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BAND CONCERT AND DANCE AT MOANA HOTEL

Tomorrow (Thursday) evening the Royal Hawaiian Band will give a concert at the Moana hotel from 7 to 9 o'clock.

DAILY REMINDERS

Those intending to take the trip to Japan on the excursion leaving here on March 27, should give considerable attention to the suits and furnishings that can be supplied by the Clarion.

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POLICE STINGS

George Nahlan, has been sent to the reef to spend three months at Hotel Asch, having been found guilty of assault with a weapon upon two Chinese.

Found guilty of taking a quantity of grain sacks, W. Morris, colored, arrested by Captain of Detectives McDuffie, has been sentenced to serve one year at the city and county jail.

Before District Magistrate Monsarrat this morning seven Chinese entered a plea of having been present at a gambling game last evening. They were brought into court following a raid made by Captain of Detectives McDuffie, Officers Kellett and Swift.

Nine Chinese placed under arrest by officers connected with the detective department last Monday evening, charged with gambling, were released with a nolle prosequi when arraigned before District Magistrate Monsarrat this morning.

Humalai, declared to have succeeded in making his escape from the territorial insane asylum, was placed under arrest by police officers last evening as he was attempting to board the Interisland steamer Mikahala for Maui, Molokai and Lanai ports.

Removing the putty from a glass window at a store near the corner of Waialeale road and Fifth avenue at an early hour this morning, burglars are reported to have entered the premises conducted by See Chong as a general store, removing a quantity of canned fruit and provisions, which later were recovered about 50 yards distant by police officers.

MARSHALL CASE GOES TO JURY IN MORNING

(Continued from page one)

dozen character witnesses, prominent men of Fayette county, Pennsylvania, Marshall's home, which were obtained some months ago for the defense were not offered in evidence and thus have proven useless.

It is generally conceded by those who followed the trial and heard Marshall's testimony that he created a strong favorable impression, which may have much weight with the jury. His bearing was modest, yet apparently unaffected, and his testimony was that of an educated, highly intelligent, quiet, likable young fellow.

Throughout the cross-examination by the city and county attorney the defendant maintained this admirable poise, responding directly and without hesitation to every question, making no contradictory statements.

Throughout the trial much stress has been laid on the positions of different actors in the hula house during the tragic events of the night of August 9 last, many measurements have been taken, introduced in court and discussed at length. It is expected that the prosecution will build up a plea point on these, in an effort to prove that Marshall not contemplated murder that night and had been really peacefully inclined, as he has testified, he might have escaped Guertler and his crowd instead of permitting them to corner him near the door leading from the dance hall into the telephone room.

Though the purpose of the jurors in desiring to inspect the hula room a second time was not made known, of course, it is thought they sought to ascertain by observation, whether it had been actually possible for Marshall to escape through this doorway. It was stated this door was a sliding affair, opening two or three feet from the outer wall of the dance hall. The inner wall, extending from the outer one to the sliding door, formed the corner into which Marshall says he was crowded by Guertler and Dick. The exact length of this inner wall has been in dispute, the prosecution averring it was a little more than two feet and the defense declaring it was nearly three feet.

In his final cross-examination at the hands of the prosecutor, the defendant persisted in his story that while he was sparring with Dick someone jumped upon him from behind, and that he did not know who it was. He also denied that after that preliminary fracas at the makai end of the dance hall, when he was led to the telephone room by Moses Puahi, he sent out for Dick. He said Dick had accompanied him to the telephone room, and that Dick then protested to him that none of the Guertler party were drunk, and that nothing was meant by the scuffle. Witness also denied that Moses Puahi had advised him to go home, had put him out of the room, and that he had returned there seeking admittance and had been denied by Puahi. He said he went back to the house only once after his first departure, before he took Startup downtown and went to his own room at Cassidy's. He insisted that when he left the place he drove his automobile out into the road and down makai along the road some distance, leaving it there and returning to the front entrance of the hall, where he called for Drew. In response to the prosecutor's inquiries he reviewed the affair in detail circumstantially, as he gave it yesterday.

He declared that just before he jumped into his car, while Guertler was pursuing him the latter shouted with an oath: "All I want you to do is to take off your glasses, you coward; you know I won't hit you with my glasses on." He insisted it was Guertler who said this, not Miller, as the latter testified for the prosecution.

When he obtained Drew's gun at Cassidy's that night Marshall said he took it from its holster and put it in his pocket without examining it, and didn't know whether it was loaded. Returning to Puahi's and going to the front door he saw through the lattice-work the lights blazing and the crowd inside, and said that to avoid further trouble he went around to the makai, or telephone-room door. Puahi did not let him in. The door was partly open and he walked in. Stepping through

COUNSEL CLASH IN TRIAL OF BERT BOWER

Very slow progress was made in the George A. (Bert) Bower trial in the U. S. District Court this morning, although at noon, when recess was taken, District Attorney McCarr stated that the prosecution had probably finished its testimony.

The only witness examined was Violet Spreen of the Industrial School, who proved to be an exceedingly difficult one, apparently having much difficulty in understanding the questions put to her. She testified, however, to having hidden under the rear seat of Bower's automobile one night when he took Victoria Mortensen for a ride, for the purpose of witnessing how they might act. They hugged and kissed. But at Kalakaua avenue Violet was discovered, and the party returned home to Manoa valley.

On another occasion the Spreen girl was one of an auto party in which were Bower, Victoria Mortensen, a younger Spreen girl, and two men designated by the witness as "Frazier" and "Max." They drank liquor at the Walkiki Inn, she said, and later at the Kentucky saloon.

The court session was marked by an almost continual clash between counsel regarding the admission of testimony, and twice the jury was sent out while technical details were thrashed out, and on another occasion Judge Clemons and the attorneys retired for some little time for the same purpose.

The Spreen girl occasioned some mirth by vehemently declaring at one point that she did not understand the meaning of the terms "makua" and "makai," although she is part Hawaiian and admitted that she speaks the language.

The next door, leading to the dance hall, Miller saw him and asked him if he was looking for another fight. Marshall said he replied: "No, I've just come back to get Drew."

He denied the story told by Dick, that the latter arose from the bench at the further end of the room after Guertler, and that Dick proceeded Guertler down the hall to Marshall, standing nearer Marshall when the latter fired the fatal shot than did the man who was wounded. Marshall likewise said he had no recollection of making any threat during the affair outside the house. He did not remember saying he was going to get his gang, or gun, nor adding the words, "you'll see."

ARMY NOTES

Infantry lieutenants and captains are not enthusiastic over the idea of taking the Porto Rico regiment of infantry into the regular establishment by transferring all the officers of the same grade whose total commissioned service is equal to or exceeds theirs.

That the present captains and lieutenants of the Porto Rico regiment of infantry shall be recommissioned as captains and lieutenants of infantry, in their present respective grades, to take rank on the general list of officers of the same grade whose total commissioned service is equal to or exceeds theirs. Provided further, that the status of all officers of the Porto Rican regiment of infantry recommissioned in accordance with the provisions of the preceding section shall be in every respect that of all other officers of infantry of like grades, and that all laws and parts of laws inconsistent with the provisions of this act are hereby repealed, and that nothing in these provisions shall be so construed as to increase the total number of officers now authorized by law.

Col. John T. Van Orsdale, 17th Infantry, who has just gone on the retired list for age, has the distinction of being one of the few officers in active service holding a brevet for distinguished service in Indian wars. He was graduated from West Point in June, 1872, and was assigned as a 2d lieutenant in the 7th Infantry, remaining with that command through the Indian campaigns and the Spanish-American war. He went to the 8th Infantry as a lieutenant-colonel in April, 1902. A month later he was sent back to the 7th Infantry, and in June, 1903, went to the Philippines with the 17th.

Van Orsdale saw frontier service in Montana, Washington, Minnesota, Dakota and Wyoming. He won the brevet of 1st lieutenant in 1877 for gallant service in action against Chief Joseph. The retirement of Colonel Van Orsdale leaves but three officers of the West Point class of 1872 on the active list—Col. Roger Birnie, ordnance department; Col. Frank West, cavalry, and Col. Charles A. P. Hatfield, 13th Cavalry.

The president has accepted the resignation from the service of 1st Lieut. Wyatt O. Selkirk, coast artillery corps, who was commissioned a 2d lieutenant from civil life June 10, 1907, promoted to 1st lieutenant in the same year, both appointment and promotion being in the field artillery. He was graduated from the Infantry and Cavalry School in 1906, from the Starr College in 1907 and from the Coast Artillery School in 1911. He is stationed at Fort Crockett, Tex., and the reason for his resignation is not known here.

Advertisement for The CLARION silk hose. Includes an illustration of a man in a suit and the text: "Now, see here, Friend—I wouldn't dare to stand here and lie to you about PHOENIX silk hose, I know they're good because I wear them—and I'll continue to wear PHOENIX until they make better ones—which never'll happen." (For Men 50c; for Ladies, 75c)

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