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HONOLULU, H. T., TUESDAY, AUGUST 11, 1903—SEMI-WEEKLY.

WHOLE No. 2511.

## ESTATE WRECKERS DISBARRED BY SUPREME COURT



JUSTICE GALBRAITH.

CHIEF JUSTICE FREAR.

JUSTICE PERRY.

### Humphreys and Davis are Dropped From the Roll of Attorneys.

#### The Supreme Court Disbars Them With a Scathing Denunciation—Magoon the Only One to Escape Punishment—Galbraith Meets Expectations.

"In the matter of A. S. Humphreys the judgment of the court, Justice Galbraith dissenting, is that he be disbarred.

"In the matter of F. E. Thompson the judgment of the court, Justice Galbraith dissenting, is that he be suspended from practice for one year.

"In the matter of J. A. Magoon the judgment of the court, Justice Galbraith dissenting, is that the charges be dismissed.

"In the matter of George A. Davis the judgment of the court, Justice Galbraith dissenting, is that he be disbarred."

In brief terms as the foregoing, Chief Justice Frear rendered the majority decisions of the Supreme Court in the disbarment cases.

There was not so large an attendance of members of the bar when the Supreme Court opened pursuant to adjournment at 3 o'clock yesterday afternoon as might have been expected. Perhaps many thought there might be a further postponement of decisions in the disbarment cases. At all events, not more than a third as many lawyers were present as generally appear at a term opening. There were not many spectators, either, of the lay element.

Chief Justice Frear and Associate Justice Galbraith came upon the bench, the Chief Justice announcing as they took their seats that Associate Justice Perry was absent from illness. The four respondents were in the front ranks of chairs and all of them looked grave. When the Chief Justice briefly announced the nature of the decisions, the three who were convicted and punished maintained their self-possession by evident effort.

George A. Davis was the only one that broke a stillness ensuing that was painful. Rising and going forward he leaned, in his familiar attitude, against the railing of the clerk's desk and made remarks to the following effect, some of them repeatedly:

"As an attorney of the United States courts, I ask that an appeal be allowed me to the United States Supreme Court. There are two Justices present and I ask that it be allowed.

"An attorney of the United States has a right to appeal to another and a higher tribunal.

"You took upon yourselves the functions of a trial court, instead of leaving me to be tried by the Circuit Court where the cause of action arose."

Chief Justice Frear remarked that he might note an appeal, but Mr. Davis insisted he had a right to have his appeal "allowed."

The Chief Justice, after consultation with Justice Galbraith, informed the appellant that the practice, as he ought to know, was such

### DAVIS EJECTED FROM CLERK'S OFFICE

George Davis was forcibly ejected from the clerk's office in the Judiciary building yesterday about five o'clock but not until he had called Chief Justice Frear names and threatened him with impeachment.

The disbarred attorney was sitting at the desk of George Lucas in the outer office writing when the Chief Justice entered just prior to going home.

The appearance of the Chief Justice seemed to act like a red rag on the temper of the attorney. "You Judas! You black-hearted scoundrel!" he hurled at the Judge.

George Sea, bailiff of the Supreme Court, was standing near by. "Remove that man," said the Chief Justice calmly. The bailiff started to execute the order.

"Don't you dare lay hands on me," Davis said, "I am desperate and I will do something desperate." Sea caught the man by the arm and started to lead him out saying, "You will have to go, it's the Chief Justice's order." Davis wasn't quite so desperate by this time and quietly walked from behind the railing. Then he stopped in his progress towards the door and repeated, "You black-hearted scoundrel, I shall have you impeach at Washington."

that the non-allowance of an appeal did not take away the right where it existed.

"I appeal further," Mr. Davis then said in a loud tone, "on the ground that you, Chief Justice Frear, are disqualified because you are a trustee of the bondholders of the Oahu Railway & Land Co., one of the parties in interest in these proceedings, and as such had no right to hear my case under the Organic Act. This is in addition to my appeal on the ground that the court's judgment is contrary to the evidence and the law—and the law," he repeated with emphasis.

Mr. Humphreys arose in the meantime and, with set features, went forward to the desk and procured the original copy of the decision in his case from Clerk George Lucas. He took the document back to his seat and began reading it, which occupied him until some time after the court rose.

Chief Justice Frear announced that the court stood adjourned sine die.

### IS THIS ANOTHER SHYSTER CONSPIRACY

(ASSOCIATED PRESS CABLEGRAMS)

PORTLAND, Ore., Aug. 10.—George Allen, a prisoner in the Oregon State penitentiary, has been notified that a lawyer named Davis, of Honolulu, is seeking power of attorney from him to bring suit against the estate of his foster father, millionaire Samuel Allen of Honolulu. George Allen formally relinquished his claim upon the estate some years ago but Davis says he has rights that can be established.

SOFIA, Aug. 11.—The Macedonians have issued an address to the powers declaring that an uprising is necessary to secure the enforcement of the treaty of Berlin. The insurgents claim to have 8000 men under arms.

SEATTLE, Aug. 11.—There is a heavy shortage in the Sound salmon pack.

ST. PETERSBURG, Russia, Aug. 10.—The reported assassination of the Russian Consul at Monastir has been confirmed and has caused a demand from Russia for strong measures for the protection of officials. Czar Nicholas has dispatched a peremptory demand that all those implicated in the murder shall be punished. The Russian Government is fast approaching the point of taking a share in the pacification of the Balkans with force of arms.

### HILO-KOHALA RAILROAD NOW READY TO GO AHEAD

The last agreement and contract was signed and ratified by the directors of the Hilo-Kohala Railroad last night and this morning an entirely new set of officers will be elected who will carry the road through to completion. These officers were agreed upon at a meeting last night. At this meeting were present: Philip Peck, A. Lewis, J. F. Brown, H. B. Gehr, J. W. Jones, A. C. Gehr, F. M. Swanzy, A. M. Brown and several others. From these men will come the new management of the road.

All the acts of Mr. Peck were ratified including his arrangements for a loan.

"Everything has been signed up," said Mr. Peck after the meeting which did not adjourn until eleven o'clock. "Now we will have the road resurveyed and then secure the right of way still needed. Until this is done no contracts for material will be made. Everything passed off amicably and harmoniously and the new directors will take hold in the morning."

The Hilo-Kohala Railroad is incorporated under the laws of the Territory and with a capital of \$3,500,000. It holds a franchise from the Executive Council signed by President McKinley and approved by Congress.

### HORROR OF AN UNDERGROUND TRAIN WRECK

(ASSOCIATED PRESS CABLEGRAMS)

PARIS, Aug. 11.—A catastrophe occurred last evening in the underground Metropolitan Electric railway. A train passing through the tunnel met with an accident which was followed by fire. A second crowded train then entered the subway and ran into the first. There was a terrible panic and the smoke became so dense that many persons were suffocated. The total deaths are estimated at ninety and eighty-two bodies have been recovered.

CRACOW, Aug. 11.—Strikers rioted here yesterday and the troops fired on them causing sixty deaths.

WASHINGTON, Aug. 11.—A hurricane which is sweeping the Atlantic has done great damage at Martinique. Jamaica has also suffered.

NEW YORK, Aug. 11.—The Reliance and the Shamrock are in the dry docks making final preparations.

ROME, Aug. 11.—It is reported that Cardinal Martinelli will be the next Papal Secretary of State.

NAPLES, Aug. 11.—Vesuvius is active.

CRIPPLE CREEK, Col., Aug. 11.—Three thousand miners are out on a strike.

LONDON, Aug. 11.—The House of Lords has passed the Sugar bill as the House of Commons adopted it.

PHILADELPHIA, Aug. 11.—The textile strikers are returning to work, having gained no concessions.