

PAYS LAW'S LAST DEBT

Murderer of Albion J. Glennan Hanged in Oahu Jail.

In Oahu prison at a little after 11 o'clock yesterday morning Matsumoto Moritaro paid with his life for the murder of Albion H. Glennan.

The man died game—or stolid. Perhaps with a Japanese of the lower class it is much the same thing. The rain beat down dully upon the person at all events, and upon the few whom the law had allowed to gather under the big tree in the jail yard to witness the execution, although the man who was hanged was under an improvised shelter on the gallows. The gallows had been erected in the jail yard, just where the door of the main corridor opens out into it, and the murderer and his guards and the clergyman who accompanied the party of the condemned stepped directly out upon an inclined plane that led up to the platform where the drop was. The arrangements for the execution, which had been supervised by High Sheriff Henry, were most complete. The execution itself passed off without a single hitch and there was as little that was unpleasant about it as could possibly be upon an occasion of this kind. The infliction of the last penalty of the law is not, at any time, a pleasant thing to see, nor to manage. The execution of Moritaro was as little unpleasant as it is possible for an execution to be.

The condemned man, while those who had been invited to witness the execution gathered, waited in his cell in that corridor of the jail where are confined seven other men accused of murder. The witnesses, only officers of the law, physicians and representatives of the local press, had been told to be at the prison at 10:30 a. m. It was just a little before eleven when High Sheriff Henry, taking the death warrant in his hand, led the way to the cell of Moritaro. The man, pallid with that peculiar jail pallor that shows strangely in men of the yellow races, stood at the door of his cell, his hands clasped together, while the High Sheriff read the warrant to him through the bars. It was rather a long ordeal, but aside from that clasping together of his hands the Japanese showed no sign of agitation.

When the Sheriff had concluded the reading the warrant was handed to Chester Doyle, who translated it into Japanese as rapidly as he could. Moritaro, while this was going on, seemed for the first time to understand that his last hour had come—but he was still not agitated. He listened to the reading, grunting occasionally after the manner of Asiatics which shows that they understood an interpretation. When the reading had been finished a full officer came forward with the traps and the cell door was thrown open. At once Moritaro stepped out into the corridor, laughed a contented and of laugh and shook hands with the High Sheriff.

"He is happy now," said Rev. Motokawa, who has been the spiritual adviser of the murderer.

The straps were adjusted quickly. Then Moritaro, a guard supporting him on either side, stepped cheerfully and briskly as he could with the straps on him, up the short flight of stairs and along the corridor that led to the gallows. He called out as he went "good bye!" to the men whom he had left in the cells in his corridor. It was significant that there was no response to this. Perhaps those he was leaving, over whom a like fate may be impending in the future, realized his plight more keenly than he did. The rain was falling dully, monotonously. Moritaro stood upon the gallows facing toward the jail with a sword at either hand, as calmly as he stood in his cell while the death warrant was being read. The crowd under the big tree in the jailyard, the guards who stood with their guns present in a line facing the gallows seemed to have a keener interest in what was coming than the man most concerned.

Moritaro, the Japanese clergyman beside him, began talking almost at once, talking in Japanese. "He said: I do not believe that Mr. Glennan is a wise man in his treatment of Japanese workmen, but that does not excuse me for my great sin, and in God's providence I must now die for crime. I am very sorry that my bad deeds vex Mr. Glennan's family in such a sorrowful condition. May God bless me."

"I wish to thank all officers in jail and my Japanese friends for their great goodness which now helps me to die. Since I have been in prison I have learned the Japanese alphabet and can read my Bible. Before the true loving I have earnestly repented of all my sin and through Christ I believe God has pardoned me and I can die in peace with the hope of Heaven."

The clergyman translated this for him and while he was rendering the words into the English the murderer stood upon the crowd and uttered good bye to some Japanese speaker men in the crowd, bobbing his head as he gave the salutation after the Japanese manner and smiling in an engaging way. When the interpretation had been finished Warden Kamana drew a black cap quickly over Moritaro's head, and the noose was adjusted about his neck. The Rev. Mr. Motokawa knelt in prayer, sinking down upon his hands and knees. It had been arranged when the clergyman pronounced

WIN A HOME FOR SENATE

Secretary Must Move Out of His Office.

It has been practically decided at last that the Senate will not meet in the upper hall of the Capitol building, but that Secretary Atkinson shall be routed out of his room, removing his office into the apartment now occupied by Mr. Buckland and the Governor's staff of clerks, and that the clerks shall be moved into rooms to be improvised for them in the upper corridor.

This was the determination arrived at yesterday after a consultation between the Governor, Commissioner of Public Works Holloway and Senators Dowsett, McCandless, Isenberg, Lane and Aehl. This gives the Senate the same quarters that it had at the last session, and is the best that can be done in the present cramped quarters at the disposition of the government. Nevertheless, it is not altogether satisfactory to the parties at interest.

For instance, nobody knows how Secretary Atkinson will like being moved around like a pawn in a chess game. Then, the Governor's staff of clerks have a lot of bulky archives that it will doubtless be found cumbersome to move about from place to place. Indeed, it has been suggested that it might be better to build a couple of rooms for the use of the Secretary on the western verandah of the Capitol building opening out into the room of the clerks on the one hand, and into the office of the Governor on the other. This would put the Secretary conveniently close to his chief, and at the same time have him where he could more effectively oversee the work of the clerks.

On the whole, however, the matter will not reach a satisfactory permanent solution until the territorial government has more house room. A new building for the several departments, all of them would be the proper thing. This would leave the Capitol free for the Governor and his immediate staff and the Attorney General and his staff on the upper floor, while the lower floor could be used altogether for the meeting of the two houses of the legislature. Take the throne room, as at present, for the House, with a room of similar dimensions across the hall for the use of the Senate when it is in session, and no better arrangement could be devised.

S. Kanevanu, defeated Democratic candidate for the House from Kauai, has begun suit for \$1000 damages against J. K. Lota and H. J. Willis, whom he charges with having ejected him from the Court House at Hanalei, where the election was held, while the votes were being counted.

Lyles—"Did you ever come across a more conceited fellow than Bulger? They say he is an atheist; and I believe he is." Bonter—"I wouldn't like to go so far as that; but I do know that he doesn't recognize the existence of a superior being."—Town and Country.

ed the word "Amen," the trap would be sprung. The prayer, not a long one, was finished.

And the murderer of Albion J. Glennan was hurled into eternity. His neck was broken by the drop, so nicely had the weights been balanced, and the man died instantly, although the medical jury, Drs. Moore, Sinclair and Oyama, did not pronounce him dead until fifteen minutes had elapsed. There was a slight convulsive movement after the drop was sprung, but that was all. The body, after it was cut down, was handed to the Japanese friends of the dead man.

The arrangements for the execution were as said before supervised by High Sheriff Henry, although the actual details were looked after by Warden Kamana and Deputy Burke. The electrical arrangement of the drop was the design of W. L. Frazier.

The murder for which Moritaro was hanged was one of the most atrocious in the criminal history in the islands. It was committed on January 5th last. The man killed was Albion H. Glennan, engineer in charge of the Makawao ditch. Half a dozen sticks of dynamite were placed under Glennan's bed in his tent and exploded while he was asleep. He was instantly killed. Moritaro disappeared after the crime and there was no trace of him for some time. He was run down by Chester Doyle, who went from Honolulu to work on the case and got his first clues from overhearing conversations in the Japanese language. The murder came from Kauai to Oahu after three weeks hiding on Kauai and was finally arrested in Aiea. He made a complete confession to Sheriff Conroy, who arrested him, and Chester Doyle, in the presence of several witnesses and the confession made a very strong part of the case against him. He claimed to have been beaten by Glennan and admitted that he had exploded the dynamite with intent to get even.

The case was fought through all the courts, and the end was reached on the gallows yesterday.

EVERYBODY USES CHAMBERLAIN'S COUGH REMEDY. Mothers buy it for croupy children, railroadmen buy it for severe coughs and elderly people buy it for a gripe, says Moore Bros., Eldon, Iowa, U. S. A. "We sell more of Chamberlain's Cough Remedy than any other kind. It seems to have taken the lead over several other good brands." For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

INSANE ASYLUM MUDDLE UP TO THE GOVERNOR

It is Probable That Some Kind of Settlement of the Matter Will Be Reached on Saturday Next.

The final decision of what shall be done by the government in the matter of the contract for the main building of the new insane asylum has gone over until Saturday next. Governor Carter himself has taken the responsibility for this additional delay of forty-eight hours.

This matter has been pending before the Governor for several days. It will be remembered that after this particular contract was let to the American-Hawaiian Construction Company, there was a hitch between the contractors and the Commissioner of Public Works relative to the kind of concrete block called for in the specifications, and relative also to the manner in which the blocks should be made. The contractors claimed that the specifications called for a block that should be tamped and pressed at the same time, and said that there was no machine made that would do the work—that, in fact, a block could not be tamped and pressed at the same time.

Mr. Holloway, on his part, urged that the specifications were perfectly clear, and wrote the contractors a letter urging that work on the asylum building should be proceeded with. At the same time, the Superintendent took the advice of the Attorney-General in the matter, and was told that he had the right to proceed to force the commencement of work—with the alternative of a forfeiture of the contract. Mr. Holloway, however, agreed to wait until Mr. Amweg, of the contracting company, who has gone to the Coast, could be heard from on the point of getting a machine to do the work specified.

At this point the contractors laid their case before Governor Carter, claiming that the specifications were not clear, and Mr. Holloway was asked to give his side of the case. The Commissioner of Public Works laid a long letter before the Governor on Tuesday, reciting what he had done, and advancing this proposition:

"I am perfectly willing to submit them (the specifications, to wit) to any engineer or architect of recognized standing as to whether there is any doubt as to what it is that the contractor is expected to furnish."

Upon this Mr. Gilman, of the contracting company, with his attorney, D. L. Withington, went before the Governor yesterday, and there was a session lasting during the better part of the afternoon. The case was threshed out in all its bearings, but it finally settled down to the one point that the contractors claimed that the specifications were not clear. But the parties at interest would not determine upon the choice of a man or men who would be satisfactory to arbitrate the disputed point.

As there seemed no other way to reach a determination the Governor, who had had notes of the entire hearing taken, finally consented to let the matter go over until Saturday to give the contractors time to communicate by cable with Mr. Amweg as to whether the question should be submitted to arbitration.

At that the matter rests until Saturday. On that day there will be another hearing, and a final determination, it is hoped, of the points at issue.

ONE REPORT IS MADE, AND ONE IS COMING

The Minority of the Federal Grand Jury Will Have Something to Submit to the Court Today.

The majority of the Federal Grand Jury has presented its report, finding nothing upon which to base Colonel Curtis Iaukea's political charges. There will be a minority report presented today—and then there may be something doing.

It is true, perhaps, that the minority report will give Colonel Iaukea as little to go to Congress upon with a contest of the seat of the Delegate as the majority report has, because a minority of a grand jury cannot find indictments—but it is expected that the minority report will stir things up a bit, for all that.

In the first place it is current report that only the testimony of Democrats was heard before the jury, and the minority report says that United States District Attorney Breckons did not volunteer any of the witnesses.

The minority report, it is said, will contain some criticism of Mr. Breckons a good deal more unkind than that. The minority report, it is further rumored, will contain some criticism, also not kind, of Secretary "Jack" Atkinson, and it may be of some other Territorial officials, based upon the partisan testimony heard without giving the other side any hearing. Of course there is no means of knowing the truth of these rumors until the minority report is filed today, but the air was thick with them yesterday.

Also, there was some question among lawyers as to whether a grand jury could file a minority report—and, if it could, whether such a report was a privileged communication, leaving whoever might be roasted in it no recourse at law. But, after all, all that is matter for the lawyers. The minority report, it is announced officially, will be filed at nine o'clock this morning. The majority report follows:

Honolulu, December 15th, 1904.
To the Honorable Sanford B. Dole, Judge of the United States District Court, Territory of Hawaii.
Sir: The special grand jury, empanelled, sworn and charged by you on the twelfth day of December, 1904, having concluded its duties, beg to submit herewith the following report:
The United States Attorney produced no witnesses to testify
(Continued on page 8.)

THE BOARD OF AGRICULTURE GOES NOW TO THE JURY

An Important Meeting Of the Farm Experts. Close of Emmett May's Trial Today.

Setting apart a Maui forest reserve, appointing a representative of the Territorial Board of Agriculture to attend the National Forestry Association convention in Washington in January, discussing the commercial possibilities of koa lumber exports and rubber trees propagation, and listening to reports of the fight being waged against destructive fruit and agricultural insects, formed the essential features of the meeting of the Board of Agriculture yesterday afternoon.

MAUI FOREST RESERVE. The following resolution presented by the special committee on forestry was passed whereby the report of Prof. Homer on the Maui forest reserve was adopted: "Resolved, that the Board of Agriculture hereby recommend the setting apart of the Government Forest land of Makawao, island of Maui, being a portion of said land of Makawao, containing 2081 acres, more or less, being indicated as a forest reservation, and also that those portions of the ahupuaa of Kaliahina, containing 5,718 acres is an important and valuable part of the Koolau forest which is a natural boundary of the forest aforesaid." The resolution called for notifying the Governor of the Board's action.

THE VOLCANO KOA. Superintendent of Forestry Hosmer also presented the following report of his visit to the koa forest back of the Volcano House, Hawaii, near the crater of Kilauea:

I beg to submit herewith a report upon my recent trip of inspection to the land of Keaouhou, Kau, Hawaii, made in company with Mr. F. S. Dodge at the request of the Bishop estate. The tract visited was the lower half of that part of Keaouhou lying on the southeastern slope of Mauna Loa, between the lands of Olaa and Kapapala. A strip of about a mile in width on the Olaa side of this tract has been set apart by the Bishop estate as a private forest reserve. This area, 4500 acres, is fenced in and cattle are excluded from it. The remainder of the tract is leased to Mr. O. T. Shipman as a cattle ranch.

The portion of the tract containing the koa forest about which the Bishop estate desires advice is a strip just west of the above described reserve. It extends from the Government road near Mr. Shipman's house to a paddock fence across the tract at an elevation of about 5000 feet, some five miles in length by a mile or more in breadth; an area of between 4000 and 5000 acres.

On this section, particularly on its upper half, is a fairly heavy stand of large koa (acacia koa) trees. The forest is practically pure koa, there being few other trees in mixtures. Beneath the koa is a dense jungle of tree ferns (Cibotium menziesii).

The koa trees are of good size and quality, many of the larger ones being from 80 to 100 feet in height and from two to six feet in diameter, breast high. These trees are mature and in my judgment ought soon to be cut and utilized.

The local conditions are such that with proper facilities for handling the logs the large trees could be felled and got out of the forest at reasonable cost. The demand for koa is believed to be great enough to insure a market for the product, and a fair profit, if the work is handled in a business like way by the right people. The proposition therefore may be regarded as a feasible one from a business standpoint.

Considered from the point of view of the forester the removal of valuable trees, when mature, is distinctly good policy, provided always that the work is done in such a way that another crop is insured. This, indeed, is the key note of forestry.

On the land in question I believe that the value of the koa forests is greater because of its commercial importance than for any other reason, that provided the work were done in accordance with forestry methods, the mature trees could be lumbered without detriment to the permanent productive value of the forest; and, provided an assured market can be secured, that the logging of the tract at this time is good business policy for the Bishop estate.

In my report to the Bishop estate I shall, therefore, recommend that the tract be logged, provided suitable arrangements can be made as to stumpage prices, and provided also that certain regulations, to be contained in my report, be made a part of the contract.

Very respectfully,
RALPH S. HOSMER, Superintendent of Forestry.
Mr. Thurston spoke of a sandalwood grove which he accidentally stumbled on recently in the vicinity of this koa forest. The trees were vigorous, the largest eighteen inches in diameter, and were scattered over an area of ten acres. The trees were full of seeds and flowers. He considered it a valuable asset to the ground on which it was growing and hoped it would be saved.

PULLMANS AFTER KOA. Mr. Carter stated that he had heard that the Pullman Car Co. was inquiring after Koa. He did not know whether they would make an effort to obtain the wood from Hawaii or not. The Pullman people have always used expensive and rare woods in furnishing the interiors of their cars. Koa would show to advantage in any car and alongside of any other wood.

DELEGATES FROM HAWAII. A letter to Governor Carter from Secretary Wilson of the Agricultural Department was read, in which Hawaii
(Continued on Page 8.)

Closing addresses of counsel to the jury in the trial of Emmett May for embezzlement will begin at 10 a. m. before Judge Robinson. Shortly after 3 p. m. yesterday the defendant's case was closed and the prosecution put on no rebuttal.

When it came to discussing instructions of the court by counsel, the jury were excused and, the argument developing into a protracted wrangle, they were called in again after 4 o'clock and excused over night.

A. S. Humphreys, W. G. Cooper, W. R. Farrington, Edgar L. Lewis and C. M. Cooke in the morning testified to the good character of the defendant. Mrs. Silva and Louis R. Medeiros gave evidence of conversations in which Mrs. Bettincourt spoke well of May's treatment of her.

The defendant took the stand in his own behalf. His direct examination was still in progress when recess was taken from 12 to 2 o'clock. He went over the already familiar story of obtaining proofs of Bettincourt's death, his going on the widow's administration bond, his investment of the \$1000 insurance money in his own planing mill stock and his offer of the certificate of stock to Mrs. Bettincourt after the mill enterprise had turned out unsatisfactory. Previously he had kept the stock as security for his signature on the bond.

May told about the consultation Mrs. Bettincourt had with him, Dutra being present, when he proposed to invest her money. According to him the woman and her friend were very well pleased at the offer. Later Mrs. Bettincourt interviewed him by herself, asking him not to let Dutra know where her money was invested because she owed Dutra money. This he promised.

Defendant proceeded with his story in the afternoon. When he found that Mr. Bittling had written to the home office of the Germania Life Insurance Co. about the Bettincourt policy, he went to that attorney's office and called him a "contemptible blackmailing scoundrel." He went to Bittling's office when he heard the lawyer was bringing the matter before the grand jury, and told Bittling that he knew he (Bittling) was not acting honestly. Bittling told him he was only acting on the civil side and had gone before the grand jury merely to give his evidence.

Cross-examined by Attorney General Andrews, the defendant said he was president of the Pacific Mill Co., answering too quickly for Mr. Dunne's objection, which was sustained and the answer struck out. He did not tell Mrs. Bettincourt the Pacific Mill Co. was a good thing, but spoke of "a mill proposition," telling her he was going to form a mill company. This was before the insurance draft came. The Pacific Mill Co. was formed.

Objection was sustained to question of who the officers of the Pacific Mill Co. were; also to the question if it ever paid any dividends.

Mr. Andrews showed the certificate of stock in the company to Mrs. Bettincourt, and defendant said it was in his possession until the time of this trial. Objection was sustained to question if all of the company's stock was in defendant's possession. Also, to the question of who kept the books. Defendant said "the officers" issued that certificate. All of the handwriting in it excepting the signature of W. P. Barry, secretary, was his own. He denied he testified that Dutra and Mrs. Bettincourt went to his office and asked him to keep the money. When the draft came from New York he deposited it in his own name. Mrs. Bettincourt told him to. He knew that the money belonged to the estate and that the estate was not settled.

"You knew that it was trust money?" Objection to the question was sustained. Defendant knew that the money was payable to the estate of Jose A. Bettincourt. On objection to next question being overruled, he said he supposed that the draft and the money that was to come therefrom belonged to Mrs. Bettincourt.

"And to the creditors?" "I suppose so."

Objection was sustained to questions about the Kaimuki lot, which the Attorney General claimed were proper because Mrs. Bettincourt testified she did not accept the offer of the lots as she found that they did not belong to May. Objection was sustained to the question if there was any legal connection between the Honolulu Investment Co. and the Pacific Mill Co. This was asked with reference to May's offer to Mrs. B. of a house belonging to the H. I. Co. rent free until he could redeem her Pacific Mill Co. stock. Objection was also sustained to the question of how long defendant was acquainted with Dutra before the incidents of this case.

"Call Dutra!" Mr. Dunne exclaimed over and over again.

PLEADINGS. Kahliliellau yesterday pleaded not guilty to his indictment for murder in the first degree. Judge Robinson ordered the trial set in its order.

Ah Kow, through his attorney, W. A. Whiting, had his plea to indictment for assault and battery reserved till Monday.

In the case of Ng Gang and Wai Sing Yick against Y. Van Hing and Lau Cheng Tai, a general denial and a motion for a bill of particulars have been filed by A. S. Humphreys, attorney for Y. Van Hing.

HABEAS CORPUS. High Sheriff Henry made return to the writ of habeas corpus for which
(Continued on Page 8.)