

BRIBERY CASE FAILS

Fushimura was found not guilty of attempting to bribe an executive officer. It took the jury in Judge Robinson's court about half an hour to reach this verdict. Deputy Attorney General W. S. Fleming and W. T. Ravilins prosecuted, and E. A. C. Long defended the case. Rawlins was the executive officer, as Deputy High Sheriff, to whom it was alleged the bribe was offered by the defendant when under arrest with others taken in a gambling raid at Beretania and Pensacola streets.

On the stand in his own behalf, Fushimura said that an officer had taken \$15, belonging to one Shirai, from the back of the house, and he had tried to have the money restored. While negotiating in that regard outside he was arrested, and when he spoke of giving money then it was bail he meant.

Sylvester Crook, L. H. Dee, A. F. Cooke, D. L. Akwal, W. T. Schmidt, F. W. Beardslee, Wm. T. Raposo, Farm Cornin, Chas. Schoelkopf, Henry B. Saylor, Geo. W. Macy and A. A. Montano constituted the jury.

DIVORCE CASES.

Lewis Self sues for divorce from Mary L. Self for the cause of desertion. They were married on June 26, 1891.

David Kauwala was granted a divorce from Jennie Kauwala for desertion by Judge Robinson yesterday. They were married on March 5, 1889. An amended libel has been filed in the divorce suit of Ida R. Brown vs. Charles H. Brown.

ITEMS.

Ah Kim vs. Huxtable-Peck Co. is discontinued.

Judge Robinson's jurors are excused until Monday morning.

Kaploian Estate, Ltd., vs. L. A. Thurston, ejectment, was on its second day's trial by jury before Judge De Bolt yesterday.

Judge Lindsay signed an order to Ng Ping, administrator of Ng Fawn, to sell real estate consisting of a piece of land at Hauhaokoi, Honolulu, of 1.6 acres.

An order to show cause has been made by Judge Robinson, with the hearing on November 20, on the petition of Jessie K. Kaese, executrix of the will of Margaret V. Carter, for an order to sell real estate.

SUPERVISORS HAVE SAY

(Wireless to Advertiser.)

HILO, Oct. 14.—Decision in quo warranto case is against the Sheriff on the ground that he can appoint police only with the approval of the Supervisors. CARL SMITH.

This decision of Judge Parsons agrees with the method of police appointments adopted in the County of Oahu at the outset.

It leaves the County of Hawaii in the curious position of having two sets of policemen masquerading in blue serge and brass buttons, neither of them with lawful authority to make an arrest or serve a paper.

Also, it connects up the wires for a deadlock over police appointments on the big island. Thus far the Supervisors have turned down every appointment made by the Sheriff. Their action in disallowing his choice of his own clerk was, as already reported, found by the court to have been unauthorized.

Now that the Supervisors are judicially declared to have the prerogative of approval of police appointments, it remains to be seen whether the Sheriff will make nominations such as they will approve. Even a Supreme Court decision affirming that of Judge Parsons would not oblige the Sheriff to nominate policemen selected beforehand by the Supervisors.

If, however, the Supreme Court should decide in favor of the Sheriff's claim of sole authority in the matter, the Republican majority of Supervisors would have to recognize a Democratic police force.

LUCIEN YOUNG IN SAN FRANCISCO

Commander Lucien Young of the ill-fated Bennington came over from Mare Island yesterday afternoon for the purpose of meeting Mrs. Young, who has journeyed from Washington with the intention of spending the winter with her husband in the cozy home he has fixed up at the navy yard. Commander Young shows no trace of the arduous ordeal he is undergoing at the hands of the courtmartial investigating the blowing up of his vessel, and is evidently fully at ease regarding the outcome of the trial.

The regulations of the service prevent the commander from expressing his opinions freely regarding the trial and the events which led to it. It is well understood, however, that his confidence in the outcome arises from the fact that almost his first communication to his superiors upon taking over the command of the Bennington was a letter drawing attention to the state of the boilers and asking for a thorough investigation.

"It is impossible to say when the courtmartial will close," said Captain Young last night. "And, of course, it

is even more impossible to say what the decision of the board of inquiry will be. Personally, I have no fear of the outcome, as I am sure that none of my actions can be criticized. I will have a very thorough defense to put in, and it will take fully a week for it to be heard.

"Everything depends upon the date when Ensign Wade will be fit to go before the board and testify. His illness at this time is most unfortunate, and I know that no one appreciates that fact more than he does himself. I also know that he is anxious to have the matter over with, and he will appear before the board just as soon as he is able to do so. I think his illness is largely the result of the shock consequent on the disaster.

"I am through with the sea for some time now, and I can not say that I am sorry. Having served two years at sea I am now entitled to shore duty and will be able to enjoy my home comforts for at least a short time. My wife and I have not met for over a year. Mrs. Young is far from well and is very tired with her long journey. We will remain in San Francisco for a few days until she is fully recovered, and will then go to Mare Island, where I have furnished a home for the winter. What my destination will be after the board of inquiry finishes its work I do not know, as that matter is entirely in the hands of the Government."—Chronicle.

MANGLED BY AN ENGINE

(From Sunday's Advertiser.)

As the train from Ewa was entering the yards of the Oahu Railroad last night at 7:30, a native named Punuku was struck and mangled, but not killed. The injured man was removed to the Queen's Hospital, and an examination showed that he had suffered a compound fracture of the left foot and ankle and had also sustained a scalp wound.

The accident occurred just Ewa of the long train shed, when the train was coming in at slackened speed. Almost without warning Punuku appeared to lurch into the path of the engine and before the train could be slowed down he was struck and thrown to one side. When picked up Punuku was unconscious. Dr. Cooper, the railroad surgeon, was telephoned for to attend the man at the hospital, where the latter was immediately sent.

Punuku appeared to be under the influence of liquor. He had no right to be in the yards, and the company warns all persons not to walk on the track. The railroad bed, however, is a favorite short cut between Palama and the old Kaliai camp, and Punuku may have been going to or coming from the camp at the time of the accident.

NEW TRIAL FOR BURTON.

Kansas Senator Must Answer to a Fresh Indictment.

WASHINGTON, Sept. 23.—Subpoenas have been served here on the witnesses in the second trial of Senator J. R. Burton of Kansas, which is set for Oct. 3 in St. Louis. Under the new indictment, Senator Burton will be tried for entering into an agreement to practice before the executive departments of the Government, which is distinctly described in the statutes as an indictable offense. In the first trial he was simply charged with practicing before departments. The Supreme Court held that the venue lay in the District of Columbia, where he was paid for his services, and a new trial was granted to him on this ground. The new trial is based on the fact that \$500 was paid to Burton in St. Louis by the alleged "get-rich-quick" concern that employed him to protect its business in the postoffice. Most of the witnesses live in Washington, many of them being department officials.

KAWAIAHAU ORCHESTRA.

Manager Will Greenbaum has engaged the original Kawaiahaui Orchestra and Glee Club of Honolulu for an extended tour of this country, and will present them at Lyric Hall next Thursday and Friday nights, October 5 and 6, and on Friday afternoon at 3:30 o'clock. This rather late hour for the matinee has been arranged so that school teachers and children may attend. The programme will include European and American music, although the special feature will be the beautiful Hawaiian melodies and the jolly hula songs. The box office will be open at Sherman, Clay & Co.'s on Monday morning.—Chronicle.

QUEEN'S SECRETARY DEAD.

SANTA CRUZ, October 2.—Mrs. Antoinette Don Paul Marie Swan died last evening at the age of 73. She was, during King Kalakaua's reign, for five years secretary to Queen Liliuokalani in Hawaii and dwelt in the Royal Palace at Honolulu. Her father was the Consul from Spain and her mother was of Scotch and Hawaiian lineage.

Mrs. Swan came to California in 1846. She was a member of the Society of California Pioneers.

F. T. P. Waterhouse has proposed a simpler form of Republican organization than the present one, comprising a Territorial Central Committee, to nominate the Congressional Delegate and have general party supervision, and a County committee to nominate Territorial senators and county officers at large. On Oahu there would be sub-committees for the 4th and 5th representative districts, to nominate representatives and district county officers.

"Another one of those lobbyists approached me today with an insulting proposition," said Congressman Grapher. "Oh! John," exclaimed his wife, "then you can afford to buy me that sealiskin sack now, can't you?"—Ex.

POLICE APPOINTING POWER THE PENDING QUESTION

(Wireless to Advertiser.)

HILO, October 13.—Quo warranto case undecided. Mandamus case Auditor's favor. Stanley will explain.

"There were two cases," Judge W. L. Stanley, counsel for both respondents, said at the office of Holmes & Stanley when shown the wireless telegram above.

"One was a mandamus suit brought by one Lyman against Mr. Maguire, Auditor of the County of Hawaii, to compel him to issue a warrant on a voucher for the payment of Lyman's services as clerk to the Sheriff of Hawaii.

"One defense was that, under the County Act, the appointment of the clerk to the Sheriff is vested in the Sheriff, subject to the approval of the Supervisors. The Sheriff as a matter of fact appointed several parties and in each case failed to secure the approval of the Supervisors. The Supervisors themselves appointed Lyman as clerk.

"We contended that the Supervisors had not the power to appoint that Maguire knew that Lyman's appointment was invalid, consequently that he could not be required to issue a warrant. And the court has sustained us.

"The other case was one of quo warranto brought by John Moir against one Nell, a police officer appointed by the Sheriff, requiring him to show by what authority he claims to act as a police officer.

"The Supervisors claim that the power of appointment of police is vested in them. The Sheriff claims that it is vested in him.

"Our answer on behalf of Nell was to the effect that he had been appointed by the Sheriff and that such appointment was valid. This case has not yet been determined.

"I do not think that the County Act requires even the approval of the Supervisors to the appointment of police. The Sheriff is responsible for the officers whom he appoints."

HOW LABOR IS GOT FOR THE VARIOUS ISLAND PLANTATIONS

(From Saturday's Advertiser.)

Royal D. Mead was asked yesterday about the success of the advertisement calling for white or citizen labor on the plantations and about labor matters generally. He replied:

"The advertisement which was put in the daily papers calling for able-bodied, unskilled laborers has resulted in quite a large number of men applying for work. Since Sept. 27th seventy applicants have been placed on the different plantations. Many of these, especially the Portuguese, are married and have large families, but the majority of them are single men. All nationalities are represented. The Hawaiians, Portuguese and Porto Ricans predominate, and there have been some Germans, and quite a number of Americans sent out. So far as the Portuguese are concerned and independently of the recent advertisement, we have placed close on to two hundred laborers on the plantations during the last six months and the recent ads. have not called out as large a number as would otherwise have responded. This was brought more forcibly to our attention when we advertised in a Portuguese paper for two water lunnas at \$30 per month and failed to receive any reply to it. In fact we are becoming convinced that we have placed on the plantations nearly all of the Portuguese who desire that kind of work.

"So far as the Americans are concerned nearly a dozen have accepted the work offered and have been sent to the plantations. We have promised them only field work, but have no doubt that if a man shows himself capable and willing to work, the manager will advance him. At Kahuku, where we sent three single Americans, it is reported that they are doing very well.

"Quite a number of Hawaiian boys from sixteen to nineteen years of age have come in looking for work and have been sent to different plantations. Most of them are youngsters who have done various odd jobs around town, but there have been three graduates of Kamehameha who have asked for agricultural work. Only one, however, has made good and there is some doubt as to his ultimate intentions; he first demanded an express wagon to take his trunks and 'stationery' to the steamer and then inquired as to what room he was to have on the Kinau. The transportation which is furnished gratis is better than steech transportation, but it is not cabin passage. He was informed that he was not to have deck passage with meals, and seemed quite hurt that he was not to have the very best.

"Another Kamehameha graduate, who was 'anxiously' seeking agricultural work, was assigned to a Kohala plantation and was told to return Tuesday morning and obtain his ticket and a letter to the manager. He came in on Tuesday morning and, striking a stage attitude, said: 'It is with tears in my eyes that I come to inform you that I am unable to avail myself of your very great kindness in obtaining for me a position on the plantation. I have presented the matter to my parents and they refuse to allow me to accept this position. I appreciate your kindness exceedingly and will ever remember it, etc. With these few words I bid you goodbye.' This chap was certainly a master of declamation, but it is doubtful if he would have materially benefited the plantation.

"Undoubtedly, in many cases, the Planters' Association is providing a cheap exorcism for some of these people, but it is difficult with the meagre investigation it is possible to make, to distinguish the good from the bad. One individual whom we sent to a plantation on Kauai stayed there long enough to inform the manager that he intended to travel around the island and then return to Honolulu to again seek labor from the Planters' Association. This man managed, by a hard-luck tale, to squeeze out of me an advance of \$5.00 before leaving here, which I presume is being spent in his travels on Kauai.

"The Porto Ricans are also of a more or less negative value. It is quite certain that many of those who are applying are simply being forced out of town by the police and do not intend to work any longer than they have to, but it is a good thing, at any rate, to get them away from Honolulu.

"The Planters' Association is not a philanthropic institution, and can not be expected to continually give transportation to men who do not intend to work. A system will, therefore, be devised whereby a record will be kept of each man who accepts free transportation to a plantation under a promise to work, and if he fails to make good it will be known to us and he will have difficulty in again obtaining a ticket.

"It is perhaps interesting to note from the labor statistics which are kept, that the Hawaiians seem to be seeking plantation work. In July of last year there were only 1134 Hawaiians in unskilled positions; in July of this year there were 1414 occupying unskilled positions and the total of Hawaiians on the plantations in July of last year was 1312 as against 1687, July, 1905.

"As a matter of fact all nationalities, with the exception of Porto Ricans and Japanese have increased during the year ending July 1. The Americans have increased from 509 to 647; Portuguese from 2850 to 3000.

"Porto Ricans and Japanese have decreased, the Japanese quite materially.

"So far as the skilled labor is concerned, the Association has lately given employment to a large number of citizen mechanics, and the plantations by their returns show that they are continually taking on citizens without the necessity of applying to this office.

"In the early part of this year for the purpose of making the plantation labor statistics uniform a list of positions which could properly be called skilled was prepared for the guidance of the various plantations. This list includes the following:

- Blacksmiths.
- Boiler-makers.
- Bookkeepers.
- Bookkeepers.
- Assistant.
- Bricklayers.
- Butchers.
- Carpenters.
- Chemists.
- Chemists.
- Assistant.
- Ditchmen, on large main ditches.
- Electricians.
- Engineers, Chief.
- Engineers, Mill.
- Engineers, Mill.
- Assistant.
- Engineers, Pump.
- Engineers, Pump.
- Chief.
- Engineers, Supt. steam plow.
- Engineers, Traction.
- Foreman, Car-
- Foremen.
- Painters.
- Harnessmakers.
- Lunns, Head.
- Lime Burners.
- Locomotive Drivers.
- Managers.
- Machinists.
- Masons.
- Master Mechanics.
- Plumbers.
- Physicians.
- Riggers.
- Roadmasters.
- Stenographers.
- Stockmen, Head.
- Storekeepers.
- Sugar Boilers.
- Sugar Hoilers.
- Assistant.
- Superintending Engineers.
- Surveyors.
- Teachers.
- Kindergarten.

- Timekeepers.
- Tinsmiths.
- Well-borers.

"Since the early part of this year a large number of citizen labor has applied for various positions on the plantations and many have been accommodated. We have sent out from this office alone since March of this year over forty people and have had applications from the plantations, which we have been unable to fill, at about half that number. It is very difficult some times to find the men when they are needed. Many of them leave their addresses as 'General Delivery,' Honolulu, and time and time again letters addressed to them offering them positions have been returned by the Dead Letter Office. Again they will move from the address which they gave and leave no word as to their whereabouts, or they will have found a position either in town or on a plantation and have failed to notify this office. The list which we occasionally send to the plantations showing the names of the applicants, is very often corrected, showing that men named therein have already obtained work on plantations without having informed us.

"Just recently there was occasion to employ four carpenters on Maui and of the five men sent for not a one was obtained, and it became necessary to advertise in the papers. Some of those sent for on this occasion had changed their residences and others had found employment.

"There are also on my list a number of men who stop here for a few days on their way to the Coast from Manila by the U. S. transports. These men come in and demand immediate positions, which, of course, it is impossible to find for them, but they leave their applications nevertheless and they are carried along for some time. Many negroes returning from the Philippines have sought work and when it has been suggested to them that this is a small country and it would be better for them to proceed to the mainland where work is more plentiful, they say it is going to be cold up there before many months and they would prefer to stay in a warm climate.

"The unreasonableness of some of the applicants is also a matter of annoyance at times. It is but natural that a plantation manager should prefer to employ his men at the plantation if possible, rather than to send to a third party to pick him out a desirable person and I have laid stress upon this to most all of the applicants, advising them if possible to see the plantation managers. An especially annoying case of this kind occurred a short time ago. A man who had been given his picture and two columns of the Advertiser to roast the Planters' Association for not furnishing him immediate employment, was sent through this office to a plantation on Kauai.

Reports as to his competency are conflicting, but leaving that aside, he had trouble with the manager, or head carpenter, and when work was slack was dismissed, after being there for some months. He wrote to the Association and said that he was coming back to Honolulu and wanted work. In reply to this, a letter was sent to him, telling him to seek work on Kauai before returning to Honolulu; but the minute he was discharged he rushed to Lihue and came to Honolulu without turning his hand to seek another position up there, and when it was hinted to him that we would do all that we could to obtain employment for him, but that we rather objected to his lying down on the association, he seemed indignant and it is expected that another roasting will appear in the Advertiser.

"Many of the men who file their applications for skilled positions are men that we could not under any circumstances, send to the plantations; the danger signal looms up in the middle of their faces, and there certainly would be trouble if we undertook to put them into responsible positions.

"The records of a great many of these men have also been sent to this office from the plantations, where they have worked, and some of them are not very reassuring. Some time ago a man who appeared to be a responsible hard-working fellow, was secured a position on a Hawaii plantation; he had been a miner and had absolutely no experience in plantation work, but he was hard up and on his uppers, and after a number of personal letters to plantation managers, he was secured a position. He touched me for \$5.00, pay his board bill and a ticket was given him for the Kinau. The following day I met him on King street, beaming with joy, and the plantation was unfortunately deprived of his services. Somebody, however, used the ticket which had been given the applicant.

"As a general rule, however, the men that have been sent out from this office have given satisfaction and this work will be continued in dead earnest, notwithstanding the occasional disappointments.

"The plantation statistics show that the proportion of citizen labor in the skilled positions is continually on the increase. In 1904 in July there were 452 skilled Americans as against 553 on all of the plantations, July, 1905, and 387 Portuguese as against 316 in 1904. The number of skilled Asiatics, however, has not increased; while the skilled positions have increased from 1691 in 1904 to 1924 in 1905. It is continually dinged in our ears that the planters employ only Asiatics in the skilled positions, and evidence to refute such statements would naturally not be believed by those who would not care to believe it. A simple denial of this is all that can be said.

"There are about 2000 skilled positions enumerated in the foregoing list on the plantations and of these approximately 350 are filled by Asiatics, while approximately 1600 positions are filled by citizens or those eligible to become citizens.

"When you consider that a number of intelligent and skilled Japanese are necessary in handling the large laboring class of that nationality, in such positions as storekeepers, etc., the showing made by the plantations is not at all a bad one."

The Hawaiian Stock Breeders' Association will hold its annual meeting in Hilo on Thursday, November 30.

WIDOWER IS ACCUSED

Forgery of a will is charged by O. Z. W. Waikawai, Mahala, Julia Cavanaugh and Mareka Mokuahi, children and heirs at law of Keaho, deceased, against Kahoohuli, J. H. Barenaba and Hioani. The first of these accused persons was husband of deceased and the person who had the will in question probated. Barenaba was a lawyer. Hioani is a woman.

Keaho died on August 13, 1902, and a document purporting to be her will was filed on August 27, 1902. Complainants declare it was not her last will, but a forged instrument and paper, "made and forged" by the trio named while Keaho was at her death-bed, unconscious and not knowing there was a will made.

They state "that the alleged will was signed as if it were really signed by Keaho, while in matter of fact and the truth is that said Keaho was out of her senses at the time, and was not able to write her name; and further the petitioners state of their own knowledge that said Keaho never knew how to read and write."

It is stated that the estate of the deceased was of value more than \$500 and consisted of real estate in Honolulu and some chattel property, also that it passed into the hands of Kahoohuli and has been wrongfully disposed of by him to Kukululalani.

They allege that Keaho died leaving them and Kukululalani as children and Kahoohuli as husband. Their prayers are that the order admitting the purported will to probate be revoked, that the letters testamentary to Kahoohuli be canceled and that petitioner O. Z. W. Waikawai be appointed administrator of the estate of Keaho.

W. C. Achi is attorney for petitioners.

BOARD ACTS AGAINST EWA CHURCH DANCE

The following resolution was unanimously passed by the committee on Hawaiian interests under the Hawaiian Board:

"Resolved, That the Hawaiian committee hereby express our hearty disapproval of the action of the church in Ewa in planning a dance in connection with the proposed concert for the benefit of the church. And we desire our members who have charge to exert themselves to do away with that part of the programme, and we are thoroughly assured of the full agreement of the whole board in this matter. S. E. BISHOP, Chairman.

Honolulu, October 13, 1905.

We, the undersigned, who have acted in behalf of the Ewa church, hereby express our cordial agreement with the views of the committee and would announce that the proposed dance will accordingly be omitted. E. S. TIMOTEU, F. K. ARCHER.

FIRE STILL IN KILAUEA'S CRATER

(Wireless Telegram.)
Volcano House, 2:10 p. m., Oct. 13, 1905.

To Richard H. Trent, Honolulu.
Ames Brothers, Wright and Alex. Garvie just returned from crater. Fire very active.

GEORGE LYCURGUS.

COUNTY CASES IN NEW PHASES

In the county supervisorship election, contest of Abraham Fernandez vs. E. R. Adams, the Supreme Court yesterday overruled the demurrer to the amended complaint, giving the respondent until Wednesday to answer. W. S. Edings appeared for petitioner and E. C. Peters for respondent. It looks as if there will be a judicial count of the ballots.

Richard H. Trent, Treasurer of the County of Oahu, by his attorney, W. Austin Whiting, appeals from Judge Robinson's decree of injunction against himself and Andrew Adams, at the suit of E. B. McClanahan, to prevent the payment of a blank warrant for \$141.

INFLAMMATORY RHEUMATISM.

Anyone who has ever experienced the excruciating and almost unbearable pains incident to inflammatory rheumatism, will be pleased to know that prompt relief may be had by applying Chamberlain's Pain Balm. Mr. D. Snyder, of Roseville, Ontario, Canada, says: "I have been troubled with inflammatory rheumatism for the past two years and unable to sleep at night. I have taken many remedies but must say Chamberlain's Pain Balm is the best I have ever tried." For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

A system of collection of tolls from Japanese women at Kahuku, for a police protection fund, is being investigated by the Federal grand jury. It is a matter something like the notorious Ten Dollar Club broken up two years ago by District Attorney Breckons and Marshal Hendry.