

ROOSEVELT'S CABINET TAKES STUMP

KALUA IS INDICTED

WAILUKU, OCTOBER 23.—FORMER CIRCUIT JUDGE JOHN W. KALUA HAS BEEN INDICTED FOR PERJURY BY THE GRAND JURY OF THE SECOND CIRCUIT COURT. HE HAS RETAINED ATKINSON & QUARLES AND DAN H. CASE, LATELY COUNTY ATTORNEY, TO DEFEND HIM.

Kalua has been indicted in connection with the Cooper estate administration. He contradicted on oath evidence to the effect that he had obtained certain cattle from the estate, of which one Kapu was administrator, retained the livestock and never paid for the property. Kapu was ordered by Judge Kepoikai to be imprisoned for contempt of court on his failure to pay \$650 belonging to the estate into court, but, as a Star wireless message said on October 13, he was enabled to purge himself of contempt and escape jail

through the generosity of Hon. H. P. Baldwin, who paid the money for him. Kalua is Republican candidate for county attorney of Maui under extraordinary circumstances. When the Republican convention nominated him he, at that moment, was sitting as a delegate in the Democratic county convention. He was the predecessor of Judge Kepoikai on the circuit court bench, being removed from that high position by President Roosevelt, at the instigation of the Democratic party.

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THINKS IT LIKE THE THAW TRIAL

A HILO JUROR'S IDEA OF THE WYNNER MURDER CASE IN THE UNITED STATES DISTRICT COURT—THE INSANITY THEORY PUT IN A NEW FORM BY VON DAMM, WHO THINKS ALL CRIMINALS HAVE "MORAL SQUINT."

The selection of the jurors in the trial of John Wynne for the murder of Oler McKinnon, of the steamer Rosecrans, has not yet been completed and from the way in which things are going it seems doubtful if it will be today. The prosecution still has two of its five peremptory challenges left, while Attorney Thompson, for the defense, has used but ten of the twenty which he is allowed.

The men in the panel, as might be expected, are not very anxious to serve in a case like this where capital punishment is involved and some of those who have been drawn give one excuse and some another, varying between a dislike of the death penalty and a refusal to accept insanity as a mitigating circumstance in the case.

A. C. Rodrigues, of Hilo, is evidently a reader of the newspapers and remembers what he had read. When being questioned by Attorney Thompson, in regard to his opinion on insanity as a mitigating circumstance or defense, he stated that from the questioning he had heard while waiting to be called he believed that Thompson was going to put up a defense similar to that which was used in the Thaw trial and that he would never vote for ac-

quittal on the ground of temporary insanity. He was promptly challenged for cause and after a long argument, in which the two attorneys, Judge Dole and the talesman took part, was finally excused, without obliging Thompson to use one of his peremptory challenges.

In the examination of Bertram von Damm, his views on the average man turned out to be interesting and were backed up by Judge Dole. When being examined by Prosecutor Rawlins, von Damm stated that he believed that practically every man who committed a crime was insane in some manner at the time when it was done.

Thompson then took the matter up and got von Damm to state that he believed that "all of us have some moral squint." He went on to say that he thought that a criminal had rather more of a "moral squint" in some different direction. Later in questioning the talesman Judge Dole agreed that practically all men have a "moral squint." No full definition of the term was decided on.

It may be taken as certain that the trial will be a very long one and that it will be one in which the testimony of experts on insanity will be called, a great part of whose testimony will be of a technical character.

THOUGHT MAN WAS MR. BODE

LADY VISITING HOUSE OF TRAGEDY IN COLLEGE HILLS, HEARING SCREAMS FROM FRIENDS, ATTEMPTED TO STOP MAN RUSHING OUT, UNDER IMPRESSION HE WAS HER CHUM'S HUSBAND—JAP SERVANT HELD ON SLIM EVIDENCE.

Hoyashi, Japanese, and until Sunday morning last, servant in the house of Mr. and Mrs. Bode, College Hills, this morning appeared in police court on preliminary examination before Judge Andrade on two charges. One charge is that of assault with intent to do murder and the other is that of assault with intent to commit rape.

Mrs. Bode took the stand and testified to the following effect. She and her husband retired Saturday night in their room in the front of the house, that evening being the first of their occupancy of the Judge Mathewman cottage. There was but one bed in the room and another was brought in and the two placed alongside the Japanese servant helping Bode and Mr. Bode's bed being placed nearest the door. There were no nets used and the beds were quite close. There was some commonplace conversation between husband and wife before retiring, in regard to reading, and then slumber claimed the pair.

Mrs. Bode, she testifies, was awakened by someone in the room and she saw a man, short and one who gave her the impression that he was the Japanese servant, with a long pole-like thing in his hand, held over his head, near her husband's bed; then she saw and heard the pole fall and strike something on the bed.

The man then went to her bed and took hold of her. He leaned over and took hold of her face. She screamed and struggled. He said: "You keep quiet and I will kill you." She said: "Very well, I will be quiet, but what do you want?" He stated his case, using a Japanese word which Mrs. Bode says she does not remember, but which sounded soft and seemed to have an "S" sound. He made signs and she again screamed, which was the signal for the man to again take hold of her face and neck, choking her and putting his fingers in her mouth. She felt her strength going, and screamed again.

Then she heard the voice of Miss Griffiths, her friend from Australia

who was occupying the adjoining bed chamber, asking if she could come in and as to what the matter might be. Miss Griffiths entered and the man dashed by her.

Mrs. Bode would not say the defendant was the man, but she was under the impression at the time of the alleged assault that it was he, by the voice and clothes and general appearance. He had presumably gone to his room soon after eight o'clock Saturday evening, after telling her that the back doors would not lock.

In previous accounts Mrs. Bode did not say that she saw the man strike her husband, saying merely that she heard a blow as of something being hit that was not hard. Today she testified she saw the pole, or what then appeared to be a broom handle or perhaps the handle of an o-o or short spade exhibited in court, in the act of descent. She saw the man striking. Her husband was dazed and did not seem to realize what had happened.

Miss Griffiths testified that she heard screams as if they were very loud screams coming from a considerable distance. The wind was high that night and the windows were rattling. She went to the Bode room and asked if she could enter. As she opened the door, hearing Mrs. Bode scream, a man dashed out and she was under the impression that it was Mr. Bode himself and reached and grabbed him by the arm and wrist to hold him, but the man threw her off and ran down the passage. Then Mrs. Bode switched on the electric lights in her room and Miss Griffiths turned on the lights in her room, so that there was a fair light in the hallway.

The man she saw, she says when the lights were on, was not Mr. Bode. He appeared to her to be a Japanese and his features were similar to the servant, the defendant, but the man in the passage seemed taller than the servant.

The testimony of the ladies was interpreted to Hoyashi. He said he had no questions to ask of Mrs. Bode. All

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ASTRAL DISMASTED; HONOLULU BOY SAFE

YOUNG PURDY, WHO ROUNDED HORN, IS WRECKED ON START OF RETURN VOYAGE, THE ASTRAL BEING TOWED TO NEW YORK—TERRIFIC HURRICANE BLEW FURLED SAILS FROM SPARS AND SHIP LISTED THIRTY-TWO DEGREES.

In the newspaper files from the coast today Major Purdy first learned that the American ship Astral, out of Baltimore for San Francisco on September 20, in which his son, Warren, was pursuing his marine education, was dismantled on October 4 in latitude 32 north, longitude 68 west, in a terrific hurricane and was on October 16 towed into New York harbor.

On Saturday last Major Purdy received a cable from his son dated October 16, at New York, with but one word, "safe," in the message. It was the first idea he had of anything being wrong with the Astral, for the inference was, since Warren was aboard the Astral and had undertaken to cable that he was safe, that something must have injured the vessel.

Major Purdy has received no further cable, the only information following the cable being the news contained in San Francisco papers of October 17 to the effect that the Astral had been dismantled in a hurricane.

The Honolulu boy's experiences in

the blow that nearly lost the Astral were probably as exciting and fearful as one can imagine. The storm lasted three days and all canvas that was spread was carried away and even the furled sails were torn from the spars by the howling blast. The topgallant masts, with their gear, were carried away and the vessel took on a dangerous list of 32 degrees to port.

There has not been time for the Major to receive a letter from his son. He is in receipt of a letter from the captain of the Astral, written the day the ship left Baltimore, in which Warren Purdy is very highly commended by the master for his seamanship and general aptitude. The master declares that young Purdy is advancing rapidly a fact his big circle of Honolulu friends will readily understand.

SACHS' PARASOL SALE. Specialty sale of ladies' white embroidered linen and plain and fancy silk parasols at Sachs' this week.

REPUBLICAN CAMPAIGN

W. H. Hoogs will preside at the Republican rally in the Orpheum tonight. Kaala's glee club will furnish music. Stenographers will be there to report Mr. Cathcart's speech verbatim.

On the platform will be seated the members of the Republican County Committee and of the executive committee of the Republican Territorial Committee.

The bulletin board at headquarters announces that other county nominees will address the meeting.

A. L. C. Atkinson, the Territorial chairman, will be back from Hawaii and Maui tomorrow morning.

Prince Katanamaole, candidate for re-election as Delegate to Congress, is not expected to return so soon.

At a meeting of the Republican County Committee this afternoon a schedule of meetings for next week was arranged.

On Friday the candidates will start around the island. They will attend a great rally at Waiwala on Saturday evening.

At noon today a large Republican rally on the waterfront, at Oceanic wharf, was addressed by John A. Hughes, J. C. Cohen, J. C. Quinn and W. Kane.

PARDON PETITION

Attorney Clem Quinn, who represented Sansui, the Japanese woman, convicted of having a still in her possession and also of distilling liquor without taking out the bond required by law, was spending his time this morning circulating a petition to President Roosevelt that she might be pardoned. When the case was completed and the woman had been found guilty on both counts Judge Dole gave her the minimum sentence on both counts, one month and \$100 fine in the first and six months and \$500 fine in the second.

It was called to the attention of the judge that the woman was destitute, had five children, the oldest being only a little over seven, and that her husband had been killed by a fall from an electric car only a short time ago. He stated at the time of giving sentence that he was compelled by law to do so, but that he would sign an application for pardon if the matter were brought before him. Attorney Quinn is obtaining the signatures of the members of the jury which brought in the verdict and also of Judge Dole and District Attorney Breckons and will forward the document to Washington at once.

SUGAR ON A RISE

A private cablegram from New York City was received by H. Hackfeld & Co. this morning stating that the European beet crop has suffered from severe frosts. While the exact extent of the damage is not now known, the estimate is that the crop will be shorter than it was last year.

Best cup of coffee in the city at New England Bakery.

ALAMEDA FROM COAST FULL UP

O. S. S. Alameda arrived at 7:30 this morning from San Francisco, leaving that port on October 17. She brought 73 cabin and 64 steerage passengers, a large general cargo and 427 sacks of mail. Much of the mail was for the Pacific fleet and was transferred to the Solace which sails this afternoon for San Diego and thence to Magdalena Bay.

BIG DEMAND. The first shipment of the new crop of Tengu Japan Rice arrived a few days ago and is almost exhausted. Cables have been sent ordering large shipment which will arrive soon. K. Yamamoto, sole agent.

CABINET OFFICERS ARE TO MAKE CAMPAIGN TALKS

(Associated Press Cable to The Star.)

WASHINGTON, D. C., October 23.—All members of the cabinet will make campaign speeches next week.

TWO BIG BOATS FOR PACIFIC TRADE

VICTORIA, B. C., October 23.—Manager Shaughnessy of the Pacific interests of the Empress Line states that the steamships Empress of Ireland and Empress of Britain, now in the Atlantic, will be transferred to the Pacific.

FLEET OFFICERS BID FAREWELLS

TOKIO, October 23.—The admirals of the American fleet bade their formal farewells today. Admiral Sperry attended the funeral of General Nodzu, the commander of the fourth division of the Japanese army during the war with Russia, while Admiral Emory was the guest of honor at a dinner given by Kaneko, the president of the Japanese Welcome Society and of the coming International exhibition to be held here. The officers of the fleet were tendered a reception on board the battleships Fugai and Mikasa.

ACCUSED OF NEGLIGENCE

MARE ISLAND, October 23.—Lieutenant Edwin Dodd, U. S. N., is to be court martialed for alleged neglect of duty in connection with the fatal explosion that occurred September 17.

REFINED ADVANCES

NEW YORK, October 23.—Refined sugar today advanced ten cents in the hundred.

BATTLESHIP ASHORE

TRIESTE, October 23.—The battleship Erzherzog Franz Ferdinand is ashore at Isola.

NEW AUTOMOBILE RATES.

The Auto Livery will from this date reduce all automobile work 25 per cent. 1 passenger inside city limits Punahou St., Wylie St., or Kamehameha Schools 50 cents; calling or shopping \$3 per hour; continuous driving \$5 per hour; \$4 second, \$3 for third. Around Island \$40. E. H. LEWIS, Proprietor, Tel. No. 6.

BLOOD POISON PREVENTED.

There is no danger from blood poison resulting from a wound when Chamberlain's Pain Balm is applied. It is an antiseptic liniment, and unless the injury is very severe it will not leave a scar. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

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The pastry at the Alexander Young Cafe is the finest in the city. Orders for parties filled promptly.

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