

# Hawaiian Gazette.

U. S. WEATHER BUREAU, August 29.—Last 24 hours' rainfall, trace. Temperature, Max. 83; Min. 74. Weather, fair.

SUGAR.—96 Degree Test Centrifugals, 3.905c.; Per Ton, \$78.10. 88 Analysis Beets, 9s. 11½d.; Per Ton, \$81.70.

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HAWAIIAN GAZETTE, FRIDAY, AUGUST 30, 1907.

—SEMI-WEEKLY

WHOLE No. 2933

## AFONG CASE IS SETTLED NOW

### Each of the Children to Receive Thirty Thousand Dollars.

A final settlement has been arrived at in the suit of Mrs. Carrie B. Riggs et al. vs. Mrs. Julia F. Afong and others. This is a suit brought about a year ago on behalf of certain of Mrs. Afong's daughters to secure a construction of the trust deed by which the late Chun Afong conveyed property in trust for the support and maintenance of his wife and children, by which it should be declared that Mrs. Afong held the income of the property in trust for the equal benefit of all the children.

It was alleged in the bill that Mrs. Afong claimed to hold this income unencumbered with any obligations, and that she had the right to dispose of it in any way that she saw fit.

In this suit four of the daughters, it is understood, favored the contents of the bill. The others opposed them or did not take sides. All were made parties either plaintiff or defendant. A demurrer was interposed on behalf of Mrs. Afong by her attorney J. J. Dunne, which was argued at considerable length by him, and by R. W. Breckons and others on the other side. Judge Robinson overruled the demurrer, filing a written opinion of considerable length in which he commended very highly the industry and the erudition displayed in the argument in support of the demurrer.

Soon after this there began to be rumors that the case would be compromised. The time within which an answer must be filed was extended, and in fact an answer has not yet been filed.

It soon became an open secret that negotiations for compromise were in progress, and for some time it has been known that they were practically complete. They have now been entirely completed and all necessary documents to make the compromise complete have been signed. This of itself has been no light matter to look after, the number of the parties in interest being very large, and many of them living at a distance.

While the exact terms of the compromise are not disclosed, it is known that the essential feature of the compromise is that each of the Afong children gets \$30,000. The remainder of the fund which it was sought to control by the litigation is left to the unrestrained control of Mrs. Afong.

In carrying out the compromise transfers of property will be made and the filing for registry of the conveyances executed in these transfers may be expected at any time.

The case at one time promised to become a cause celebre in Hawaiian jurisprudence, but this compromise effected will take it out of that category.

## MORE STUDY OF THE KAPAA LAND MATTER

Governor Frear spent considerable time yesterday in the study of the Kapaia lands question. He and Secretary Mott-Smith made a careful study of the maps of the lands involved, and it is probable that Secretary Mott-Smith will make a trip to Kapaia, sailing today, to make some further studies of the subject on the land itself. Col. Spalding was in conference with the Governor, and several citizens who are interested in land matters and who have information and experience regarding them were also called on the Governor to discuss with him the situation.

It is reported from Nagoya that the opening of Atsuta harbor to foreign commerce will be proclaimed by an Imperial Ordinance before the end of this month and it will be hereafter named Nagoya harbor. The construction of the custom house and other official buildings has been already finished.

## LITTLE IRON IN THE GALILEE

### The Vessel Is Specially Fitted for Scientific Work on Magnetism.

When asked for information concerning the work being done by the expedition on the Galilee of which he has charge, W. J. Peters, the representative of the Carnegie Institute of Washington, said:

"We have had a very successful trip, and are studying magnetic influences, doing similar work to that done by the German and British vessels which have been sent out for the same purpose. You will notice that there is very little iron about this vessel. Her rigging is all hemp and, wherever it is possible, other materials than iron have been used. For this reason there is the least deviation in our instruments that can be found in any records of a similar trip.

"We are also studying atmospheric electricity. No, this has no great connection with the use of wireless telegraphy, on account of the fact that we study the effects only in the regions close to the surface of the water, while the wireless uses the higher strata of air.

"Yes, I really am still an employe of the U. S. Geological survey, as I am on leave from that bureau. The expedition is under the auspices of the Carnegie Institute of Washington, and there are a large number of government men interested in the work. We have on board myself, P. H. Dike and D. C. Sowers, my assistants, and Dr. Peterson, the ship's surgeon. There are ten men in the crew and the ship is commanded by Captain Hayes, who has been here in her before."

Two years ago Mr. Peters was a member of the Zeigler expedition to the north pole, which made an unsuccessful attempt to reach that point and spent two years in the effort, their ship being wrecked and the members suffering a good deal of hardship in Franz Joseph Land.

## BUILDING ORDINANCE OF HILO IS DEFECTIVE

(Special Wireless to Advertiser.)

HILO, August 29.—The county ordinance regulating the construction of buildings is declared to be invalid. No building permits are now necessary. A new ordinance will probably be passed by the Board of Supervisors next week.

A. R. Gurrey, secretary of the Board of Fire Underwriters, when visiting Hilo early this month found the electric wiring of the town very defective. He said the worst ranges in Honolulu were not so bad as the common run in Hilo, and warned the citizens that their city front would surely burn some day if the experience of other cities counted. Mr. Gurrey also informed them that their fire hazard was not being improved, within a year or so past several wooden buildings having been erected which enhanced the risks.

In consequence of Mr. Gurrey's representations, the Board of Trade appointed a committee to draft an ordinance to provide building regulations and for the appointment of a fire marshal. From the above telegram it would appear that an ordinance was drafted which would not hold water—a bad defect in a fire protection ordinance.

## CHILDREN'S HOSPITAL FUND NOW \$75,000

There is now \$75,000 in the fund for the proposed Children's Hospital. Mrs. Paul Isenberg Sr., now of Germany, has donated \$10,000 to it, and Mr. J. F. Hackfeld, now also residing in Germany, another \$10,000. These sums added to the foundation sum of \$55,000 provided by Mr. A. S. Wilcox makes the amount stated above.

Secretary E. A. Mott-Smith will receive any subscriptions to the benevolent project.

## SOME SPANIARDS WILL LEAVE

It is stated that quite a large number of the Spaniards, who arrived here recently from Malaga, are preparing to leave for San Francisco, money for their passage being sent them by friends and relatives on the mainland. One or two families will sail next week on the Sierra to spy out the land.

## CRITICISM OF NEW DAM IS JUSTIFIED

### Experts' Reports Fail to Uphold Claims Now Made.

"If it hadn't been for this general kicking and criticism, which every large engineering proposition of public character has to undergo, the dam would have been completed by this time," said J. Hastings Howland in an interview yesterday.

What is the general kicking and criticism referred to by Howland?

Patterson criticized the manner in which the wooden stave pipes were going in. Of the pipe complained of, Expert Kellogg said in his report: "I do not consider that it could be safely depended upon." Without criticism the pipe that could not be safely depended upon would have been left by Howland, the engineer in charge of construction.

The plan of building a dam along the lines originally planned by Brother-in-law Walker was criticized. Kellogg said: "I do not consider that it would be safe to construct a dam on the proposed plan."

The manner in which the outlet pipe was being put in under the charge of Howland was criticized. "Take out the work now constructed," ordered the expert.

The location of the valve tower in the center of the earthen dam was criticized. Kellogg recommended that it be moved away from the center of the dam, saying: "This may seem expensive, but I deem them (the changes ordered) necessary to secure a safe and permanent dam."

Without the criticisms, the valve tower, the outlet pipes and the other criticized things would have remained where they were, and possibly the dam would have been completed, as Howland says, but it would not have been a safe and permanent dam, something which Howland seems to think is not the business of the public to demand.

The general specifications of Engineer Walker were criticized, the unreasonable general public and those who did not know what they were talking about being agreed with by Expert Schuyler, who said in his report to the Legislature of 1907, regarding the pipes recommended by Walker, "a novel arrangement which should be attempted only by skilled workmen and never even by them if it can be avoided."

The same expert pointed out where savings could have been made in carrying out the different phases of the work if the engineer had used broader judgment.

The changes recommended by Kellogg, changes which he said were absolutely necessary to have a safe structure, were fully concurred in by Schuyler, something which Howland, in a way not apparent to anyone but himself, twists into a commendation of himself and the manner in which he was insisting the work should go forward.

From figures on file in the Auditor's office it can be readily seen how radical were the changes recommended by Kellogg to make a safe dam. On the work recommended by him there has already been \$72,000 spent. On the work done on the original plan of the dam, including the cost of the work that was condemned as unsafe and ordered to be done over again, only \$58,000 in all has been spent.

"Two noted experts were brought here to investigate the condition of the dam. Did they find any fault with my work? Didn't they say it was all right and that I had done everything as it should be done?" demanded Howland in an interview in the Bulletin last Saturday.

Spending seventy-two thousand dollars so far on changes on a fifty-eight thousand dollar job, according to this interview, is evidence of everything having been done all right evidently.

In the same interview Howland pointed to the record of the work done by the Department of Public Works as vindicating the department from whatever charges "those who do not know what they are talking about" are making. Outside of a few minor undertakings, such as the putting in of some small culverts and the building of some minor bridges, such as any ordinary mechanic could handle, the record of the department includes the following: The Brewer's wharf, the new insane asylum contract, the Hilo sewer system, the Hilo armory, the

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## AMERICAN HAWAII BEING REALIZED

### Former Secretary Atkinson's Impressions of His Visit to Maui.

"What pleased me more than anything else on this trip to Maui with the Longworths," A. L. C. Atkinson said yesterday, "was the industrial development along the lines we have been talking about.

"In the first place, through all the Baldwin plantations may be seen the building of cottages on acre lots for the laborers. Again, on Walluku plantation I noticed in Iao Valley that C. B. Wells, the manager there, has had several new cottages for his laborers erected on very fertile plots of land, where not only flowers and vegetables but fruit trees are already planted out.

"That shows the permanency of settlement, the domiciled labor. When the laborer comes to such conditions of living, he comes to stay. This is real development in Hawaii and the development upon which this country will get on.

"A new industry which I saw for the first time was that of grape-growing for the making of wine. It is situated in Makawao district and this year the crop of grapes will yield 15,000 gallons of wine. And in four years, from the vines planted and grafted, a yield of 60,000 gallons a year is expected.

"I was told on reliable authority that every one of the vines was planted on land owned in fee simple by the Portuguese growers. These men deliver their grapes at the winery and are paid at the rate of forty-five cents a gallon on the yield of wine. They are paid in cash and I understand that, not only are they satisfied, but the growers are doing well at that rate.

"The Federal authorities have lately sent an expert out here and he has brought 148 varieties of grapevine to be experimented with, to see which of them are best suited to the country. I am told that 500 grafts have been made of the new stocks upon the old roots. This is another of the beneficial results from union with the United States, and Federal interest in Hawaii's development.

"By trimming back the grapevines at the proper time it is hoped that these grapes can be marketed in San Francisco and California in December, January and February when they have no fresh, home-grown grapes, and it would not be surprising to see a profitable industry spring up from that source.

"Along through Hana and Nahiku districts the rubber growing is simply wonderful. It is hard to believe that, since I was through there three years ago, the trees could have attained their present height. While as yet no tapplings have been made, from the magnificent appearance of the trees it needs hardly a gift of prophecy to declare that the industry is bound to be a success.

"Pineapple patches are springing up all over the country and there is a great demand for plants. Of course this industry is already an assured success, which is shown by the large number of small landowners going in to it.

"With all the visible evidences of progress in new industries, what pleased me most of all on Maui was to see plantation labor domiciled and happy. It was so different from the old days when contract laborers were held in barracks by these same sugar planters.

"American Hawaii is becoming a reality."

## NO MORE SHAKING FOR THE DRINKS

The dice box must go from the Honolulu bar rooms. No more will the genial man with the apron match his skill against that of the casual one who wants to shake for the drinks, for the provision of the new liquor law against the little pastime is to be put into immediate force.

Yesterday License Inspector Fennell was on the rounds of the saloons and the other places where drinks are served with meals, without meals, sitting down or standing up, according to the rules, and notifying the proprietors that they must take no chances at all of supplying anyone with a drink for nothing. Hereafter there will be no horse on the box, no straight to fill—the rattle of the ivory is tabu.

## ORIENTAL NOTES.

On August 10, the training squadron, Matsushima, Hashidate and Itsukushima returned to Yokosuka from its lengthy cruise. Chief proclaimed quarantine against Yokohama on the 7th inst. On Thursday, August 8, Hitachiya, the well-known wrestler, and party left Tokyo for America.

## QUEBEC BRIDGE COLLAPSES AND WORKMEN DROWN

(Associated Press Cablegrams.)

QUEBEC, August 30.—One of the spans of the new seven million-dollar bridge being built here collapsed yesterday, seventy-five of the workmen engaged upon it being carried down into the river and drowned.

This bridge is being built by the Canadian government across the St. Lawrence river and will be, when completed, the largest bridge in the world.

PARIS, August 27.—The Cais are forcing the Sultan into a holy war.

VISALIA, Cal., August 27.—The cornerstone for a million dollar beet sugar factory was laid near here today.

MEXICO CITY, August 27.—By the intervention of the United States Mexico now assures the future peace of Central America.

OTTAWA, August 27.—The Canadian Government is negotiating with Japan for the restriction of immigration into the Dominion of coolie laborers.

LONGFORD, Ireland, August 27.—C. P. Farrell, member of Parliament, and forty other members of the Nationalist party, have been arrested for assembling unlawfully.

NEW YORK, August 27.—The next naval bill which will be introduced in Congress at the next session will provide for two or four great battleships of the latest and largest pattern.

SEOUL, August 28.—The new Emperor of Korea was officially crowned yesterday.

TOKIO, August 28.—The reports of the number of deaths from drowning in Central Japan continue to come in, the total number of deaths in the Yamanashi prefecture alone totaling five hundred.

In Tokio the supply of fresh fish and vegetables is curtailed owing to the floods.

LOS ANGELES, August 28.—A highwayman held up a street car containing twelve passengers within the city limits here yesterday, getting away with the valuables of the passengers and the money of the car conductor.

LONDON, August 28.—The Irish Eviction Bill has passed its third reading in the House of Lords.

CASABLANCA, August 28.—In an engagement yesterday the French troops defeated the invading Moors and drove them back into the hills.

LONDON, August 29.—It is rumored here that Abdul-Aziz, the Sultan of Morocco, has been assassinated.

PARIS, August 29.—The decision of the war department is that all the troops that may be called for by General Drude, commander of the French forces in Morocco, for the purpose of putting down the Moorish insurgents, will be sent him.

CASABLANCA, August 29.—General Drude is maneuvering his troops in an attempt to draw the Moorish soldiers into a trap for a final and decisive battle.

TANGIERS, Morocco, August 29.—A detachment of the Sultan's troops sent into the territory by the Zrahma tribe for the purpose of collecting tribute have been met by the tribesmen in battle and defeated.

TOKIO, August 29.—The number of dead bodies found as a result of the recent severe floods in the central provinces so far total one hundred and fifty, while there are as many more persons missing.

Seventy-nine thousand and six hundred persons are homeless and a call for public relief has been issued. The local relief available is thought to be enough for the situation.

The suffering following the flood is aggravated in the prefecture of Saitama by the rice famine there.

CHICAGO, August 29.—A son of Brigadier General Carter was killed here yesterday by an electric shock.

MEXICO CITY, August 29.—President Diaz has offered his services as a mediator in the settlement of the existing disputes between Guatemala, Salvador and Nicaragua.

ARKANSAS CITY, August 29.—The general offices of the Western Union Telegraph Company were destroyed by fire yesterday morning.

SAN FRANCISCO, August 29.—Police Captain Mooney, who was discharged from the San Francisco force by Chief Dinan for raiding protected joints in the tenderloin district, has been reinstated in his position by the new board of police commissioners.

LOS ANGELES, August 29.—In an address here last night Commissioner Ishii declared that war between Japan and America is an impossibility.

NEW YORK, August 29.—The striking telegraph operators are preparing to present an appeal to President Roosevelt to intervene and bring about a settlement of the strike.

OYSTER BAY, August 29.—The visiting Prince of Sweden called upon the President yesterday and was entertained at lunch.

SAN FRANCISCO, August 30.—Al Kaufman won his fight with Mike Schreck in the seventh round by the knockout route.

NEW YORK, August 30.—Thirty-six thousand tons of coal have been ordered at the different points at which the battleship fleet will call while en route from the Atlantic to the Pacific coast.

SAN FRANCISCO, August 30.—The taking of testimony in the second trial of Louis Glass for an alleged bribery of supervisors was concluded yesterday.

WASHINGTON, August 30.—The health officials here are confident that the outbreak of plague at San Francisco can be controlled.

PARIS, August 30.—It is probable that the use of the guillotine in executions will be revived throughout France.

## CABLED WARNING OF POSSIBLE SHANGHAING

Some days ago a cablegram was received at the police station by Chief Taylor from Chief of Police Dinan of San Francisco, asking him to meet the bark R. P. Rithet and see that one of her passengers, a Miss Helen Kilgore, "is not shanghaied to some other port. The cable also stated that a letter was following, explaining the matter. The Rithet arrived yesterday and Miss Kilgore was notified by Chief Taylor of the receipt of the cable. The young lady, a prepossessing girl about twenty-two years old, professed to be able to throw no light on the matter, not knowing in what way she required protection from shanghaiers or any other persons. She is here on a vacation trip solely, in company with Mrs. Tilden and two children, and has booked a return passage on the Rithet. Her trip was made with the knowledge and consent of her parents and his nothing significant in it. Her story is fully believed by the police here, and the receipt of the letter explanatory of the mystifying cable is being looked forward to with a great deal of interest, as there seems to have been a mistake somewhere.