

# KEKAUOHA IS PLACED ON TRIAL

The announcement of the impeachment of Deputy Sheriff Kekauoha brought a crowd to the meeting of the Board of Supervisors that filled the room and a portion of the passage way. Among the interested spectators, Chief Clerk Buckland loomed up and Sheriff Brown watched the proceedings with marked attention. Prior to the meeting Chairman Smith requested the members of the Board to retire to the clerk's office for a conference which lasted for ten minutes when on taking their seats the roll was called. The motion of Mr. Moore, that the body resolve itself into a Board of Impeachment was seconded by Mr. Cox, and the minutes of the previous session of the Board were read and approved.

The defendant sat at the side of his attorney, Mr. Achi, and seemed to take a deeper interest in the proceedings than when his demurrer was overruled. County Attorney Douthitt sat opposite defendant and his counsel. Pleasant accommodations have been provided for the press and they were enabled to hear the testimony presented without strain.

At 7:45 defendant pleaded not guilty to the charges and upon motion of Mr. Moore, Mr. Hanalei was appointed by the chair to be sergeant-at-arms.

Mr. Lucas moved that the chair pass upon all motions of counsel and that his decision be final. This was carried without a dissenting voice.

Mr. Achi remarked that he had filed a plea of objection to the chair officiating on the grounds that he had overruled the defendant's answer to the charges. This plea amounted to a charge that having overruled, the chairman had shown himself to be prejudiced.

In reply to this the chairman declared that he had followed a ruling of the Supreme Court in such matters. He had no prejudice against the defendant but he was willing to have the Board say whether he should sit as chairman of the Board of Impeachment.

Mr. Achi differed with the chair and said the Supreme Court had not decided this particular point. Having expressed an opinion he was unfit to sit in judgment, no judge of the Supreme Court could lawfully sit in a case in which he had expressed an opinion. Mr. Douthitt stated that Mr. Smith's overruling the case was inadvertently made and was immediately rectified. The fact that the defendant pleaded not guilty tonight to the charges raises the issue before you tonight and that is all you can act upon.

This opinion was expressed by Mr. Douthitt when upon reading the minutes it was found that no mention was made of overruling the answer. Mr. Achi said he had no doubt of the fairness of the chairman and if he had made the ruling owing to an ignorance of the law he would accept that explanation and would be ready to proceed after interposing an objection to the legality of the Board sitting with one absentee. Section 60 of the County Act is the one upon which he based his objection.

The chair ordered the clerk to read section 65, which he claimed covered the objection. Mr. Achi was overruled and he asked that his exceptions to the ruling be noted.

The original charge was then read. In them was one to the effect that a Chinese who had in his possession a shotgun was deprived of said gun on the ground that it was contrary to law for him to have a gun without a license. W. W. Thayer, attorney for the Chinese, demanded the return of the gun but Kekauoha declined and asked Thayer what he was going to do about it.

At the request of County Attorney Douthitt, Thomas Kearns was sworn as official stenographer and then Mr. Achi requested that the answer to the charges be read.

Mr. Achi objected to the county attorney acting as prosecutor in the case for the reason that he was occasionally leaving his seat to whisper in the ear of the chairman. He objected now for the reason that before the trial is over he may whisper ten times. The Board of Impeachment was composed of men who are sitting as judges and they could not be judges and prosecutors at the same time.

Mr. Buckland, Chief Clerk of the Secretary's office was sworn and produced a certified list of voters in Koolau district.

Mr. Achi objected on the ground that Mr. Buckland is not the custodian of the official lists. Objection overruled. Witness passed upon the names of the signers to the petition and stated that they were registered voters. Mr. Achi objected on the grounds that the certificates were merely applications for registration. Objection overruled upon Mr. Buckland stating that these were certificates of registration and not applications.

Mr. Achi again objected, this time to the whole bunch. In one instance one of the petitioners signed his initials while the certificate of registration showed only the initials of the voter. He cited decisions from California courts in favor of his contention.

The chair reserved his decision. Again Mr. Achi objected on the ground that one signature on the original did not appear on the copy furnished defendant.

The chair sustained the objections of the attorney in so far as they applied to the name of John Paotigan. As to the others the objections were overruled.

Mr. Achi criticized Mr. Buckland for his statement that these applications were the only records when he afterwards stated that these names were copied into a book.

Mr. Moore objected to the sparring—he asked the County Attorney and received from him an affirmative reply to the question as to whether the County Attorney had not gone to Koolau to investigate. All of the objections were then overruled.

Witness said she had frequently seen defendant relative to the case; first to say that the Chinese and her daughter were willing to be married, but that defendant declined to allow it because Chinese was too old. She then asked defendant if Chinese would be allowed to pay her \$100 as damages and defendant said no—he was under bonds. Had no recollection of any further sum being offered. Her attention was then called to an affidavit in which she had testified that she had asked defendant if the case could be settled and he said only upon the payment of \$250 to the government. She then admitted that the affidavit was the truth and that the \$250 was for the bond.

There were frequent objections on the part of the attorney for defendant and long and tiresome discussion followed. At times it appeared that Mr. Achi was drifting away from the subject, but reference to the stenographer's notes confirmed the statement made by him. The statement was made by the witness that she had rendered a bill for seventy-five cents for her expenses, but Achi stated that the amount was \$10, the receipt being on file in the County Clerk's office. Witness remained silent on this subject and proved rather hostile to the prosecution during the balance of the hour and a half she was on the stand.

Akina testified to the circumstances of his arrest and incarceration in home of defendant over night and the subsequent demand of Eunik for \$250, which he could not pay. Was in the house from 2 a. m. until 4 p. m. According to the Chinese way of counting this would be a day and a night.

At 10:55 an adjournment was taken to 2 p. m. Wednesday to enable Mr. Archer and the County Attorney to reach their homes.

(From Thursday's Advertiser.) Barring Mr. Adams, there was a full attendance of the members of the Board of Impeachment at the adjourned session yesterday afternoon. Roll call was deferred for a little while on account of the absence of Mr. Paole, but when it was started the prosecution announced that it would call Mr. Thompson, a clerk of the circuit court, out of the regular order so that he could return to his duties in the judiciary building.

The absence of the defendant at the opening of the proceedings made no difference to his attorney, who surprised the Board by overlooking a golden opportunity for objecting, for Mr. Achi has a habit of objecting to some of the really good things offered by the prosecution, and it has been suggested that this particular feature of his court actions is his long suit. George Collins, of San Francisco, made that his strangle hold in many of the cases tried by him and the objections were usually on technical grounds.

The prosecution in this case is pretty close to proving conspiracy and it was thought the defendant might be interested, but his manner of ambling into the room after the game had started did not impress the audience that way. It seems that the impeachment proceedings are the outgrowth of a case wherein one Akina was charged with crime and Leong Wah Koo was charged with selling an unstamped bottle of brandy.

DELATED BY ACHI. In the first case the Chinese was charged in 1905 but the case was not called until eleven months afterwards. In the interval there was a good deal of backing and filling. Affidavits were made by the mother and the daughter, in the sheriff's office here, and because they did not agree in a minor particular Mr. Chillingworth was called in to smooth out the wrinkles. And just here Mr. Achi delayed the court for a time arguing his grounds for objections and in an effort to tangle up the witnesses. And in this he failed grievously.

The correctness of an affidavit was sworn to by Henry Van Giesen and corroborated by the interpreter who acted in an official capacity at the time. It was afterward verified by Sheriff Brown and Mr. Fernandez who took the acknowledgment and made certain alterations at the request of the woman, Eunik. Matters seemed startlingly clear, for a proceeding of this kind, but Mr. Achi could not be or would not be convinced until Chairman Smith took a hand and read a few lines to the attorney. Mr. Achi also objected to the decisions of the chair being final; said he did not know it was to be the rule until he read it in the Advertiser in the morning. The chair told him how it happened and he noted an exception.

The matter most strongly objected to was the interlineation of the \$250 item, the amount which the woman, Eunik, says the defendant demanded for a settlement of the case against Akina. Van Giesen had testified that it was not in the affidavit when it left his hands, and it seemed that this was inserted by the notary at the request of the woman. Kaloepo, the interpreter was hard to move; he made his statement and stuck to it until the finish and he acted as though he meant everything he said.

An interesting witness was Attorney Wade Warren Thayer, interesting because of the frankness with which he gave his testimony and the humor he apparently found yesterday in reciting the actions of the deputy sheriff on trial when he postponed a case before it was called and would give no real reason why it was done, further than to say a lupa basis was not present to testify. And again when he told how, when he requested the return of a revolver which the accused deputy had taken from his client, the official declined and asked "what are you going to do about it?"

A BARE FAILURE. This witness told how he had heard two Japanese arraigned in the district court at Lala on a charge of violating



MISS LEI LEHUA, THE HAWAIIAN PRIMA DONNA WHO ACCOMPANIES THE ROYAL HAWAIIAN BAND ON ITS MAINLAND TOUR.

(From Wednesday's Advertiser.) The Royal Hawaiian Band leaves today on the Pacific Mail steamship, Korea for its four months' tour of the United States, under the management of J. C. Cohen. Over sixty people are enrolled in the organization and a number of musicians are to be picked up at San Francisco. The band and singers are mainly Hawaiians.

Madame Alpai will not accompany the band and her place is to be filled by Miss Lei Lehua, who has been an understudy for several months. This young woman has a clear, strong soprano voice and is a very pretty Hawaiian. Mr. Cohen expects that she will make quite a hit on the tour. In addition, the solo numbers on the program are also to be taken by "Jack" Ellis, Hawaii's greatest Hawaiian tenor, who is now in San Francisco. Other soloists will be Ben Jones, the basso; William S. Ellis and Solomon Hiram, baritone; the Glee Club comprising about twenty-five people, instrumental and vocal, will accompany the soloists.

The organization of the band is as follows: Executive Staff—J. C. Cohen, general manager; A. A. Lott, business representative; W. Prestidge, master of properties; W. Schwartz, assistant master of properties and librarian. Band Director—Capt. H. Berger. Reed Section: Clarinets—D. K. Naone, C. Palikapu, F. Santanna, L. Salumano, P. K. Kakuia, S. Opeka, J. M. Gomes, A. H. Elona, P. Kaueho, A. Baker, G. K. Gilman, D. Napi, S. Santanna. Saxophones—W. S. Ellis, L. Nunes. Oboes—K. Peters, D. Kaiwi. Bassoons—J. Akana, S. Kaili. Drums—J. Naone, J. C. Freitas, J. Colburn. Brass Section: Cornets—J. Amasui Chas. Kreuter, L. Waimau, R. W. Aylett, W. Anahu, M. Moniz, W. Sea. Baritone—M. Mendozza. Bass—R. H. Baker, J. Kanoho, J. Kaau, J. McCabe. Altos—M. Garcia, R. S. Kapua, G. Wela, H. Keawe. Trombones—H. Heanu, J. Punua, J. Pa, S. Hiram.

GLEE CLUB. Directors—Sonny Cunha and W. S. Ellis. Double Bass—R. H. Baker. Violins—J. Colburn, C. Palikapu. Flutes—D. Kaiwi, D. Napi. Piano—Sonny Cunha. Voices—John S. Ellis, tenor soloist; Ben Jones, bass soloist; W. S. Ellis, baritone soloist; Solomon Hiram, baritone soloist; J. Harrison, P. H. Kakuia, W. Sea, H. Heanu, H. E. Clark, K. Peters, J. Kamakani, L. Waimau, J. Edwards, R. W. Aylett, Joe Pa, J. Akana, H. Keawe, J. K. Kaau, R. S. Kapua, J. Punua.

Prima Donna—Miss Lei Lehua. The itinerary of the band takes in all the large cities from the Pacific coast to New York. East of Denver the tour will include Omaha, St. Paul, Minneapolis, Milwaukee, Chicago, Cleveland, Buffalo, New York, Atlantic City, (Coney Island possibly), Philadelphia and St. Louis. The itinerary as far east as Denver is as follows: May 28 to June 4, 1906, Oakland, Cal. June 5, Stockton, Yosemite Theater. June 6, Sacramento, Clunie Theater. June 7, on road. June 8, 9, Portland, Ore., Helling Theater. June 10, 11, 12, Seattle, Wash., Grand Opera House. June 13, Victoria, B. C., Victoria Theater. June 14, Vancouver, B. C., Vancouver Opera House. June 15, Whatcom, Wash., Beck's Theater. June 16, Everett, Wash., Everett Theater. June 17, Tacoma, Wash., Tacoma Theater. June 18, Aberdeen, Wash., Opera House. June 19, Yakima, Wash., Yakima Theater. June 20, 21, Spokane, Wash., Spokane Theater. June 22, Missoula, Mont., Opera House. June 23, Helena, Mont., Helena Theater. June 24, Great Falls, Mont., Opera House. June 25, Anaconda, Mont., Margaret Theater. June 26, 27, Butte, Mont., The Broadway Theater. June 28, Pocatello, Idaho, Auditorium. June 29, Logan, Utah, Thatcher's Opera House. June 30, July 1, Ogden, Utah, Grand Opera House. July 2, 3, 4, Salt Lake City, Salt Lake Theater. July 5, Salida, Colo., Opera House. July 6, Pueblo, Colo., Opera House. July 7, Colorado Springs, Opera House. July 8, 9, 10, 11, 12, 13, 14, Denver, Col., Tabor Grand Theater.

the ruins of Oxyrhynchus, have found a fragment of a supposed lost gospel in which Jesus denounces some Pharisees for mere outward purification.

The Presbyterian Board of Foreign Missions has forbidden its missionaries in China to interfere with the processes of Chinese civil courts. The action was taken at the request of the Chinese Vice Consul in New York.

A captain of the Marine Corps, H. I. Barrs, ordered the band to play ragtime at the funeral of a private drowned in the discharge of his duty at Olongapo, Philippine Islands, and was almost mobbed by his command for it. The matter has been reported to the navy department.

The New York Mail charges that there is a conspiracy among Senators of both parties to discredit the President.

At the first meeting of the Trustees of Stanford after the big earthquake, arrangements were made for the immediate reconstruction of the quadrangle, the chemistry building, and Encina and Robie halls. The debris has already been cleared away.

The explosion of four magazines belonging to the Union Metallic Cartridge Company at Bridgeport, Connecticut, the other day made the people of the town think that the earthquake had got them.

The British troops in Zululand are making effective use of searchlights in cowering the natives.

Frank Rockefeller says that his father or lives on a North Dakota ranch and is well cared for. Frank is a brother of John D.

Regular troops will be withdrawn from San Francisco on June 1st, and relief work will be handed over to the Red Cross.

The United States Supreme Court has decided that the city of Los Angeles owns the water of the Los Angeles river.

Mrs. Frank Carolan of San Francisco was in a French railway wreck, but was not seriously hurt.

The Earl of Wemyss urges that army service in Great Britain be made compulsory.

The clause against the issuance of passes was embodied in the railway rate bill before its final passage by the Senate.

The Pennsylvania railroad ferry boat Baltimore was jammed by a big lighter and sunk in the Hudson river on May 16. The three hundred passengers aboard were thrown into a panic, but none of them was hurt.

Eki Hioka, former attache of the Japanese legation in Washington, says the United States will soon be first in the race of mankind.

Don Emanuel Contreras Y. Cooke, for more than thirty years in the Spanish Consular service, has been detained at Ellis Island as a pauper, and will be deported.

The Iron Trade Review says that demands for structural steel for San Francisco have not yet reached the mills.

A big gray rat went through the San Francisco fire and was found in a cage in a basement in Chinatown. It escaped from its rescuers, who had intended to preserve it.

A bill known as Mount Detula, in the province of Abra, Luzon, sank bodily into the earth on May 8, and a lake appeared in its place. Fears are entertained for the lives of the natives who lived on the sides of the mountain.

The city council of Topeka, Kansas, has decided not to permit a circus performance on Decoration Day.

Brigadier-General John C. Tiddall, retired, who was the first Governor of Alaska, is dead.

A submarine with a speed of twenty-two knots an hour has been offered to the government. The fleet of these vessels could destroy any fleet the nations could assemble.

Edward H. Hartman refused to pay a bill for repairs on his \$40,000 automobile, and brought suit in replevin against a garage keeper who was holding it. Hartman got the machine.

A plan has been set on foot in Cincinnati to raise a million dollars to rebuild the Methodist churches in San Francisco.

Letters received by Bishop Dahl, of the United Norwegian Lutheran church at Minneapolis, predict a rebellion in China against the Empire. It is said that the army is everywhere disaffected.

Union labor in Chicago has put a boycott on a Methodist revival being held by Bishop McCabe—or, rather, on the building in which the Bishop is holding his revival.

Dr. A. D. Cook of London, Christian Scientist, has been held for manslaughter for causing the death of Major John Nicholas White, a soldier who won distinction in the Boer war. A Massachusetts baby insurance company has got into trouble because the normal birth rate of the state exceeds all estimates. The company worked a novel scheme, paying \$9 for each child born.

The condition of the Sultan of Turkey is so serious that the gravest fears are entertained. He has fever fits. He passes nearly every day in his harem, and his advisers hardly dare speak to him.

Howard H. Cassidy, formerly a newspaper cartoonist of Pittsburg, inherited \$80,000 and is spending it all in chartering special trains to beat railway records. It is not thought the sum will carry him far.

An insane patient in the government hospital at Washington was cured by blows on the head given him by an attendant.

Alfred Purdy, editor and publisher of the Indianapolis Sun, criticized the action of a local judge in a criminal trial, and was sent to jail for thirty days and sentenced to pay a fine of \$250.

Three Denver children made a volcano of lime, water and a tin can, and will probably lose their eyesight as a result of the explosion that followed the eruption.

### A GOOD SUGGESTION.

Mr. C. B. Wainwright of Lemon City, Fla., U. S. A., has written the manufacturers that much better results are obtained from the use of Chamberlain's Colic, Cholera and Diarrhoea Remedy in cases of pain in the stomach, colic and cholera morbus by taking it in water as hot as can be drunk. That when taken in this way the effect is double in rapidity. "It seems to get at the right spot instantly," he says. For sale by all dealers and druggists. Heaton, Smith & Co., Ltd., agents for Hawaii.

## NEWS NOTES FROM LATE COAST FILES

Persia is in fear of war with Turkey this coming summer.

Taft says that the government should have its own cable to Panama.

Alumina seabirds are to be generally adopted in the United States army.

The new protected cruiser St. Louis, built at Rockland, Me., made 23.34 knots on her trial trip.

Salinas, California, has been visited by an electric storm, an almost unheard of phenomenon in that region.

Wells, Fargo & Co. has denied the charge that it made profit from sending relief supplies to San Francisco.

The army at Manila is preparing for extensive field movements against the dissatisfied natives in Northern Luzon.

Clara Reekers, of Richmond, Indiana, ate of spinach and strawberry shortcake and died of ptomaine poisoning.

The Navy Department has given Pacific Coast concerns four per cent differential in the construction of warships.

The Princess Chimny, whose latest eccentricity is an Italian husband, says that she wants her Gypsy Rigo back again.

It is said that Dr. R. P. Johnson, pastor of the Fifth Avenue Baptist church in New York, will not succeed the late Dr. Harper as head of the Chicago University.

The Western Pacific has purchased 1100 acres of land from the Moros in Salt Lake City for terminal purposes. This is the Gould line to San Francisco.

The Tonn river in Tabiti, has been dammed by a landslide and the people of one of the most fertile island valleys are in fear of a flood.

Prof. Thomas Augustus Jagger, Jr., of Harvard, thinks that a more careful study of volcanoes would save numberless human lives.

It is said that Charles T. Elliott of San Francisco, will succeed John H. King as United States Marshal for the Northern District of California.

Dr. Grand and Hart, who searched

# FIGHT THE DRINK EVIL

SAN MATEO, May 8.—A sensation has been created in Colma and the region round about by the summary closing of the saloons there by a detachment of troops from San Francisco acting under orders, it is said, of General Funston. All the saloons from Ocean View to Holy Cross are sealed tight and a guard is constantly patrolling the district to see that they remain so until the further pleasure of the military authorities.

The reason assigned for this drastic action is that these points are so near San Francisco that the thrifty multitudes from the city cross over the border and get all the liquor they want.

The Supervisors of this county took the precaution to close all saloons in the county at the beginning of the late disturbance and the incorporated cities of San Mateo and Redwood did the same. When the two cities lifted the embargo last week, however, the county authorities felt the same.

The restricted saloon men feel injured. The local authorities, however, realize that the public interests are conserved and decline to attempt any action.

While most of the saloons are open in this city they are required to close at 8 p. m. They are not allowed to sell to habitual drinkers, minors or persons under the influence of liquor. Patronage is very light and no disorders or cases of drunkenness are reported.

### SALOONS WERE RUNNING BOTH NIGHT AND DAY.

In this same connection, the San Francisco Chronicle of May 8 says: Saloons along the San Mateo county border line are running day and night, never closing. A quarantine line to prevent San Franciscans from reaching them is being established.

The situation has become so grave that the police declare that the city will soon be at the mercy of disturbers unless all neighboring cities and counties shall at once restrict or prohibit the sale of intoxicating drinks.

During the past few nights every ferry boat returning from Oakland and Alameda has been crowded with men who had spent the day in open saloons across the bay. The manners and language of these men have given grievous offense to women and children, and it has been made dangerous for any sober and well-intentioned person to enter the city at night. Once arrived in the city, these men crowd the street cars and roughly handle all in their way.

The Police Commissioners met yesterday afternoon and decided to post police guards at every ferry boat slip. These guards will be instructed to stop every drunken person who attempts to land from a ferry boat. He will be compelled to board the boat again and return whence he came. The railroad companies have been advised to this effect, and the order of the Commissioners will serve as a warning to transportation companies that they will not be permitted to bring drunken persons into this city. Similar action will be taken in respect to drunken persons coming from San Mateo county.

Conditions as bad prevailed in the southern portion of the city. The disturbances in that section are caused by men and women who are supplied with liquor by the roadhouses in San Mateo county. The police say that the problem of drunken people from neighboring counties has become so great that they can not cope with it. They declare that unless the neighboring counties will close their drinking places, the nightly scenes of drunken disturbances in San Francisco will have to be cured by some arbitrary and effective act of the Federal or State authorities.

Chief of Police Dinan yesterday addressed the following letter to Sheriff Mansfield of San Mateo county, in the hope that the county authorities will remedy the drinking evil without waiting for any positive interference by superior authority:

"San Francisco, Cal., May 7, 1906. J. H. Mansfield, Sheriff, Redwood City, Cal.

"Dear Sir: We have reliable information that four saloons just over the line in your county on the San Bruno road are selling liquor to disreputable people. That yesterday afternoon there were from two to three thousand men and women congregated at these places, drinking and fighting, causing a general disturbance and making it unsafe for respectable people to pass that way. At 6 o'clock last night it was necessary to send to the South San Francisco police station for assistance. Hoping you will take this matter up immediately and put a stop to such disgraceful conduct, I remain, very respectfully,

"J. F. DINAN, Chief of Police."

All of the Police Commissioners regard the unrestricted sale of liquor in neighboring counties as forming a grave public peril. They denounce as an outrage the failure of the authorities of cities and counties about the bay to prohibit or rigidly restrict the sale of liquor during the period of San Francisco's urgent need.

Police Commissioners Pohelm and O'Grady stated today that they regarded the opening of saloons in Alameda and San Mateo counties as little short of criminal. The only thing that San Francisco can do now, they said, is to prevent the people of this city going into neighboring counties unless they have police permits.

Commissioner Reagan said that as the authorities of this city are powerless to control the actions of the authorities of other cities and counties, he would favor placing a police guard at the Oakland and Berkeley moles. He would, he said, have this guard instructed to arrest every drunken person who might be trying to reach San Francisco, and to turn him over to the police of the Alameda county cities. In that way, said Reagan, the city that made the men drunk would have to keep him until he should become sober.