

MARSHAL HENDRY WILL GO TO JAPAN AFTER ADACHI

The Much Wanted Confidential Man of F. M. Brooks Behind the Bars.

United States Marshal Hendry will go to Japan with extradition papers to bring back Adachi, the most important witness in the many slave cases against Japanese in the United States court and also a witness in the charge against Lawyer F. M. Brooks.

Adachi was arrested in Yokohama as he was attempting to make his way ashore in the water police boat in Yokohama harbor from the steamship Siberia. There was no charge against him at the time he suddenly left here on the Siberia. Some one is supposed to have had an object in his going. After Adachi had left here a charge of perjury was laid against him and papers were forwarded to Washington requesting that the United States government secure his extradition from Japan. Adachi was formerly a clerk in the office of F. M. Brooks.

On Nov. 7 the authorities in Washington received the request from Hawaii that the Jap be extradited. They acted promptly, for on the following day United States Minister Griscom, at Yokohama, made a demand on the Japanese government for Adachi's arrest and surrender to the court authorities here. Minister Griscom also assured the Japanese government that in case any American committed a crime in Japan and then escaped to the United States, the latter country would, in a similar case to that of Adachi's, grant extradition and allow the criminal to be returned to Japan for trial.

The return of Adachi to Hawaii will be the first case in which extradition has been secured from Japan of a man who had committed a crime here. The Japanese government caught Adachi two days after Griscom had requested his arrest and now hold him awaiting the arrival of proper extradition papers through diplomatic channels.

Consul-General Miki Saito, at the request of United States District Attorney Breckons, also cabled the facts in the Adachi case to his government. The last mail brought him replies to these messages and in yesterday's Hawaii Shindo Sha, the local Japanese daily, one letter was printed. This was a copy of a letter from the Japanese Foreign Minister to Consul General Miki Saito, a translation of which is as follows:

COMMUNICATION REGARDING THE TEMPORARY ARREST OF ADACHI SABURO.

JUDGE DOLE RENDERS HIS FIRST OPINION

Judge Dole rendered his first written opinion, as presiding in the District Court of the United States for the District and Territory of Hawaii, yesterday morning. It was a ruling on a motion to quash the indictment in the case of The United States vs. Torazo Miyamura.

The decision is a model of conciseness, going to the root of the question at the outset. Technicalities raised to defeat the indictment are answered in plain statements of the law and the entire absence of citations other than one of the statute involved is refreshing in these days of book law deluge. Following is the complete text of the opinion:

RULING ON MOTION.

The first objection, i. e. that the "indictment charges this defendant with the commission of two separate and distinct felonies in the two counts" is answered by Section 1024, Revised Statutes:

"When there are several charges against any person for the same act or transaction, or for two or more acts or transactions of the same class or offenses, which may be properly joined instead of having several indictments, the whole may be joined in one indictment in separate counts; and if two or more indictments are found in such cases the Court may order them to be consolidated."

The two counts are presumably based upon the same transaction. If it should appear during the trial that this was not the case, but that there were two transactions connected together, or that there were two separate transactions according to the several descriptions of the two counts, the indictment would still be within the statute, in that the two offenses charged are of the same class of crimes, i. e. peonage and slavery, both involving

WHOSE SURRENDER HAS BEEN REQUESTED OF US BY THE UNITED STATES GOVERNMENT.

Your cable communication regarding one Adachi Saburo, an Imperial subject, who had been indicted under a charge of perjury in the United States Court, who was known to have sailed for the Empire of Japan in the steamship Siberia, whose surrender was wished by the said court and whose identification could be established by a certain person who was also a passenger on the said steamship, etc., in answer to which we have already sent you cable instruction to advise the authorities there to make the demand officially through the proper diplomatic channels, as this matter requires to be followed strictly in accordance with the provisions set forth in the treaty stipulation between the United States and Japan relating to the surrender of criminals. Regarding this affair the United States Minister stationed in this country sent a communication, on the 8th instant, to the Government stating that he had received an instruction from his home government, by cable, to make a demand for the arrest and surrender of the said Adachi and that he was instructed to assure us that if a similar case happened to any of the citizens of the United States, the latter government should act reciprocally. Under these conditions the said criminal was arrested on the 10th of this month when he was trying to come ashore from the Siberia and immediately sent to the Yokohama Penitentiary for safe keeping.

I hereby communicate the above facts for your future reference. (Signed) JUTARO KOMURA, Minister for the Foreign Dept. To Consul-General Miki Saito, Honolulu, T. H., U. S. A.

The return of Adachi will mark an important era in the dealings between Hawaii and Japan. It means that Japanese charged with crime here may be extradited from Japan and that the mere fact that a Japanese can get safely aboard of a Pacific liner will not assure him freedom from further prosecution.

Adachi's return here will probably mean the complete breaking up of the large hul of Japanese who, it is alleged, have in the past been thoroughly organized in bringing women to Hawaii for immoral objects and collecting large sums of money for the purpose of defending each other when brought into courts on such a charge.

THE TOURIST CAMPAIGN

Some Queer Requests Come in the Mail.

The campaign of the Hawaii Promotion Committee is beginning to bring results. There is but a month more of the tourist work under the Territorial appropriation, but the active interest shown by the merchants in the enterprise leads to the belief that the work so well begun will not be allowed to lapse.

The Hawaii Promotion Committee is handling bushels of correspondence every month. Letters are received by every steamer containing inquiries regarding Hawaii, and every inquiry is answered on the first outgoing steamer. So great has the volume of business become that Secretary E. M. Boyd has been compelled to largely increase the staff at work in the correspondence department.

"The committee has given out between three and four thousand pieces of literature within the last four or five days," said Mr. Boyd yesterday. "These embraced five different things, the book Hawaii, issued by the Territory; the booklet issued by the committee on Hawaii, Sereno E. Bishop's 'Beauty Spots of Hawaii,' a small leaflet which is intended for circulation in California exclusively, and the pamphlet by Jared G. Smith on the 'Agricultural Possibilities of Hawaii.'"

"The committee intends to issue two more pieces very shortly, which are intended as follow-up books. These will be entitled 'Hawaii, Its Business and Opportunities' and 'Hawaii, Its People and Their Legends.'"

"The committee believes that this is the time of the year to get its literature into circulation. Just now the people in the East are preparing their winter tours, and our matter should be placed in their hands as soon as possible. That is the reason for the employment of the extra force of clerks. The literature is here for distribution and if people call for it they will be given the matter to send away with the wrappers for mailing. We are making every effort to get our material into every hotel, club and bank in the United States, Canada, Mexico and the United Kingdom. Speed is what counts now, and the committee believes there is no time like the present for spreading broadcast our literature."

The committee is receiving from thirty to two hundred queries on every steamer. The letters sometimes contain queer requests for information. One man from New Jersey enclosed his photo, said he was a young lawyer, unmarried and looking for opportunities. The inference was that he wanted to know of the matrimonial possibilities of the country as well as of the material resources. Still another man, a wealthy business man from the Middle States, said he intended to come to Hawaii with his family for the winter months, and wanted to know if he should bring along his golf clubs. One applicant wanted to know if there was room here for a good surveyor, still another asked if land can be bought, a third wanted to know the cost of living, still another asked as to employment in foundries. A Nova Scotia man wanted to know what the opportunities were for a grocery, while a New Mexico man was willing to engage in anything from farming to running a store. The inquiries show that the interest in Hawaii is not only by the tourist class, but also that settlers are also considering the possibilities of coming here. Every letter is answered no matter how queer the query.

Considerable of the literature of the committee is given to school children who exchange it with students in mainland schools. Teachers in the States also ask for the literature saying they want to use it in teaching their classes.

The literature is having a wide distribution. Not only is it sent to every State in the Union as well as all the Territories but much of it is going into Canada and Mexico and to Europe. For instance on the mail sent by the China letters went to twenty-six States, three Territories, Canada and Mexico and six countries in Europe. Personal requests for information have come from Germany, England, Ireland, Scotland, Belgium, Denmark, France, Switzerland and Sweden. One request came from Brussels for a quantity of literature, to be used for distribution.

The railroads and steamship companies are helping much to extend the campaign. The Oceanic Steamship Co. has agreed to distribute the literature in New Zealand and Australia and the Union Steamship Co. will carry on the campaign from there. The Canadian Pacific through Mr. Kerr is distributing matter all through Canada and will also assist in the Australian dissemination. The Grand Trunk Line is distributing literature in Southern Canada and about the Great Lakes. R. P. Schwerin of the Pacific Mail Co. is also assisting in the work. Three thousand copies of the government's book on "Hawaii" were sent to San Francisco on the China, and the Siberia will carry the same number to Japan and China on her next trip to the Orient. The railroads have also promised to include Hawaii in their future publications. Some of the railroads and steamship lines are also following up the advertisements of the Hawaii Promotion Committee in the magazines with ads on the same pages, or opposite pages. One steamship company in San Francisco received as many requests for information as has the committee here. The report of the San Francisco agent also indicates that the demand for information is general in the States, the request for booklets far exceeding the available supply. Secretary Boyd believes that the free advertising already obtained from railroads and through newspaper com-

ment at least equals in value the amount which has been expended by Hawaii.

Mr. Boyd will soon make a report on the affairs of the Hawaii Promotion Committee, as the appropriation by the legislature has been nearly all spent. The advertising up to the first of the year will cost \$6,000, while the cost of printing will amount to \$9,000. This will use up the appropriation of \$15,000, the money being spent only for advertising and printing. The fund raised by the business men has been used in paying the other expenses of the bureau, and it is hoped that with the results already shown there will be no difficulty in securing a continuance of the help of the merchants.

KUMALAE TRIES TO EXPLAIN

"All the vouchers for the House have been turned over to the grand jury," said Representative Jonah Kumalae to an Advertiser reporter yesterday. "At least that is what the clerk told me. That is he told me and about twenty more who were standing around. I don't know what the grand jury will do; some people say that the Territorial jury will take the matter up. THAT IS WHAT OUGHT TO BE DONE. I don't see what there is to find out. I never got any money from the Territory excepting my salary."

"Do you know anything about the report that the Chinese committee paid \$500 for about \$50 worth of work?" Kumalae was asked.

"I don't remember how the money was spent. Yes, I was chairman of that committee but I can't remember. I was on so many committees—ten or fifteen I believe, and it kept me pretty busy. I think most of it went for translating, though."

"Were you paid for translating for any of the committees?"

"No, I interpreted for some of the committees, where Kaniho and some of the others didn't understand a word of English, but I never got any vouchers for it. I never did any translating. I had to attend to my business and my committees so I didn't have time. Besides the members of the Legislature couldn't accept any money."

"What about the report that the House paid thirty dollars for a dozen pens?"

"I guess that must have been for fountain pens. The Sergeant at Arms bought some fountain pens. I guess every member got one. I know I did. Mine was marked \$2.50 so probably that is what the money went for."

"The pens that the Sergeant at Arms presented to each member at the opening of the session?"

"Yes, some of the members asked him to buy them. I know most of the members used fountain pens during the session. I don't know what the Federal grand jury intends to do. They are all through with me and I suppose they will make a report on Monday. I guess nearly all of the bills of the House were paid. The most of it went for translating and printing the Journal."

"This is only an attempt to down the natives, that is all."

MARSTON CAMPBELL REMAINS IN OFFICE

Marston Campbell, Assistant Superintendent of Public Works under Mr. Cooper's administration of the department, has reconsidered his resignation of the office. He will continue his services under Superintendent Holloway on the same basis of pay as was arranged by Mr. Cooper from the 30th of June, when the regular salary of the position became abolished by the Legislature's action on the appropriation bills. The plan is that of drawing the same amount as the Assistant's former salary out of appropriations for various public works performed under his direction.

The legislative majority evidently did not intend to abolish the office but to freeze out Mr. Campbell, an operation for which they figured six months would be sufficient, as they restored the salary in the eighteen months' appropriation bill taking effect on January 1, 1904.

Mr. Campbell was out with Mr. Holloway on a tour of inspection yesterday afternoon.

Honolulu Christmas Boats.

The Japanese liner Nippon Maru and the Oceanic steamship Sierra will probably be the vessels on which the bulk of the last of the Christmas mail for the mainland will be forwarded from Honolulu. The former leaves for San Francisco on the following day, and the Sierra leaves the following day. These steamers should arrive in San Francisco on December 20 and 21 respectively. The Nevada is scheduled to leave here on the 19th but the mail, even for San Francisco, would arrive about the day after Christmas. Honolulu should not have any fault to find with the number of vessels arriving here Christmas time with holiday gifts, as the Alameda is scheduled to arrive Christmas day. The steamer China is due to arrive from San Francisco on December 18 and the Moana from Victoria on December 19.

More Depth Needed.

Before work is started on the new Quarantine wharf which is to be built parallel with the Pacific Mail wharf back of Naval Row, much blasting will be necessary to deepen the water. Dr. Cofer recommended to the Washington authorities that this be done by blowing out the coral reef. Soundings are now to be made at the wharf location.

FIRE CLAIM IS DECIDED

Judge Dole Makes Disposition of Award.

Judge Dole, in the Federal court yesterday morning, adjudicated one of the fire claim cases brought for the purpose of deciding to whom certain awards of the Fire Claims Commission should be paid. William F. MacLennan, the agent of the United States Treasury sent here to disburse the million dollars voted by Congress, is the plaintiff in these cases and Tong On Kee, sometimes called Tong On, and M. S. Grinbaum & Co., defendants in the suit now decided.

The amount of the award in question is \$456.56 and Tong On Kee made the Grinbaum company his trustee for the benefit of his creditors, the firm holding claims of \$101.05 and \$397.08, a total of \$548.13, against the awarder. Tong On Kee, with E. A. Douthitt as his counsel, came into court with a request to have the trust cancelled. He claimed to have paid all of his debts excepting what was due M. S. Grinbaum & Co., but this firm, represented by Holmes & Stanley, set up that he still owed debts in China. Tong On Kee produced proof that these were paid.

Judge Dole ordered the full amount of the award to be deposited in court, out of it to be paid, besides the Grinbaum debt, a fee of \$100 to District Attorney Breckons, an attorney's fee of \$250 to M. S. Grinbaum & Co. and costs of court, the balance to Tong On Kee.

Mr. Douthitt thought the costs ought to be divided between the defendants, but Judge Dole held that the Grinbaums had been put to considerable expense, lost whatever commission they might have made if the trust were not terminated and had obstacles placed in their way by the other defendant. Therefore Tong On Kee ought to bear the expense of proceedings besides the attorney's fee, which the court regarded as a reasonable one.

DIVORCE SUITS.

Judge De Bolt yesterday signed a decree of divorce for Ann Perry against Antone Perry. The custody of the two minor children is given to the mother.

Shiyoi Nakamoto admits the allegations of his marriage and there being one child the proof living, but denies all the other allegations in his wife Yon's libel for divorce.

DEFICIENCY JUDGMENT.

Judge De Bolt signed an order confirming the sale under foreclosure of mortgage in the suit of John M. Dowsett, trustee, vs. Grace A. Brown. The property was sold for \$2500, of which the net amount applied to the debt was \$2014.65, and the order included a deficiency judgment entered against the respondent for \$970.85.

PARTNERSHIP CASE.

Judge De Bolt yesterday morning further heard the bill for dissolution of partnership of Albert Barnes vs. Charles R. Collins, W. A. Whiting and C. E. Clemons for plaintiff; W. T. Rawlinson for defendant. On the resting of plaintiff a motion by defendant to dismiss the bill was denied. More evidence being taken the case was continued till next Saturday.

ANSWER FROM MINNESOTA.

James Keating answers from Hastings, Minnesota, the suit for partition against himself and Robert Keating brought by Frances Keating, widow of deceased, with relation to the estate of the late William Keating. He states that the parents of the deceased, Robert and himself are dead, and that his brother William left no brothers or sisters, nor living issue of any brother or sister, except the two defendants named. He consents that the real property belonging to the estate of his late brother be sold as prayed for and distributed to the heirs at law as provided by the statute of descent.

AN APPEAL.

Judge Robinson denied the motion for a new trial of Kapiolani Estate, Ltd., vs. J. G. Farla, H. E. Cooper gave notice of appeal to the Supreme Court and twenty days from the completion of transcript of evidence was allowed to file exceptions.

GRAND JURY AND VOUCHERS

The Federal Grand Jury have succeeded in digging up those missing vouchers, and it is hinted that their contents will make excellent pavement on the road which leads to the State's Prison. The native Hawaiians should take the lead in demanding the punishment of any Hawaiian who has been found guilty in the matter, because it is too common a charge that Hawaiians cannot be trusted to handle money entrusted to their keeping, a sad illustration of which recently occurred in the Puunene postoffice. It is for the Hawaiians themselves to establish a reputation which will wipe out past stains, and prove themselves worthy of being implicitly trusted in fiduciary capacities.—Maui News.

The new woman's quandary: "Yes," the new woman remarked, "I am greatly troubled." "By what?" "Well, I want to get married just to prove that I can, and I don't want to get married just to prove that I don't have to. If I don't they'll say I can't; if I do, they'll say I have no more independence than any other woman."—Chicago Post.

KAMEHAMEHA IV'S REIGN

The Anniversary of His Death Recalls Many Notable Events.

Today marks the anniversary of the death of King Kamehameha IV, during whose reign, from 1855 to 1863, many notable events in the history of the Islands took place, included in which were the establishment of a number of charitable and Christian enterprises whose influence is of no small amount at this time.

It was Kamehameha IV who established the Anglican Church in Hawaii as the state church, and also endowed the Queen's Hospital. St. Andrew's Cathedral is the fruit of his efforts to establish the English church in the Islands. It is a significant fact that the king died on St. Andrew's Day. Memorial services will be held at the church today.

Kamehameha IV took the oath to support the constitution January 11, 1855, when he was twenty-one years of age. During the first year of his reign the king made an effort to conclude a treaty of reciprocity with the United States by which Hawaiian sugar, coffee, wool, hides, etc., were to be admitted into the United States ports free of duty. The United States Senate did not ratify the treaty and it was not passed until twenty years later.

In 1857 Captain John Paty annexed to Hawaii the Islands of Laysan, Lisianski and other small islets to the northwest.

The king was married on June 19, 1856, to Emma Rooke, granddaughter of John Young, and the adopted child of Dr. Rooke. Kamehameha IV and Queen Emma laid the corner stone of the present Queen's Hospital in 1860 and had the satisfaction of seeing the building completed and ready for occupancy by the end of the year.

In December, 1859, the king and queen began negotiations for a clergyman of the English church to come from England to Honolulu to act as chaplain for the royal family, they guaranteeing a certain sum annually toward his support and to give a site for a church. The king wrote personally to Queen Victoria on the subject, and the Hawaiian consul general at London was also requested to assist in the matter. The Right Rev. T. N. Staley was consecrated in London as Bishop of Honolulu in December, 1859, and with other clergymen arrived at Honolulu October 11, 1862. The Bishop received the king and queen into the communion of the church. A temporary cathedral was erected and the Iolani College and St. Andrew's Priory were established. The king translated the English Book of Common Prayer into the Hawaiian language.

During his reign the old fort on lower Fort street was demolished, and from 1856 to 1860 the government was at work filling up the harbor, or "making land," from the site of the old fort to the present wharves of the Pacific Mail Co. and Wilder Company, the work costing \$242,000. The prison was built in 1856-7; the present custom house was erected in 1860; the steamer Kilaua started on her first regular trip from Honolulu to Hawaii on July 24, 1860. The rice industry assumed large proportions in his reign, and in 1862 about 923,000 pounds of rice and paddy were exported.

PIONEER MILL BEGINS GRINDING

The regular grinding season commenced at the Pioneer Mill on Monday morning.

Principal McDonald, of the Lahainaluna Industrial school, is convalescing from an attack of the dengue fever.

Mr. Wren Westcott and three other young men from Puunene have been visiting friends in Lahaina. Mr. Westcott gave a very acceptable recitation at the kindergarten entertainment.

Miss N. A. Holden's concert in aid of the Kindergarten was a gratifying success last Saturday evening. Every seat was occupied, the audience was select, and the program was quite entertaining. The vocal and instrumental music was of a high order, and the singers and performers fully deserved the generous applause which they received. About \$40 was netted for the benefit of the school.

Mrs. Ford had a very auspicious opening of the Lahaina Emporium last Saturday afternoon and evening. They have a choice collection of attractive goods. Ice cream will be on sale every Tuesday, Saturday and Sunday afternoon and evening.—Maui News.

CHILDREN LIKE TO TAKE IT.

The finest quality of granulated loaf sugar is used in the manufacture of Chamberlain's Cough Remedy, and the roots used in its preparation give it a flavor similar to maple syrup, making it quite pleasant to take. Children like to take it and it has no injurious after effect. It always cures. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.