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SECY TAFT SAYS "FORTIFY HAWAII"

VOLCANO MARSHALL TO THE PRESIDENT

IN AN OPEN LETTER HE GIVES AN ACCOUNT OF THE WANTON DISBARMENT OF TWO CAPABLE LAWYERS WHO WERE WELL LIKED AND WELL THOUGHT OF IN HAWAII—STRANGE ACTION OF JUDGE WILFLEY.

OPEN LETTER TO PRESIDENT ROOSEVELT.

Theodore Roosevelt, President of the United States.

Sir: A most extraordinary situation prevails in China. So confounding is this situation that I am constrained in addressing this Open Letter to you. Actuated by no desire other than justice, which I understand, is likewise a paramount characteristic with you, it devolves upon me, the oldest American Journalist in the Far East, to plainly and succinctly, define the situation—that a great wrong, innocent, inflicted by you, through one of your appointees, may be righted.

The entire American Bar of Shanghai, with two exceptions, has been disbarred by the recently appointed United States Court Judge Lebbaus R. Wilfley. During thirty-four years of active work in the journalistic profession, I cannot recall—for it is non-existent in history—such an official act of tyranny, such an official act of infamy. And one too, filled with such direful consequences, not only to the unfortunate practitioners, the conservation of justice, but American prestige in the Far East.

THE NEW COURT.

As you are aware, Sir, a bill for the creation of a United States Federal Court in China, passed Congress at the session before the present one. Every patriotic American in the Far East rejoiced at the creation of the Court, holding it as an augury for better conditions among the litigants.

The recalled American Consular Courts in China, as you are aware, are wonderfully and frightfully made, several of them in the past being notorious for corrupt practices; largely, if not entirely governed in their decisions not by equity, but the geometrical problem, so appallingly prevalent in native circles here, of "how much?"

Was it any wonder, Sir, that the establishment of this Federal Court gave

satisfaction to American residents in China?

In the middle of December last Judge Lebbaus R. Wilfley, appointed by you as first judge of the New Court, arrived in Shanghai. Judge Wilfley was formerly Attorney General of the Philippines.

THE NEW JUDGE.

The day following Judge Wilfley's arrival, he notified the public through the press that the court was about to be opened. In the meantime a number of cases had accumulated, some involving weighty interests and others of vital effect personally to various members of the American community. On the opening of court he announced that no further legal proceedings would be had until after the first of the year, but that all American attorneys would be required to pass a week from date, a written examination in equity, pleading, evidence, international law, contracts, torts, wills, administration of estates, criminal law as well as the Statutes and Acts of the United States affecting Consular Courts in China, and that unless this examination was passed at this date, no United States Attorney, regardless of what certificate he held, would be admitted to practice in his court. British, German, and attorneys of other nationalities might, however, appear, by presenting to him certificates from their respective consuls that they were qualified to practice in their respective Consular Courts without examination.

THE AMERICAN BAR.

The American bar in Shanghai numbers nine persons, all of whom hold certificates from the various supreme courts of the States, several also being members of the United States Supreme Court and having actually appeared before that tribunal. All of these attorneys have been admitted to the Consular Court of the United States and are in good standing there, as well as in their several States, and a

(Continued on Page Three).

BIG GUNS FOR COAST DEFENSE

(Associated Press Cable to The Star.)

WASHINGTON, D. C., January 29.—Secretary of War Taft has asked Congress for an additional \$250,000 for the purpose of fortifying Pearl Harbor; \$250,000 is now available for use in Hawaii.

Secretary Taft says there is every reason for making ready for fortifications in the Hawaiian Islands. He wants to spend \$600,000 on Hawaiian fortifications. The Coast Defense Board urges six 12-inch and four 6-inch guns, 16 mortars, submarine mines, and so forth, for the defense of Honolulu and Pearl Harbor, Oahu.

ARE HARRIMAN'S SHIPS

SAN FRANCISCO, Cal., January 29.—R. P. Schwerin, vice-president and manager of the Pacific Mail S. S. Co., today testified in the Inter-State Commerce Commission investigation, that E. H. Harriman personally owned the steamships Mongolia and Manchuria.

Schwerin also testified that Harriman charged the Pacific Mail S. S. Co. \$30,000 per month for the use of these boats.

SCARLET FEVER EPIDEMIC.

CHICAGO, Ill., January 29.—There are 1,000 cases of scarlet fever in this city.

JAVA REVOLT SUPPRESSED.

AMSTERDAM, Holland, January 29.—The revolt in Java has been suppressed.

WORK FOR HILO BREAKWATER.

WASHINGTON, D. C., January 29.—Hayes is working for an appropriation for a breakwater at Hilo, Island of Hawaii.

Strange Skull Found On Alakea Street

What may be the remains of a prehistoric animal was found this morning by workmen excavating next to the garage of the Von Hamm-Young Co. The skull of an animal was found which resembles that of the skull of an elephant, although it is a bit smaller for that. The skull shows the upper jaw of the animal. There is a place from which two large tusks at one time must have protruded. Directly back of these are cavities which show that they once contained teeth. Further than that there are no distinguishing marks about the skull. Many say that it is the skull of an Hawaiian elephant which became extinct in the islands before the dawn of history. Others say that it is the skull of a walrus. Unless some expert on natural history can be found it is highly probable that the name of the animal which originally owned the skull will remain unknown. The find is on exhibition in the windows of L. H. Kerr & Co.

What Will Perkins Do With Money?

SHOULD THE BILL PASS HOUSE THERE WILL BE \$400,000 TO WORK WITH.

"In regard to the \$200,000 appropriation which has passed the Senate, I do not know upon what grounds Senator Perkins of California secured the additional \$100,000," said Captain Orwell this morning, "but it is probably in addition to \$100,000 which was allowed Secretary Taft when he asked for an appropriation of \$250,000."

"Of course it is a supposition upon my part that Taft was only allowed \$100,000 of the \$250,000. He was probably called before the committee and asked how much he actually needed to begin work. His answer may have been \$100,000 and it was granted. What Senator Perkins wanted with the extra \$100,000 is not known. I will probably be informed later."

It is known that should this bill get through the House that there would be a total sum for \$400,000 to begin work with, as there is a sum of \$200,000 available at present. It is highly improbable that more than \$200,000 could be expended before the next session of Congress on coast defenses here, to say nothing of the extra \$100,000 secured by Senator Perkins.

The best cup of Hawaiian Coffee in the city. New England Bakery and Cafe.

AMERICAN-HAWAIIAN STEAMSHIP DOINGS

S. S. CALIFORNIAN DUE FROM SEATTLE TOMORROW—ALASKAN LEAVES SOUND FEBRUARY 5.

The American-Hawaiian S. S. Californian is due to arrive here tomorrow morning from Seattle. She will load 8,000 tons of sugar at this port, Kahuhi, Kaaunapali and Hilo for Salina Cruz.

The S. S. Nevada, of this line, sailed from San Francisco yesterday for Honolulu, as per schedule. She is due here February 6 and return to San Francisco with sugar.

The A.-H. S. S. Alaskan sails from Puget Sound ports for Honolulu on February 5.

SACHS' SALE ENDS SATURDAY. Thursday, Friday and Saturday will be the last days to secure Sachs' big specials in children's wash dresses, Albatross, silk collars, brown linen crash, and wash belts.

REMOVAL NOTICE. N. Fernandez, Notary Public, Type-writer, etc., has removed his office to No. 84 Kaahumanu street, opposite the office of Theo. H. Davies & Co., Ltd.

BEWARE OF PNEUMONIA. If you have weak lungs, you have reason to fear pneumonia and should keep at hand a bottle of Chamberlain's Cough Remedy. It counteracts any tendency of a cold to result in pneumonia. For sale by all dealers. Benson, Smith & Co., agents for Hawaii.

Fine Job Printing, Star Office.

Not So Many Japanese Can Come

Advice was received by the S. S. America Maru from Japan to the effect that the Japanese Government has lowered the number of emigrants allowed to depart from the kingdom from 2,000 a month to 1,500, or a reduction of 25 per cent. The new law was to take effect on January 1 of this year.

The news was received by Editor C. Shiozawa of the Hawaii Shippo Shu, a Japanese daily of this city, from his correspondent in Japan. The correspondent also made the statement that it was upon the recommendation of the Consul General, M. Saito, at this place, that the reduction was made. This however had not been verified when the correspondent wrote.

At the Consulate the Consul declined to discuss the matter, saying that matters of that kind were of a private nature.

In speaking of the matter Editor Shiozawa said: "I feel certain that Consul Saito made the recommendation, but as my correspondent wrote it cannot be at once verified. It is a fact however that the Government has cut the number allowed to leave the country from 2,000 to 1,500 a month."

CANNOT QUALIFY

ATTORNEY GENERAL'S DEPARTMENT CANNOT PRACTICE BEFORE THE SUPREME COURT.

The Attorney General's Department of the Territory of Hawaii is powerless to act when a case in which the Territory of Hawaii is concerned goes to the Supreme Court of the United States. They cannot even file a brief in that court for none of the attorneys in the department have been admitted to practice in the Supreme Court of the land.

Such is the news which is brought back from Washington by D. L. Withington who recently went to Washington to argue several cases before the Supreme Court and was forced to return as the court had placed the cases on the calendar for March.

"The United States Supreme Court is very particular in such matters," said Mr. Withington today, "I cannot even sign the name of Castle & Withington to any papers which I may wish to place on file in the court, but I must sign my own, as an attorney admitted to practice. As there is not an attorney in the Attorney General's department who has been admitted, none of their papers can be filed there."

"I do not wish to discuss the matter, but I asked Governor Carter why the Attorney General was not sent on to Washington to be admitted and he replied that there was no money with which to send him. I think that it is a queer situation when a Territory has

Autograph Of Togo In Honolulu

A numerical tablet to the patriotic dead, the inscription, a sentiment proposed by the great Admiral Togo, and in facsimile of his hand-writing, with facsimile of his signature, is soon to be erected by the Japanese in the school yard of the Japanese school on Nuuanu street.

The copy for the inscription arrived by the America Maru. It is on a great sheet of paper about eight feet long and two feet wide. The characters representing the inscription, "In Memory of the Patriotic Dead," are each fully a foot in their longest measure, and were made by Togo himself. The characters representing Togo's signature are much smaller, perhaps about four inches in their longest measurement. The signature consists of the characters, which would be translated, "Helmachiro Togo, Admiral."

The inscription and signature are to be carved in facsimile of the exact size of the copy furnished by Togo, on a monolith of native Hawaiian stone about ten feet high, as a patriotic memorial from the Japanese of Hawaii.

This memorial which will be connected with the great admiral in so singular a way, is the outcome of the great memorial meeting held by the Japanese in Honolulu about a year ago in honor of those who had fallen in the service of the Emperor in the war with Russia. The funds raised for that purpose were not all spent and it was decided to use them for this permanent memorial. A. K. Oawa, as chairman of the committee having the matter in charge, communicated with Admiral Togo, and today received from the Admiral's own hand the inscription and autograph. The monolith which is to receive the inscription is already in the school yard and the work of carving the inscription will begin at once. It is expected that it will be finished and the monolith in place in about a week.

CLOSE TOUCH

with the most prominent exporting mercantile house of Yokohama, together with the large trade he carries on with the plantation stores all over the islands, enable K. Yamamoto to deal in all kinds of Japanese goods at a smaller price than any other Japanese merchant in Honolulu. Hotel street, near Nuuanu.

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Everyone who lunches for the first time at the Criterion is surprised at the excellence of the lunch for 25c. Come today and be surprised.

not money enough to look out for its own interests."

Fine Job Printing, Star Office.

Going to The Volcano?

Then get a pair of our brown moosehide shoes with elkhide soles. They are unlined, cool, soft, and as comfortable as moccasins. The tough soles protect your feet perfectly and are hard to wear out. They are a good all around tramping shoe.

Price \$3.50.

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LEASE ON VAST TRACT WILL EXPIRE IN JULY

THE KAPAPALA LAND HAS BEEN SURVEYED BY E. D. BALDWIN AND ITS DISPOSITION IS TO BE DETERMINED HOW THE LAND WILL BE OPENED UP DURING NEXT PERIOD OF LEASE.

The lease on the second largest tract of government land in the island will expire July 1 of the present year. The tract in particular is the Kapapala lands situated on Hawaii. In the tract are 172,780 acres of land, good, bad and indifferent. At the present time the land is under lease to the Hawaiian Agricultural Company, one of the Brewer interests, at an annual rental of \$1,200. In the tract is one piece of forest reserve amounting to over 7,000 acres. There are 743 acres in cane land and about 50,000 acres of good grazing lands. The bulk of the remainder of the land consists of worthless lava flows.

E. D. Baldwin, assisted by George F. (Continued on Page Five).

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New custom made Boots and Ties. Choicest Pat. Colt or Finest Kid. Fancy colored Linen Pumps and Ties.

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Absolutely Pure HAS NO SUBSTITUTE

A Cream of Tartar Powder, free from alum or phosphatic acid

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