About 400 years ago, at the time of the assassination of Atahualpa, king of the Incas, the gold was buried by his followers. Since then innumerable exploring parties, native and foreign, have made fruitless searches for the gold. It was by mere accident that the lucky finders came upon the ancient treasure, which many had come to consider as a myth. They discovered it in making surveys and driving stakes for another enterprise, according to the reports.

A dispute has now arisen among the American and English engineers as to its division, in which the Bolivian government has interested itself. The government has taken charge of the find, announcing that, on account of the difference in the nationalities of the engineers, it will act as guardian and supervise the distribution.

WHOOPIING COUGH.—This is a very dangerous disease unless properly treated. Statistics show that there are more deaths from it than from scarlet fever. All danger may be avoided, however, by giving Chamberlain's Cough Remedy. It loosens the tough mucus, making it easier to expectorate, keeps the cough loose, and makes the paroxysms of coughing less frequent and less severe. It has been used in many instances of this disease with perfect success. For sale by All Dealers and Druggists. Homeo. Smith & Co., Ltd., Agents for Hawaii.

District Judge Mahalo.

Judge Hall District Magistrate of Wailuku, who was arrested on Monday, has been released on \$1000 bail. He was arrested on a warrant issued by District Judge Mahalo.

EXECUTION MUST ISSUE

Supreme Court Majority Commands Judge Dickey.

(From Thursday's Advertiser.)

Justice Perry is author of a majority decision of the Supreme Court, Chief Justice Frear signing it with him, in the mandamus suit of E. O. Hall & Son, Ltd., vs. Lyle A. Dickey. Plaintiff wanted the writ to compel the respondent, as District Magistrate of Honolulu, to issue execution, pending an appeal to the Circuit Court, in a cause wherein the respondent gave judgment for the plaintiff for \$309.40. The magistrate found there was good cause for issuing the execution so far as the appeal was concerned, but denied it on the ground that the law of 1892 purporting to authorize such issuance was not applicable to district magistrates where the amount involved was over \$300. In his answer the respondent set up the additional point that the judgment, being for an amount exceeding \$300, was beyond his jurisdiction and therefore voidable.

It is decided by the court that the latter point was previously settled in the case of Lewers & Cooke vs. Redhouse, where it was said: "Attorney's commissions and costs allowed by statute should not, we presume, be included in determining the jurisdictional amount. They are not a part of the claim or of the amount sued for." In the case under consideration the judgment was for \$275.91 damages, \$15.26 interest, \$14.78 attorney's commissions and \$3.45 costs of court. Excluding commissions and costs, the amount of the judgment is decided as having been within the jurisdiction of the magistrate.

The court then takes up the law bearing on the issuing of executions by a district magistrate. It was made in 1892 and amended in 1903. This law has a proviso to the effect that the judge or magistrate may issue an execution upon good cause shown, notwithstanding an appeal, "unless the applicant" shall deposit a bond in not less than double the amount of the judgment, "conditioned for the prosecution of the appeal without delay" and for the payment or other performance of the judgment.

It was contended by the respondent that the foregoing proviso did not apply to cases tried by district magistrates in which the amount involved exceeded \$20—in other words, if it did so apply, it would be unconstitutional as unduly obstructing the right to trial by jury.

The court has no hesitation in holding that the word "applicant" quoted above should be read as though it were written "appellant," no matter whether the word was purposely used to denote the party appealing or was a mistake of the copyist. It is admitted further on that if the word was used to identify the appealing party it is "an unusual term of description."

As to the other point, the court holds that the provision in question does not constitute a denial of the right to a trial by jury and does not unduly obstruct it. Another objection to the statute presented by the respondent was that the condition named, that of a bond in double the judgment, is not imposed upon all applicants alike but only upon some at the mere will of the magistrate. This objection the court says would apply equally to appeals from circuit judges, and has no relation to any possible contravention of the seventh Amendment to the Constitution, providing the right to trial by jury, but must be based and stand, if at all, upon the provision of the Fourteenth Amendment, prescribing that "no State shall deny to any person within its jurisdiction the equal protection of the laws."

Upon this the court holds that the statute only gives the magistrate "a judicial discretion" to decide in what cases the bond shall be required, and goes further by providing "that the bond shall be required only in those cases in which good cause is shown for the immediate issuance of execution. If this discretion is abused, there is a remedy by appeal. There is no inequality in the provision. All are treated alike who are situated in like circumstances." Other conditions of appeal are quoted which are equally objectionable to this one if the objection to it were sustained.

Another point raised was that this proceeding was brought against "Lyle A. Dickey," without his official title of "District Magistrate." This is held to have been waived by the respondent in answering to the merits and in proceeding to a hearing without raising the point. "In any event," the majority says, "the petition is separate of amendment in this respect." The opinion concludes thus:

"Upon an amendment as to the name of the respondent being asked for and made, a peremptory writ should be issued directing the respondent to issue execution at once, unless the plaintiff shall deposit a bond in not less than double the amount of the judgment, conditioned for the prosecution of the appeal without delay and for the payment or other performance of the judgment."

SPRING HUMOURS Complete External and Internal Treatment



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

Sold throughout the world. Anal. Depot: R. Towns & Co., Sydney, N. S. W. Sole African Depot: Lawson & Co., Cape Town, Durban and Port Elizabeth. Toronto: D. C. Cook, Ltd., 100 St. George Street, Toronto, Ont., Canada. Sole U. S. A. Depot: J. C. Ayer & Co., Lowell, Mass. "How to Cure Spring Humours," post free.



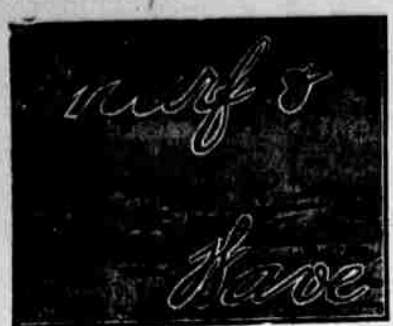
Historical Honolulu OR A CENTURY OF HAWAIIAN EVOLUTION.

This valuable record of the most important events in the History of Honolulu for the past hundred years was compiled and published at great expense in 1899. Its historical and descriptive articles are by the very best recognized authorities on Island matters and are handed from absolutely impartial standpoints. It is finely illustrated and contains portraits and biographical sketches of the principal business and professional men of the Islands. This is a publication that no student of Hawaiian History can afford to be without. A limited number of copies still for sale by The Hawaiian Gazette Co., Ltd.

Substantial Cloth Binding 50 cents per Copy POSTAGE : : : 30 CENTS EXTRA.

no power to control his conduct by this extraordinary writ. This proposition is elementary." As to the law he says the meaning of the statute is not clear. The plaintiff assumes that notwithstanding an appeal duly taken and perfected the district magistrate may order execution for the enforcement of the judgment unless the defendant shall file a bond, etc., but, Justice Galbraith says, the statute does not read that way. He discusses the wording of the statute thus: "It reads 'unless the applicant shall deposit a bond.' The 'applicant' for what? The execution? No. It could not mean that the plaintiff should file a bond to prosecute the appeal. That would be absurd. He has no control over the appeal and the judgment is payable to him and not by him. Nor can the word 'applicant' in this connection refer to the judgment defendant. He has perfected his appeal and transferred the case to the Circuit Court, where he is entitled to a trial de novo and a jury trial if he desires it. He is not an applicant for anything further from the district magistrate or his court." As to the use of the word "applicant" itself, Justice Galbraith says that when the "intent of the legislature" is spoken of he understands that reference is to the meaning of the words used in the statute. To substitute another word for "applicant" he holds is doing very near an act of legislation. He held to be invalid the proposition that the word "applicant" should be read as though it were written "appellant."

WILL PAY OFF MANY WARRANTS



ARRIVED AT HONOLULU. Tuesday, April 19. S. S. Sierra, Houdlette, from Sydney, Auckland, Pago Pago at 8 a. m.

DEPARTED FROM HONOLULU. Tuesday, April 19. S. S. Sierra, Houdlette, for San Francisco at 4:30 p. m.

PASSENGERS. Arrived. From Kauai ports, per stmr. Mikahala, April 20.—H. T. Havsdalen, M. Loung, J. F. Hackfeld, R. M. Isenberg, W. J. Lyon, Hee Fat, Chung Hung, Miss Rose Aka, Miss Battige, Mrs. L. A. de la Nux and 2 children, W. C. Park, Bah Kai, Yokoyama, Master Yokoyama, Mrs. Takemoto, Master Takemoto and 69 deck.

For Maui, Kona and Kau ports, per stmr. Mauna Loa, April 19.—W. Waterhouse, E. Kopke, C. F. Schermerhorn, J. W. Smithies, Mrs. C. M. Cooke, Miss J. Johnson, J. A. Kahaulele, Dan Kauai, John Carvalho, Joe Correa, W. C. Parke, J. H. Craig, M. P. Prosser, C. W. Ashford, Miss P. Weibke, Mrs. R. Anderson, L. Tobliner, John Millsaps, Miss Bishop, G. M. Bence, H. T. Hayeselden, S. Yoshigami, Mrs. Kanimakeale, Mrs. H. K. Meemano, Mrs. H. Peterson, M. J. McLeod, wife and son, Mrs. J. F. Janssen.

For Hilo and way ports, per stmr. Kinau, April 19.—Mrs. Mary Ailau and girl, W. K. Kealawa, J. B. Kaohi, Miss Longmore, E. A. Fraser, Eben P. Low, H. L. Holstein, Major Purdy, A. Gramberg, C. Sawano, Wm. H. Beers, Rev. S. L. Desha, A. H. Jackson, G. P. Tulloch, M. J. Gouveia, Carl S. Smith, A. Fernandez, wife and two children; W. N. Purdy and two children, Mrs. E. Oelhoffen and child, Mrs. C. Kimball, Miss K. Horner, H. M. Kanlio, Chas. H. Pulaa, H. E. Kelsey, John T. Moir, J. H. Mackenzie, Miss G. Dowsett, Miss Campbell, A. W. T. Bottomley, John Watt, E. W. Giddings and son, J. T. Baker, C. Kaiser, Miss L. Laukea, Mrs. Capt. Wallana, Miss V. G. Makee, Mrs. Kalina Aka, J. T. Brown, Mrs. E. W. Giddings and daughter, Mrs. J. H. Wise and four children, C. N. Prouty, Theo. Wolff, Frank Winter, Chas. Gay, Fr. Greenwell, R. W. Shingle.

Per stmr. Nihaui, April 21, for Kauai ports.—W. H. Rice and wife, A. Hanneberg, E. A. Knudsen, Laura Kane, M. O'Brien, Mr. Mackintosh, L. Nakapahu, W. Krauss, W. F. Drake, R. H. Chamberlain, W. A. Kinney, E. Orsted, W. J. Sheldon.

Per O. S. S. Ventura, April 21, for Pago Pago, Auckland and Sydney.—Herbert Ziele, Mr. and Mrs. Wardrop, Kerr and Mrs. Von Barr.

Shipping Notes. The Ventura sailed for the colonies at two o'clock yesterday. The Nebraska has sailed from New York for San Francisco and Honolulu. The China, which is due from the Orient Monday, will have 400 immigrants aboard.

The Mikahala is laid up for repairs and the Nihaui went out on her run to Kauai yesterday afternoon. The schooner Kaifua was wrecked on April 8 near Pigeon Sound. All hands are believed to have been drowned. The American schooner Mary B. Foster was reported off port last night. She is twenty days out from Port Blaney.

THE OLD RELIABLE ROYAL BAKING POWDER Absolutely Pure THERE IS NO SUBSTITUTE

Sugar Cargoes Arrive. The Examiner of April 3 says: The favorable winds of the past week have been of material aid in driving sailing vessels to port, and this is particularly true in the case of the vessels of the island fleet. Today four of them reached port, three bringing large cargoes of sugar.

Marines for Midway. The Government steamer Supply is to sail this afternoon for Midway Island and Guam, and will remain at the last named place permanently as a station-ship. Twenty-five marines are to be carried to Midway Island, where they will act as a guard on the island, and the steamer also carries supplies for the lone island, where only a cable station exists.

For South Sea Work. The missionary steamer Morning Star, formerly engaged in work among the South Sea Islands, and now a whaling vessel, running out of this port, is to have a successor in the missionary field. The wooden steamer Sunbeam has been purchased at Boston by the American Board of Foreign Missions and is to be fitted up for the South Sea work, with this city as her home port.

The barkentine S. G. Wilder sailed from San Francisco for Honolulu on April 14. The U. S. S. Supply will shortly call here from San Francisco en route to Guam and Manila.

NURSING MOTHERS

"A richer milk than milk" is good food for nursing mothers. Scott's Emulsion is the rich cream of cod liver oil, and contains ten times as much cream as milk does.

The nursing mother must eat with the purpose of producing good, nourishing milk for her baby. A little Scott's Emulsion is often a very wise addition to her daily diet. If through nervousness or weakness her milk is a failure, Scott's Emulsion will help make it a success.

The baby gets the benefit, too, when the mother takes Scott's Emulsion. The same remedy brings new strength and nourishment to both.

WEST INDIA SUGAR BUSINESS IS STILL IN A BAD WAY

The Brussels Convention Has Not Helped and the Sugar Plantations Are Being Abandoned.

G. D. Gilman, of Boston, has been spending the winter in Jamaica, and, as usual has kept his eyes open for anything of interest to Hawaii. He has sent the Advertiser a number of clippings from the Jamaica newspapers, relating to the sugar industry.

THE BRUSSELS CONVENTION.

Two years ago the beet sugar producing countries of Europe, with the exception of Russia, joined in the "Brussels Convention," by which they agreed to discontinue paying bounties.

PARLIAMENTARY DEBATE ON THE CONVENTION.

The Jamaica Daily Telegraph comments somewhat sarcastically upon a recent speech by the Duke of Marlborough, under Secretary of State for the Colonies, wherein he stated that: "Since the sugar convention has come into operation more sugar has come from the West Indies into England, from last September to the present time, than during the same months of any previous year."

THE REAL SITUATION IN JAMAICA.

Regardless of the theorists in London the Telegraph states that: "Several sugar estates in the Trelawny district are about to be shut down. It shows that, up to the present, the abolition of the continental bounty system has done the sugar industry of Jamaica absolutely no good; and it also shows that, in the opinion of some people who are well qualified to judge on such a matter, the Brussels convention is not calculated to do the local sugar industry any good whatsoever.

BANANAS DO NOT TAKE PLACE OF SUGAR.

We are sorry to have to write in this way. Banana cultivation may be all very good. It certainly has proved a boon and a blessing to the landowners of this island. But it will never take the place of cane cultivation, or be to the mass of the population what the sugar industry was. As everybody knows, a sugar estate employed more labourers and more artisans than a banana plantation of the same size does.

KAIWI MUST EXPLAIN DISAPPEARANCE OF GOLD COIN

Unable to account for the disappearance of a bag of gold coin containing \$1,000, belonging to the estate of Frederick Kaiwi, an old Hawaiian, who yesterday afternoon appeared before the High Sheriff of Justice Robinson.

An examination was being made by the estate of Kaiwi, a Hawaiian woman, who died in February. Her home was on Vineyard street, where Kaiwi also lived. It happened during the evening after the death of the deceased a bag of gold coin had been seen in the house belonging to Kaiwi. The money is reported to have been taken from the house by the thief.

ASK HELP FOR SHIPS Builders and Traders Assist Merchant Marine.

At the meeting of the Builders and Traders last evening a communication from the Chamber of Commerce of New York, asking for assistance from Hawaii in securing a Congressional Commission to investigate the Merchant Marine was read.

Whereas, For years the Hawaiian Islands have been visited by an enormous tonnage under the flags of various nations. Whereas, It is a locally well known fact American seamen are paid larger wages, are recipients of better rations and are given better quarters than those of other nations with scarce an exception.

Resolved, That we endorse the movement of the New York Board of Trade and Transportation to secure Congressional investigation of the State and measures necessary to revive and develop the American Marine.

Resolved, that a copy of these Resolutions be forwarded to Aaron Vanderbilt, chairman, and other copies be forwarded to the Hawaiian Delegate to Congress, the Hon. J. K. Kalaniana'ole.

Whereas, An expression of the opinion of the Builders and Traders' Exchange on the subject of the means necessary to develop the American Merchant Marine and the providing by Congress of a National Commission to investigate the subject has been requested by the New York Board of Trade and Transportation.

Whereas, Honolulu and other parts of the Hawaiian Islands, said Islands having a population of only 150,000 souls, ship annually in American bottoms some 450,000 tons of sugar and other additional tonnage, which tonnage is becoming scarce and difficult to obtain.

Whereas, The vessels of other nations particularly those of France under the system of subsidies in force by the laws of that country are enabled to and frequently do enter the ports of the Hawaiian Islands at a profit to themselves, although obliged to leave the Islands in ballast, thereby shutting out American tonnage, and illustrating thereby the disadvantages under which American bottoms labor.

Captain Niblack, U. S. N., Assistant Lighthouse Inspector, is expecting a large amount of lighthouse supplies, which will include new lights. The U. S. S. Supply will probably bring the stuff here.

For the Skin

You cannot have a clear and smooth skin unless the blood is pure. Blisters, eruptions, rashes, pimples, all show how impure the blood must be. Get all impurities out of your blood before you are seriously ill.



Miss Dorothy Maher, of Fitzroy, Victoria, sends her photograph and this letter: "I had a terrible eruption on my face, which was of a very irritating nature. I tried many blood medicines, but without relief. Friends told me to try Ayer's Sarsaparilla, as it was a most famous blood remedy. I did so, and after taking only two bottles I began to see a great change. By the time the third bottle was used the eruption had entirely disappeared, and without leaving a mark on my face. I am perfectly well now, and I owe it all to this great blood-purifying remedy."

AYER'S Sarsaparilla

There are many imitations of Sarsaparilla. Be sure you get Ayer's. Correct any tendency to constipation with Ayer's Pills. They are sugar coated, may be taken with or without food. A Family Favorite. Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

FORECLOSURES

Notice is hereby given that the mortgage intended to foreclose the same for condition broken, to-wit: non-payment of 16.4 interest and principal. Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised by posting for sale at public auction, at the auction rooms of James F. Morgan, in Honolulu, on Saturday, the 14th day of May, 1904, at 12 noon of said day.

306, now held by the Western & Hawaiian Investment Co., Ltd., as assignee, notice is hereby given that the mortgage intended to foreclose the same for condition broken, to-wit: non-payment of 16.4 interest and principal. Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised by posting for sale at public auction, at the auction rooms of James F. Morgan, in Honolulu, on Saturday, the 14th day of May, 1904, at 12 noon of said day.

The premises covered by said mortgage consist of two lots in Kamakela, in Honolulu, Oahu, described in said mortgage as Lots 5 and 6 upon a map of a sub-division of Apana 1 of Royal Patent 1985 on L. C. Award 6245 to Kalaekokoi, said lots have a joint front of 90 feet and a depth of 73.3 feet one side and of 70.7 feet on the other. Also the buildings on said premises standing, the whole making an unusually fine piece of property.

Notice is hereby likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, on Saturday, the 14th day of May, 1904, at 12 o'clock noon. The property conveyed by the said mortgage consists of: All those certain pieces of land situated in Kalauea, District of Ewa, Island of Oahu, Territory of Hawaii, described as follows, to-wit: (1) Land at Kalauea described in Land Commission Award No. 6104 on which Royal Patent No. 747 was issued to Mahiai. Area, 2 26-1000 acres.

(2) Two lots at Kalauea described in Land Commission Award No. 9400 on which Royal Patent No. 449 was issued to Hilo for Kaolo. Area, 1 545-1000 acres. (3) Land at Waimalu described in Land Commission Award No. 9316 on which Royal Patent No. 3704 was issued to Malika. Area, 672-1000 of an acre. (4) Two lots at Waimalu described in Land Commission Award No. 9315 on which Royal Patent No. 866 was issued to Haki: Apana No. 1, area, 1 426-1000 acres; Apana No. 2, area, 142-1000 of an acre. Total area, 1 568-1000 acres. (5) That lot of land at Waimalu, described in Land Commission Award No. 9325 on which Royal Patent No. 7100 was issued to Kamalaia. Area, 653-1000 of an acre.

(6) Two lots of land at Paimuku, Halawa, described in Land Commission Award No. 2057, on which Royal Patent No. 456 was issued to Keawe I: Apana No. 1, area, 315-1000 of an acre; Apana No. 2, area, 154-1000 of an acre. Total area, 469-1000 of an acre. Also all of interest in (7) Those three pieces of land in Halawa, described in Land Commission Award No. 2044, issued to Kaupali: Apana No. 1, area, 286-1000 of an acre; Apana No. 2, area, 598-1000 of an acre; Apana No. 3, area, 144-1000 of an acre. Total area, 1 028 acres. Grand total area, 7 971 acres. Together with all buildings, improvements, rights, privileges, easements and appurtenances to the same belonging or appertaining. Said lands are encumbered as follows: (1) A portion of Land Commission Award No. 6104 leased to Sung Wo Sing Company by lease dated July 24th, 1895, for a term of twenty years from August 1st, 1895, at an annual rental of twenty dollars, and a portion of the land is leased to Ahin under lease dated March 10, 1895, and recorded in Book No. 156, page 423, for a term of twenty years from September 1st, 1895, at an annual rental of eighty dollars; seven years being paid in advance. (2) The above lands under Land Commission Award No. 9400 are included in the same leases above named. (3) Land described in Land Commission Award No. 9316 is leased to Young Fong under lease dated October 25th, 1899, recorded in Book No. 197, page 386, for a term of fifteen years from November 1st, 1899, at an annual rental of one hundred and eighty dollars. (4) Lots described in Land Commission Award No. 9315 are included in the said lease above named. (5) Lots described in Land Commission Award No. 9325 are included in the said lease. (6) Lots included in Land Commission Award No. 2044 are leased to the Honolulu Sugar Company under lease dated November 3, 1895, recorded in Book No. 184, page 416, for a term of fifteen years from date at an annual rental of 1000 dollars. The portion of the land mentioned in paragraphs No. 1 and 2 above leased to Ahin is now assigned to the Hawaiian Investment Co., Ltd.