

50,000 PEOPLE ARE KILLED

FERN WINS IN SUPREME COURT

WILL TAKE THE OATH OF OFFICE NEXT THURSDAY—THE SUPREME COURT HOLDS THAT THERE CANNOT BE A RECOUNT UNDER THE LAW, BUT THINKS THAT THERE SHOULD BE LEGAL PROVISION FOR ONE IN ALL CASES.

According to a statement made this morning just after the decision of the Supreme Court upholding the legality of his election had been announced Mayor-elect Joseph Fern will take his oath of office on next Thursday and will then make his announcement of the men whom he will appoint to the various positions under his control. He did not care to give out any announcement at the present time.

The Supreme Court this morning decided not to recount the ballots for mayor.

After reading the decision in the case the Chief Justice added:

"I may say in addition to this that we all feel and feel very strongly that a recount should be a matter of course in every instance. This might be done by a Board of Canvassers or some other body selected for the work and should be done on the statement of a number of voters, perhaps ten, as is the custom under the Massachusetts statute. Perhaps the Board of Supervisors of each county would be the proper authority to handle such a matter.

"If the validity of any ballots in this recount should be made a question by either side this matter, as a question of law, might then properly come up before this Court."

The decision, written by Chief Justice Hartwell, is as follows:

According to the practice in former election contests the defeated candidate could not obtain re-examination of ballots unless upon a showing, which was made in each case, that he had knowledge or direct information of some fraud, accident or mistake which would invalidate or change the result of the election. It must be a real and not an assumed or hypothetical fraud, accident or mistake to make an issue on which a controversy between candidates can arise. There is no contest or issue of fact or law presented by a statement that a decision of inspectors ought to be reversed, corrected or changed because petitioners believe, without definite information, that the decision was incorrect. The petitioners insist that it is unnecessary that the petition be verified at all and

that the court, after answer filed, had no jurisdiction, before hearing evidence, to require the petitioners to prove any of their allegations. This has not been required further than to ascertain from the petitioners whether they all had knowledge or direct information concerning their charges, the object being to avoid re-examining ballots upon mere surmise of petitioners or others that there were irregularities. One of the attorneys of the petitioners is consistent in claiming that the law does not require of any petitioner any knowledge or direct information as to any irregularities charged.

In this view any qualified voter, if he can get twenty-nine others to join him in a petition setting forth that any one believes that there has been error of the inspectors, can require the ballots examined and passed upon as well as counted.

The statute (Section 56) requires that "All questions as to the validity of any ballot cast at any election held under this act shall be decided immediately and the opinion of the majority of the Board of Inspectors of Election at each polling precinct shall be final and binding, subject to revision by the Supreme Court of the Territory as hereinafter provided;" and further (Section 57) that "Any candidate directly interested" (it will be observed that a candidate indirectly interested has not this right) "or any thirty duly qualified voters of any Election District may file a petition in the Supreme Court setting forth any cause or causes why

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A RELIABLE REMEDY FOR COUGHS.

With the dry, cold weather of the early winter months, parents of croupy children should be on the alert for ominous symptoms. There is no cause for anxiety when Chamberlain Cough Remedy is kept in the home. If this medicine is given as soon as the child becomes hoarse, or even after the croupy cough has appeared, the attack may be warded off. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

COMBINATION LUNCHEONS.
Combination lunches, 25c, 35c, 50c, and 75c, at the Alexander Young Cafe. Dinners 50c and 75c.

Fine Job Printing, Star Office.

HILONIAN DEPARTS

CAPTAIN TULLETT A HONOLULU HARBOR DELEGATE TO WASHINGTON.

Mason Navigation Co. S. S. Hilonian, Captain Peter Johnson, left the foot of Nuuanu street promptly at 10 o'clock this morning with a fair number of passengers, 1,000 tons of sugar and the usual miscellaneous island freight.

Among her passengers was Captain Tullett, of this city, who goes to Washington as delegate for the Masters and Pilots, Honolulu Harbor, 54, in the interests of harbor and navigation improvements in these islands. He will call on the President and will appear before Congressional committees. This is the second time Captain Tullett has represented local navigation interests and his work has been effective.

HOLDS JOB A MONTH

KAUAI COUNTY AUDITOR MUST WAIT UNTIL A SUCCESSOR IS QUALIFIED.

"It is an ill wind that blows nobody good, as adage says, a statement which will be agreed to by County Auditor Olaf Omsted, of Kauai. As the result of the decision of the Supreme Court which found the contest between Charles Blake and George Baker to have resulted in a tie, he will hold over in office for at least one month more.

The county act of 1905, which provides for the government of all the islands of the Territory with the exception of Oahu, states that in case of such a predicament as has occurred in the present instance, "All County officers, except as herein provided, shall hold office for two years and until their successors are elected and qualified."

According to the same act when a special election is to be held the Supervisors must issue the election proclamation at least forty days before such election shall take place. This gives Omsted at least a month more in office, as has been stated.

KAUAI IRRIGATION

In preparation for an irrigation scheme under government auspices for the windward side of the island of Kauai, Surveyor Harvey, acting under the request of the Superintendent of Public Works, has commenced to take measurements of the water in the streams in the vicinity of Kapaa, Olanaha and Anahola. Some figures of this kind have been obtained from the plantations, but they were incomplete and unsatisfactory, being mostly taken at irregular intervals.

The necessity of obtaining such figures before going ahead with complete plans for irrigation is apparent and it is proposed to get the needed data in this line as quickly as possible. Superintendent Campbell has also submitted a preliminary report on the Kapaia town water system to Acting Governor Mott-Smith.

IT HAS COME.

We have received that large shipment of Tengu Japan rice and we are selling it fast, as the demand is very great. It supersedes all others in favor and quality. K. Yamamoto, sole agent, Hotel near Nuuanu.

THE LATEST SWEATERS.

A new shipment from the East of all the latest sweaters and sweater coats. Biederick Patterns and Designer at Sacht.

Reclamation Commission Reports Soon

It really begins to look as though there was some chance that the Waikiki Reclamation Commission would make its report in time for the coming Legislature. It has been announced that during the first week of the coming year, or very soon after, a meeting will be held in the Throne room of the Executive building, at which opinions will be asked on the subject from both the general public and those who are interested in the matter.

The holding of this meeting will take place just as soon as a large map of the district to be reclaimed can be completed, which will show the work needed in full detail. Then a general invitation will be sent out through the press while special notifications will be sent to those who have interests involved.

According to an abstract made up

FLYING WEDGE TO OUTROOT CRIME

Sheriff-elect Jarrett, Deputy Sheriff-elect Rose and Chief of Detectives Jack Kalakela, he who is chief at present and also Chief-elect, are forming the apex of a flying wedge, to be backed by those under them in office, to pierce the crowd of more or less petty outlaws which has for some time infested this city and environs.

In consultation, the new heads of the police department have about concluded that there are several gangs of young men at work in petty thievery, night marauding, window-work, amateur highwaymanship, to say nothing of a branch of criminality

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GREAT STEEL WIRELESS TOWER TO BE ERECTED HERE

(Special Correspondence to The Star.) WASHINGTON, D. C., December 5.—In Hawaii, Washington, Colon and the Philippines, the Navy Department is planning to build the greatest steel towers ever constructed for transmission of wireless messages. The first one will be erected in Washington. It will be 400 feet high, and will be capable of sending messages 3,000 miles by day or night and in any kind of weather.

As soon as it has been tested and proved satisfactory a similar tower will be erected in Hawaii, one in the Philippines and one in Colon.

In Germany there has been built a long distance wireless tower at Nauzen, just outside of Berlin. Another is being built at Milan. The celebrated Eiffel Tower in Paris is being put to this use.

The Navy Department is very particular about its equipment, and while

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MRS. SPRECKELS HAS LIFE ESTATE

(Associated Press Cable to The Star.) SAN FRANCISCO, December 29.—The will of the late Claus Spreckels was filed in probate today.

It gives a life interest in the estate to the widow, after her death to be divided between Claus Augustus and Rudolph, two of the testator's four sons, and Mrs. Ferris (formerly Emma Spreckels), his only daughter, who lives in England.

In the event of the death of any of the children before the mother, his or their shares are to be divided between the surviving legatee.

Claus A. Spreckels and Rudolph Spreckels are nominated as executors of the will without bonds, and are given absolute power for the management of the estate.

John D. and Adolph Spreckels were already provided for by their father before the execution of his will.

GREATEST MODERN DISASTER

(Associated Press Cable to The Star.)

ROME, December 29.—The number of dead in the great earthquake of yesterday is estimated to total fifty thousand for the city of Messina. The death roll in the district may prove to be double this number.

MANY CITIES IN RUIN.

Many cities are in ruins and numerous small towns have been laid low. Reggio is cut off from the rest of the country and is believed to have been destroyed in the earthquake.

SHAKES CHANGE SHAPE OF STRAITS.

The Straits of Messina have been altered by the tremendous earth convulsions, the shape of the great waterway being changed to a considerable degree.

GREAT LOSS OF SHIPPING.

The loss to shipping has been terrible, many vessels being sunk or cast up on the coast.

FIRE AND LOOT IN TERROR.

The city of Messina has been looted, ghoul stripping the dead of their jewels. The city is in flames.

MOUNT ETNA SHOWS FURY.

Mount Etna is active and there is fear of further earthquakes.

KING AND QUEEN TO RESCUE.

Their Majesties the King and Queen have arrived on the scene of suffering and are doing all in their power to relieve distress.

POPE STARTS TO GIVE AID.

His Holiness, the Pope, has started a subscription for a monster fund, contributing a million lire.

WORLD RESPONDING TO APPEAL.

From all over the world assurances of financial aid to the victims of the earthquake are being received in this city and all nations will respond to the call for funds issued by the Pope.

FOREIGNERS AMONG VICTIMS.

There are many foreigners among the victims of the earthquake.

PRISON AT MESSINA FALLS.

The prison at Messina collapsed during the quake and the prisoners themselves aided in sacking the city.

CHIEF DEAD; BARRACKS DOWN.

The chief of police is among the dead. The military barracks have been demolished and the commander killed.

WHOLE PROVINCE DEVASTATED.

The entire province of Calabria has been devastated and a great tidal wave has devastated the coast.

LIVING UNDER THE DEBRIS.

Scores of men, women and children are reported to be still living under the debris of fallen towns and cities.

1,000 DEAD AT PALMI.

One thousand are dead at Palmi. Hundreds have been killed at Bagnara and there are a thousand victims at Cassenna. Five hundred are dead at Cosenza.

TOURISTS, MONKS, NUNS PERISH.

The tourist hotel at Palermo is destroyed, many losing their lives. All the priests, monks and nuns at Messina perished. The Red Cross is active everywhere possible.

E. J. Lord, who on his visit East sold his interest in the Hawaiian Dredging Co. to the Dillinghams, will not for the present engage in any new enterprise here. Instead he will spend some time in travel. Mr. and Mrs. Lord and family are staying at the Alexander Young Hotel.

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

ROYAL BAKING POWDER
Absolutely Pure
The only baking powder made with Royal Grape Cream of Tartar
No Alum, No Lime Phosphate

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10 INCHES HIGH
No OTHER BOOT HAS AS MANY WATER-PROOF QUALITIES.
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