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THE ADVISOR.

VOL. XII. No. 2316

HONOLULU, TERRITORY OF HAWAII, MONDAY, DECEMBER 1, 1902

PRICE 5 CENTS.

MEMBERS OF BAR ARE DISCIPLINED

Judge De Bolt Declares Proceedings Must Be Regular.

ATTORNEYS NOT ALLOWED TO USE PERSONALITIES

EVIDENCE OF ASSESSOR PRATT IN TRIAL OF DEPUTY ASSESSOR THOMPSON IS CONCLUDED.

Judge De Bolt administered mild but firm discipline to gentlemen of the bar this morning. It was in the trial of Deputy Tax Assessor Thompson for embezzlement. Mr. Douthitt for the prosecution had complained of remarks directly addressed to him by Mr. Davis for the defendant.

"You can't prove your case," uttered in an undertone audible throughout the court room, was one of the remarks that annoyed counsel for the Territory.

The court with benignant gaze bent upon Davis insisted that the proceedings must be regular. If counsel had anything to say regarding each other it must be addressed to the court.

A little later Mr. Douthitt gave a direct report on an objection made by Mr. Davis. The latter was up immediately saying:

"Mr. Douthitt has violated the rule just laid down by the court. I hope your Honor will talk to him the same as to me."

Judge De Bolt did talk to the prosecuting attorney and, subsequently, when Mr. Douthitt asked a question before the court had ruled on an objection to the previous question, he was again called to order while the objection to the previous question was also sustained.

Early in the session Mr. Davis objected to the line of examination, Assessor Pratt being on the stand, and fortified his position with a Federal decision. The same authority was cited by him several times, but the court admitted the evidence in the main subject to motion later to strike it out. Mr. Douthitt urged that he should be allowed to produce the case step by step, promising to connect the different parts before getting through. On this understanding evidence that seemed intrinsically immaterial was admitted to await the connecting links.

Mr. Pratt described the system of collecting personal taxes. Honolulu was subdivided by books according to the old native nomenclature of districts, such as Makiki, Kulaokaha, Kalihua, Kalia, etc. The defendant as chief deputy assessor had the giving out of collection or receipt books. He also received the reports of the other clerks, reporting questions that might arise to the assessor. When a book was requisitioned for Koolauloa, on the other side of the island, the witness directed that the highest number in the office be furnished. This direction was not obeyed. No. 78 being sent to Koolauloa. Books 79 and 80 were missing from the office. Witness did not know where they were. Mr. Pratt testified, under many objections of the defendant to conversations with Thompson regarding the identification of Woodward as the clerk who had given the receipt to a Chinese taxpayer for money that had not been turned into the office.

"I have no questions to ask the witness; no cross-examination. I know when to let well enough alone." Thus Mr. Davis released Mr. Pratt from the stand when Mr. Douthitt had concluded his examination.

Mr. Douthitt desired to reserve the right to recall Mr. Pratt later, but an objection by Mr. Davis the court ruled that this would come within its discretion when the occasion arose.

Chris. J. Holt, next deputy to Thompson, was the following witness. An indefinite answer as to the number of the tax receipt in question was on motion of defendant struck out. On being asked if it was No. 7951—which identified it with one of the missing books—the answer was "Yes." An objection was overruled.

Judge De Bolt warned the prosecution several times that it must come to the concrete points of the case without unnecessary delay.

PUUNENE ACCIDENTS

GEORGE LINDSEY HAD AN ANKLE BONE BROKEN

CAPT. TOOMEY'S FINGER MASHED. JAPANESE ENGINEER GOT PIECE OF STEEL IN EYE.

Puunene, Maui, Nov. 29.—Geo. Lindsey, who is employed in the machine department at Puunene mill, received a painful injury Friday afternoon just as he was starting for home. He was on horseback and just as he reached the office he met a team of mules in charge of a Japanese who was driving recklessly along. In attempting to pass them Mr. Lindsey's foot was caught and given a violent twist which broke a bone in his ankle.

Captain Toomey of Kihel had a finger badly mashed while taking down some piping. He is at Spreckelsville hospital and his finger is slowly improving.

A Japanese engineer was struck in the eye with a piece of steel last Saturday. He was carried to the hospital on Sunday, where it was decided that an ordinary operation would impair the sight. On Monday an electro magnet was made and successfully used in drawing the steel out.

Geo. Mayfield, the genial steward at the Puunene clubhouse, gave the members a Thanksgiving surprise dinner. Several outside friends were present and all heartily enjoyed the elegant repast of turkey, cranberries, celery, oysters, ice cream and other delicacies too numerous to mention.

BREADFRUIT TOWN

Waikuku, Nov. 29.—In the issue of the Evening Bulletin of November 24, your Lahaina correspondent accuses the editor of the Maui News of calling Lahaina the "Breadfruit Town," a "somewhat contemptuous name applied to that beautiful, etc., town."

The Maui News comes out today and says that it never referred to Lahaina in any worse terms than the "Palm Tree City." The fact is that it was your humble Waikuku correspondent who has been guilty of calling Lahaina the "Breadfruit Town," but not with the intent of belittling the defendant.

Lahaina is noted in legendary lore as the "Malu Ulu o Lele," which, being interpreted, means "breadfruit grove." There is hardly a town or hamlet in Hawaii not of any importance that has not its local poetical appellation. Hilo is noted for its "Ua Kanihaha" and her citizens use that name with a certain degree of pride. Honolulu is proud of its "Ua Kukalahua," Waianae has its "Malu Niu o Poka," Hana has her "Ua Lanibahaa," while Waikuku is ever proud of the poetical designation of "Maluhiku," and I may go on indefinitely enumerating the poetical allusions for which each locality is noted but space will not permit.

The breadfruit grove from which Lahaina received its poetic name is situated not two hundred yards away on the Olowalu side of the present residence of Col. John Richardson and there are still a few trees left of the original grove planted years ago. Coconut and breadfruit trees thrive very well in the sandy alluvial soil of Lahaina, but the encroachments of the canefields within city limits have been the main cause for the destruction of these trees.

It is not a question of the survival of the fittest, but rather the survival of the best fitted to modern progress. So permit me to once more refer to Lahaina as the "Breadfruit Town," for it will not be many years if the ravages on the breadfruit continue with the same rapacity as in the past, that Lahaina will be robbed of her "Malu Ulu o Lele" as she has been robbed of her ancient capital. She will be a breadfruit town only in name but not in fact.

DRAKE ON MAUI.

Waikuku, Nov. 29.—Mr. and Mrs. Drake who have been doing Maui during the past two weeks, the former in the interest of the Revenue Bureau, will leave for Kohala per steamer Kinan next Tuesday evening. They expect to spend their Christmas at the Volcano House where Mr. Drake will inspect Madame Pele's revenues.

THE BULLETIN'S island subscription list is larger than those of all other Honolulu papers combined.

SENATE HAD NOTHING TO WORK ON TODAY

The committees of the Senate in charge of the investigation process of the various departments of the Territorial government, are not yet ready to report. They have a mass of work to go through with before they can say to the Senate that their investigations have been completed.

This fact was made very apparent when at the regular session this forenoon miscellaneous business was called for without a response from any quarter of the house. The roll was called showing that Senator Cecil Brown was the only member absent and then the minutes were read by the secretary. Senator Dickey made an objection to the effect that the minutes were not clear enough in those portions where the reports presented Saturday were mentioned, but when it was explained to him that the secretary had left places for the reports in full, duly signed and dated, the Senator from Maui was satisfied.

The secretary read the following communication from A. G. Hawes, secretary to the Governor.

Executive Chamber, Territory of Hawaii, Honolulu, Nov. 29, 1902.

William Savidge, Esq., Secretary of the Senate, Honolulu, H. T.

Sir:—I am directed by the Governor to acknowledge the receipt of your communication of this date—approved by Clarence L. Crabbe, President of the Senate—in which you inform him of the action of the Senate in regard to the suspension and removal of Mr. H. C. Austin, Auditor of the Territory of Hawaii, from office.

Very respectfully,
ALEX. G. HAWES, JR., Secretary to the Governor.

On motion of Senator Isenberg, the communication was received and placed on file.

After a session of a little less than fifteen minutes, the Senate adjourned on motion of Senator Baldwin, until 10 o'clock tomorrow forenoon.

KINI'S GOOD ROAD WORK

Waikuku, Nov. 29.—Road Supervisor John Kini has done excellent work on the roads ever since his appointment in his present position a few months ago. He has done fairly well with the material at his command, for Maui roads have been suffering for lack of funds in common with other towns in this Territory. Notwithstanding the poor material at hand, coupled with the paucity of road laborers, the road supervisor has done wonders. Of course, fairly good roads in Waikuku means such roads as Ke-walo possesses, and not such beautiful roads as the residents along Bere-tania street enjoy. Why, should Waikuku be fortunate enough to have roads half as beautiful, she would celebrate the occasion with luau for a week. Main street is being macadamized now and when completed Mr. Kini guarantees his work to last for a number of years. During the rainy weather this week, Makawao roads were in awful condition. The road from the junction of the road leading from Paila to Makawao was over six inches deep in mud, but Waikuku roads were not half as bad.

For a new Christmas suit made of the latest patterns, call on J. P. Rodriguez, Alakea between Merchant and King streets.

ISLAND POLOISTS BANDED TOGETHER

Hawaiian Polo Association Formed This Morning.

L. VON TEMPSKY IS CHOSEN AS PRESIDENT

FIRST SERIES OF GAMES TO TAKE PLACE HERE IN JUNE—ALL THE ISLANDS WILL COMPETE.

The gathering here of the polo contestants for the series of matches which ended with the game between Oahu and Maui last Saturday afternoon, has had the effect of stimulating an interest that promises great things for the future.

This forenoon, all the players from the other islands with the exception of the Melina Brothers and L. von Tempsky, together with a goodly representation of the players of Honolulu, met in the Judd building for the purpose of forming a polo association to include the players and enthusiasts of the various islands.

The meeting was a very enthusiastic one and before long there had been formed the Hawaiian Polo Association and L. von Tempsky of Maui had been elected president and Robert W. Shingle of this city, secretary and treasurer. The next business was the appointment of a committee of one man each from the various island representations to formulate general rules governing local conditions.

So far as rules are concerned, it was decided at the meeting that the playing in the Islands should always be under the rules of the American Polo Association.

It was decided that all games of the association in the future shall be played on this island. There was no objection to this plan. The first series of contests under the new organization will take place during the latter part of June next and all four of the largest islands of the group will be on hand with their teams.

There was some talk about the streets Saturday afternoon after the game and this morning about dissatisfaction on the part of the Maui and Kauai players but there was none of this spirit shown at the meeting this forenoon. In fact, the players of the various teams out of the city expressed themselves as perfectly satisfied with the treatment which had been accorded them by the players of this island and officials who had charge of the games.

The work of this morning whereby all the polo players of the Islands will be brought into one common fold, will serve to increase the interest in the game throughout the Islands and makes it certain that polo will not die out very soon now that it has been given such a splendid start.

The case of Ben Gallagher, charged with having threatened to take the life of his wife, was called in the Police Court this morning and continued.

SAILOR SHOT NATIVE WHO BEFRIENDED HIM

Jack Magnusson, a sailor of the bark R. P. Rithet, appeared in the Police Court this morning charged with assault with a deadly weapon with intent to commit murder on a native man called Keapuni. His case was continued until tomorrow.

The case of Magnusson shows how often native hospitality meets with ill returns. Last Saturday Magnusson and a shipmate, R. Hollger, went up Nuanuu valley. They were invited by Keapuni into his house near the brickyard, and stayed there overnight. During Sunday forenoon a quarrel arose between Magnusson and his host. It became so violent that the neighbors began to gather, but before they could prevent it Magnusson pulled a Hopkins & Allen 32-caliber revolver and fired at close range at Keapuni, the bullet entering his breast below the shoulder. Although the wound was rather a bad one, Keapuni rushed upon his aggressor and clinched with him. The neighbors wrested the weapon from Magnusson, who however, managed to get away from them and fled.

The natives held Hollger and tried to telephone to the police, but the phone was not in working order. A couple of natives then ran down to the station house and notified the police of the affair.

The patrol wagon was dispatched to the scene and the injured man was taken to the hospital. The physicians tried to locate the bullet by the X-ray but were not successful. The wound was then bandaged and when Keapuni appeared in court this morning he still was carrying the leaden missile in his flesh.

Hollger was taken to the police station and asked about his companion's identity. At first he refused to divulge it, but a little moral suasion soon got the better of his stubbornness and he accompanied Captain Kane on his search for Magnusson.

Magnusson was caught on Nuanuu street between Merchant and King, as he was hurrying to his ship. He was promptly taken to the police station, where his shirt, which bore blood stains from the combat, was removed and kept as evidence.

HISTORICAL DISCOVERY

Yesterday was the anniversary of the death of Kamehameha VI, who died on St. Andrew's Day in 1864. Exercises were held at the cathedral yesterday morning commemorative of St. Andrew's Day.

The foregoing from the Advertiser is a new discovery in Hawaiian history which should be taken up by the Hawaiian Historical Society. As Kamehameha IV. died in 1863 and Kamehameha V. died in 1873, it would be interesting to know when Kamehameha VI. lived in so as to be able to die in 1868 between those two, Kamehameha VI. is himself a discovery. Lunallilo succeeded Kamehameha V. and reigned exactly one year, when he died and was succeeded by Kalakaua in 1874. Neither of the last two kings assumed the name or any number of Kamehameha.

FAREWELL LUAU.

Koloa, Kauai, Nov. 29.—The home of Mr. and Mrs. Chas. E. Miller was the scene of a very happy event, when the many friends of Miss Orilla Rice and E. Miller assembled to bid them goodbye, they having to leave by this evening's steamer. It is needless to say the regrets were numerous at parting with the esteemed guests. Mr. and Mrs. Chas. E. Miller proved a very entertaining host and hostess.

The evening was spent in social chat and dancing when at a late hour all retired to their respective homes, wishing Miss Rice and Mr. Miller bon voyage, and hoping to see them in their midst again. The music was given by the Koloa quartet composed of the Messrs. Blakes, Vaughan and Kapahae.

TRUTH, NOT VULGARITY.

Kelliohikina, which translated means "the Princess of the East," and Kamapuna, two native women, appeared in the Police Court this morning charged with using vulgar and profane language. Hananui (w), appeared as the complaining witness. She said that the "Princess" and the other defendant had said that she had a big mouth. Judge Wilcox stated that he failed to see how that could be termed either vulgar or profane and remarked that judging from appearances, there might be some trouble in the slurring statement. The defendants were discharged.

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MEMORIAL SERVICES

ELKS HAVE ARRANGED FINE PROGRAM FOR 7TH

SYMPHONY ORCHESTRA WILL PLAY THREE SELECTIONS. FINEST TALENT IN CITY.

The members of the local lodge of Elks are making great preparations for their memorial services to be held in the Opera House at 3:30 o'clock on the afternoon of Sunday, December 7. It is expected that the theater building will be filled to overflowing.

The orchestral part of the program will be by the Symphony Society of this city under the directorship of Prof. Balanseyus of Oahu College. This organization will render the following selection:

1. First Movements from Schubert's "Finished Symphony."
2. Intermezzo from Mascagni's "Cavalleria Rusticana."
3. Andante from Mosart's Symphony in G Minor.

The soloists will be Mrs. George Macfarlane, Mrs. Faraday, J. Lovette Rockwell and Charles Elston. Mr. Rockwell will sing "But the Lord is Mindful of His Own." Mrs. Faraday's selection—"Weep Not for the Dead," will have an octette obligato made up of members of the Elks' Lodge.

Frank Thompson will be the organist. L. A. Andrews the eulogist and Rev. Alex. Mackintosh the chaplain.

Throughout the big cities of the United States the memorial services of the Elks is one of the grandest events in fraternal circles and thousands upon thousands of people turn out to see and hear. The local lodge intends to make the event here this year well worth remembering and from year to year the extent of the services will be increased. The committees in charge of arrangements have nearly completed their work and they report that the services of Sunday next will be most impressive in their nature. Special attention is being paid to the musical part of the service and on the program will be found the very best talent in the city.

MAUI TERM JURORS

Following are the complete lists of grand and trial jurors for the December term of the Maui Circuit Court:

Grand—W. L. Decoto, W. Hennig, G. B. Schraeder, C. B. Mills, Frank Clark, Geo. H. Dunn, Sam Kaanana, T. B. Lyons, Geo. Copp, Henry Gibson, Jno. K. Richardson, R. C. Searle, Wm. Kalukini, Jno. W. Ricard, E. B. Barclay, Chas. K. Farden, Henry Dickenson, Thos. Clark.

Trial—Dan Quill, A. Dutro, W. B. Hardy, G. S. Goodness, Lival Mahai, Manuel Faustino, Hy. Tallant, D. Morton, Chas. Bailey, W. E. Bal, M. Corriaton, H. B. Wilkins, S. E. Kellinot, Wm. Anahu, E. C. Hofgaard, A. B. Naone, S. R. Dowdie, J. Brown Jr., Edgar Morton, J. V. Kerr, Hy. Naholeia, C. B. Cockett, W. F. Kaee, A. K. Gana, Pat Cockett, M. McCann, Chas. Crowell, W. H. King, M. Kaunihaha, Wm. Walsh, D. T. Fleming, J. Kaonohi, J. Brown Sr., A. G. Dickins, Jos. Cockett and F. Sommerfeld.

S. E. Kellinot is a member of the House of Representatives. Edgar Morton is Deputy Sheriff of Makawao and Chas. Crowell has gone to San Francisco.

PORTUGUESE KILLED.

Waikuku, Nov. 29.—The report comes from Puunene that a Portuguese was run over and killed early this morning.

THE BULLETIN has more live news each day than all other papers combined.

ROUGH ON MAUI AND BIG ISLAND

Wharf At Honoipu Almost Destroyed By Swells.

NOEAU WEATHERBOUND AT KAA NAPALI, MAUI

STEAMER MAUI BOAT SMASHED AT NAHIKU SATURDAY—MEN AND FREIGHT INTO THE SEA.

Steamers from the other Islands bring news of very rough weather as will be seen by the reports of pursers.

Captain Harris of the gasoline schooner Eclipse, which returned from Kona, Maui and Molokai ports yesterday, reports that very heavy weather has been prevailing on the lee side of the Big Island during last week.

At Honoipu, in Kohala, the wharf was almost demolished by the heavy swells which raged there last Thursday. The Eclipse was lying off Honoipu on that day, but was unable to land any freight on account of the rough weather. The heavy seas which kept breaking over the wharf played considerable havoc with it. The board floor was almost completely torn off and washed away.

Captain Harris states that if the storm had continued, the whole wharf would probably have been washed away. As it was, only the piles and the framework are left. On Friday, the weather had bettered considerably and the Eclipse was able to land her freight.

The steamer Kaula arrived from Punaluu yesterday at 10 a. m. with 6,521 bags sugar for Brewer & Co. and 1 case hats.

The following sugar is reported left ready for shipment at Kau ports: Honoipu, 1,929, and H. A. Co., 1,300.

Purser McNamara reports as follows: "We had very fine weather and smooth seas on our trip. The schooner Serena Thayer was at Punaluu discharging lumber. Light southerly winds on our return trip."

The steamer Noeau arrived from Hawaii ports yesterday at 5 a. m. with 21 head cattle.

The purser reports as follows: Fair weather from Honolulu to Lahaina. Weatherbound at Kaanapali 24 hours. Discharged 29 crates of heavy machinery and left for Waipio. Weatherbound at Waipio 24 hours. Heavy swells along Hamakua coast. Fine weather and smooth seas on return trip.

The steamer Maui, which returned from Maui yesterday morning, had a boat smashed at Nahiku last Saturday. There was a heavy northerly swell running at that place Saturday when the steamer was landing freight there. The place is a very rocky one. The steamer boat went ashore with a load of freight and was lying behind some rocks when an enormous wave rose above the rocks and hit the boat. The wave could not be seen by the boatmen before it struck them. The boat was completely filled with water and so great was the force of the rushing water that it was turned over and over and thrown against the rocks.

The natives in the boat and the freight it contained were spilled into the water together. The sailors swam ashore and also managed to rescue most of the freight, a few packages only being lost.

The boat had quite a large hole stove in one side and was pretty badly battered. A line was run from the

(Continued on Page 8.)

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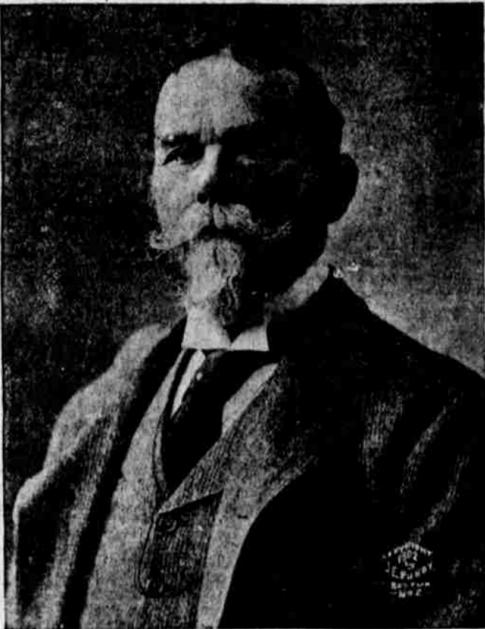
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