

# MANY MATTERS OF INTEREST

(From Thursday's Advertiser.)

The Board of Commissioners of Agriculture and Forestry dealt with a number of important matters at their regular meeting yesterday afternoon, at which C. S. Holloway made his last appearance in the role of Superintendent of Public Works. The matter of dealing with the maile pilau vine, which threatens to become as big a pest on Oahu as the lantana proved to be, was discussed, rather pessimistically; the best manner in which queen bees of doubtful lineage can be kept out of the Territory was dealt with; the appointment of F. T. P. Waterhouse as a special commissioner to visit Ceylon to look into the rubber industry was requested from Governor Frear, and the part the Bureau should take in the coming exhibition of the Poultry Fanciers' Association was touched on. A number of interesting reports from the heads of the various branches of the Bureau were also read.

There were present at the meeting George R. Carter, C. S. Holloway, W. M. Giffard, A. Craw, J. C. Fitzgerald, V. S.; R. S. Hosmer, F. S. Dodge and D. M. Haugis.

## POULTRY ASSOCIATION SHOW.

A communication from R. C. Brown, of the Poultry Association, announced that the association were preparing to hold their annual show on January 8, 9, 10 and 11, and asked the Board to take some part. The matter was generally discussed and Mr. Hosmer told what had been done last year. It was decided to refer the matter to the committee on agriculture, although it was not thought that much could be promised. It was not thought feasible to take the specimens on exhibition in the Board building to the exhibition as the danger of damaging them in transit was considerable.

## MAILE PILAU SPREADING.

A communication from F. J. Lowrie drew attention to the fact that the maile pilau vines were spreading from Manoa valley into Nuuanu and Kalihi and threatened to become as much of a pest as the lantana. Forester Hosmer corroborated the statements made and told of the almost impossible task of exterminating the pest. Mr. Giffard also stated that the vines were smothering some of the larger trees on the Paoua side of Tantalus.

Forester Haugis described the vine as an importation from Japan, which lead George R. Carter to remark that he shouldn't think there could be any bug found willing to eat it.

The matter of suggesting some steps to take to prevent the spread of the pest was left finally to the committee on forestry.

## TABU ON ROYALTY.

Mr. Carter, for the special committee appointed to draw up rules and regulations regarding the importation of bees, reported that the only feasible way to prevent the importation of undesirable female monarchs of the hives was to prohibit the importation of queens altogether except by permit through this port.

For the committee on animal industry he reported unfavorably on the plan of sending Dr. Norgaard to New Zealand to look after the shipping of a number of heads of selected breeding stock into the Territory. It was stated that a number of those who had proposed purchasing in this way had made other arrangements and that the number needed now would not justify sending the official that far, especially as he was needed particularly in the Territory just now.

## MONEY FOR A NURSERY.

Superintendent of Forestry Hosmer reported that \$2000 had been placed at his disposal by the Federal Department of Agriculture for experimenting in tree planting on the higher levels, the particulars of which he gave later in his report. A vote of thanks to the Washington officials who had secured this sum for Hawaii was passed.

## COMMISSION FOR WATERHOUSE.

A resolution was passed asking Governor Frear to commission F. T. P. Waterhouse as a special commissioner under the Bureau to secure data on rubber planting and tree tapping in Ceylon. The resolution carried with it the granting of \$250 from the appropriations of the Bureau as a part of the traveling expenses from the Malay States to Ceylon, provided the finance committee can figure out a way to take that amount from the money on hand.

## VETERINARIAN'S REPORT.

Dr. Fitzgerald read Dr. Norgaard's report, the Territorial veterinarian being unable to attend because of sickness in his family. The report stated that an investigation into a number of cases of red water among cattle was going on. No cases of glanders had been reported since the last meeting.

Dr. Norgaard asked the approval of the Board for a tour of the islands on his part to enable him to secure in-

formation to enable him to make up his annual report. The approval was granted.

## FORESTER HOSMER'S REPORT.

Superintendent of Forestry Hosmer, in his report, reviewed very fully the forestry situation throughout the Territory, making some important recommendations regarding the koa and ohia lumbering operations on Hawaii. The main portions of his report were as follows:

"Practically all of the time since August 29 I have been in the field, on trips to the other islands having to do with forest reserve projects, forest inspection and examinations of forest lands belonging to private corporations and individuals; offer of this division, wherein the division agrees to give advice and assistance to owners of forest land in the management of their properties according to the methods of forestry.

"From August 29 to 31 I was on Maui, making an examination of the forest planting now going on on the lands of the Alexander & Baldwin interests, in several localities near Haku; in an inspection of a portion of the proposed Makawao forest reserve, where there is a question of forest planting; in a visit to the rubber plantations at Nahiku; and in an examination of certain problems in the Koolau forest reserve. At Nahiku I saw in some detail the groves of the several plantations and discussed with the different managers various matters in connection with rubber growing.

"RUBBER AT NAHIKU.

"So far as the growth of the trees goes, the outlook at Nahiku is most promising and from all present indications a satisfactory yield of latex seems assured. The problems of finding the best method of tapping and harvesting the rubber, involving as they do the training of skilled workmen, now loom large, but I am confident that a satisfactory solution will be found when the matter receives careful attention. With the trees growing at the present rate it will not be long before the older groves will be large enough to permit systematic experiments to be begun.

## "KONA, HAWAII.

"On September 10 I started on the trip from which I have just returned. Going first to the Kona district on Hawaii, I made as thorough an inspection of the forested area from Mt. Hualalal to the Kau district line as is possible, without the cutting of numerous and expensive trails through the forest. Using existing trails through the woods as a basis, I made a general examination of the forest as a whole, including both government and private forest lands.

"On this basis I am prepared to make recommendations for the government land, as well as to the several owners, as to methods of managing this area, in accordance with the principles of forestry. Such reports are now in preparation; they will later be brought to the attention of the board.

## "FOREST QUESTION IN KONA.

"In this connection it seems to me appropriate to repeat the statement, made in former reports of mine, that the forest question in this Territory has two very distinct aspects. On the windward side of the islands, especially Hawaii and Maui, in districts where there is living water in springs, brooks or streams that is either made use of locally, or impounded for the irrigation of lands more or less near at hand, the forest is mainly important as a protective cover, and as such should be kept as nearly intact as may be. On the leeward side of the islands, on the other hand, where the only living water is found in occasional springs, a different treatment is indicated. Here the forest, excepting always such areas as may be necessary to protect the living water that does exist, is and ought to be considered in relation to its commercial value.

"So in the Kona district, having carefully studied the situation on the ground, I am in favor of lumbering the mature trees, both koa and ohia, for I believe that if the work in the woods is properly done and the areas cut over are handled subsequently in an intelligent way, not only will a valuable industry be added to the Territory, but also that the forests themselves will be in better condition than at present.

"Over considerable areas in Kona the large koa trees are dying, and in a few years will cease to have value either as a forest cover or as commercially important wood. The wise thing is to utilize this material while we may and then to manage the land on which it grew for the purpose for which it is best adapted. Some of the land now nominally under forest is unquestionably of greater value for grazing. Part of it can best be used for growing trees. The problem presented is to put it all to its best use, with due regard not only to strictly utilitarian use, but also to the indirect benefits which may result to the district from having a considerable body of forest on its mountain slopes. These points will be brought out in detail in my reports on the Kona lands.

## "EXPERIMENTAL TREE PLANTING.

"Following my visit to Kona I spent three days at Waimea, selecting on the slope of Mauna Kea, several plots where can be carried on the cooperative tree planting experiments for which the U. S. Forest Service has recently supplied the funds. The areas selected are five-acre plots on the unleased government land of Koahe, at elevations of, respectively, 7,500, 9000 and 11,000 feet. Here it is proposed to plant pines, spruces and firs from the temperate zone, with the expectation of finding a valuable tree that will grow on the higher slopes of our mountains, above the native forest. Similar experimental plots were also selected on the slope of Mt. Haleakala, on Maui, as a part of my work on that island.

## "ROUTINE MATTERS.

"During the past three months the most important routine work in the Division of Forestry has been the ex-

# GOVERNOR FREAR BOLDLY MEETS THE TAX SITUATION

Owing to the financial disturbance on the mainland and its effect on San Francisco, the usual supplies of coin brought from San Francisco at this season of the year, to meet the requirements of tax-paying time, will be lacking. About \$300,000 of taxes are due between now and November 15 on this island alone. The total requirements for tax payments during the next two weeks will be about half a million dollars. To require this all to be paid in coin would take so large a proportion of the available coin of the community out of circulation as might seriously hamper business. Ordinarily a supply of coin to meet this requirement is brought down at this season of the year. But this can not be done this year. The banks have credits in San Francisco ample for the purpose, but the San Francisco banks will not ship the money.

There was therefore a conference yesterday forenoon between Governor Frear and the representatives of the four principal banks—S. M. Damon, C. M. Cooke, E. I. Spalding and Cecil Brown. These representatives asked the Governor, if he could, to direct that taxes might be paid in certificates of deposit, so as not to take the actual coin out of circulation and pile it up uselessly in the treasury vaults, but only to pay it into the treasury as it was needed, to be paid out again to go into actual circulation. This Governor Frear has done in a modified way. Certificates of deposit will be received for taxes for sixty days and will be cashed by the treasury only as the coin is needed.

Thus the first tangible effect on Hawaii, of the panic which has been going on for the past two weeks on the mainland, reached this city yesterday morning, when cablegrams were received from the San Francisco banking interests, stating there would be no more shipments of coin to this city from the Coast until the financial disturbances had been ended. The advice that the local banks take up the methods of payments through clearing-house certificates has been received here by all four banks, but for the present nothing of this kind will be done, as it does not appear that any such measure is needed here, and it would only have the effect of causing more or less trouble which is looked on as unnecessary.

The only effect which the cablegrams from San Francisco will have on the local financial situation is in regard to the money which is generally imported from the mainland for use in the payment of taxes, and any trouble from this source has been avoided by prompt action on the part of Governor Frear. He has issued notice to all four banks that for the period of sixty days payment of taxes made in certificates of deposit with any of the four local banks, will be accepted.

By reason of this move the need of money from San Francisco will amount to very little, and the government will not be inconvenienced at all on account of the fact that the payment of a large part of the taxes, now due and delinquent after November 15, has already been made, which places sufficient cash in the hands of the Territorial Treasurer to make all payments that are needed.

In order that the cash which is here now may be kept in the country as much as possible, two of the banks have adopted a scheme of endorsement, which will probably be followed by the others. This is to endorse all drafts of exchange of over \$500, which are drawn on San Francisco, "Payable in clearing-house certificates." For amounts smaller than this the ordinary drafts, without the endorsement, will be used.

In speaking of the situation last night, C. M. Cooke, president of the Bank of Hawaii, said: "The situation here is normal, and there is absolutely no cause for alarm. Meetings of the representatives of the four banks of the city have been held, at which it was decided not to adopt the use of clearing-house certificates here unless it should be found necessary at a later date. A committee to look into this matter, should it be found best to adopt this course, was appointed, consisting of myself and Cecil Brown of the First National Bank. We have not even made any arrangements for a meeting as yet, and do not expect to take any action at present.

"The fact that taxes can be paid in the form of certificates of deposit will have the effect of taking away any hardship which might be brought about by the change of seed with botanical gardens and other corporations and individuals in various parts of the world. Seed of many valuable trees and plants new to the islands have been received and are now being propagated in the nursery.

"Perhaps of the greatest present interest are two new species of rubber trees from Brazil, sent from Germany. They both belong to the genus Manihot, of which the Ceara rubber, so well known locally, has heretofore been considered the only rubber-producing species. Plants have been started at the nursery and sent to Nahiku for trial. As is usual at this season of the year, many trees and plants have recently been furnished to the schools for Arbor Day planting.

"The new laboratory of the Division of Animal Industry was completed in September and is now ready for occupancy."

# LICENSE BOARD HEARS TESTIMONY

(From Thursday's Advertiser.)

The Board of License Commissioners took testimony in three cases of alleged violation of the liquor license law yesterday. The first of these cases was that of John D. Moore, licensee of the Palace restaurant, charged with not running a bona fide restaurant. The second case was that of Ah Choa of Heela, charged with selling liquor on credit. The third was that of Gus Cordes, licensee of the River Rhine saloon, charged with having attempted to transfer his license without the consent of the board.

In Moore's case, no one appeared for him. The case against him was presented by Chairman Ballentyne, Hing Kee, who runs the restaurant, was produced as the principal witness. He identified receipts given him by Moore for rent of the part of the building occupied by the restaurant. Also a written notice from Moore notifying him of a raise in the rent. Hing Kee's testimony was clear that the saloon and the restaurant were separate enterprises, run as such, and owned as such.

In the case of Ah Choa, C. W. Ashford appeared for him and admitted that he had, prior to October 8, sold liquor over the bar to be consumed on the premises, on credit in a few instances. But that he had done this in ignorance of the law, a Chinese translation of the law which had been issued by W. C. Peacock and Co., and upon which Ah Choa had relied, not being able to read English, being faulty and not containing a translation of that part of the section forbidding sales on credit. At the same time Ashford claimed that the law only authorized the board to act as it was proposing to act where the licensee had violated the provisions of his license or had been convicted in court. In this case he pointed out that the license did not contain any provision against selling on credit, and so far from being convicted, Ah Choa had been acquitted. The board, however, held that there were other general provisions of the section which gave it abundant authority for proceeding as it was. A number of witnesses were placed on the stand—George W. McGowan, a cowboy; Ullyses S. Jones, a policeman, and Henry Pahlia. They each testified to having bought liquor of Ah Choa on credit. On cross-examination it appeared that on the trial of Ah Choa before the District Court in Koolau, on the charge of selling on credit, they had never been asked if the liquor they bought on credit was consumed on the premises.

Ah Choa took the stand himself and testified that he did not know he was violating the law until he was arrested for it, and that since then he had not sold on credit. W. C. Peacock told about the Chinese translation of the law.

Gus Cordes was put on the stand and asked about the sale of his license. He admitted that he had received from Quong Chong Lung \$550 for the control of his saloon, he retaining a one-twelfth interest, and being hired to remain at the saloon daily, for which he received \$7.50 a week. Two Chinese bartenders were employed in the saloon. He explained this by saying that the saloon did not have much white trade any more, its trade being principally Chinese, natives and Japanese. He also volunteered the information that there was no fortune in the saloon business any more, and that he wished he had never been in the business. He also asked the board not to be too hard on him, as he had a large family to support and was crippled up with rheumatism. The transfer to the Chinaman had been made, he said, on the second of July, the day he got his license.

The board held an evening session to consider the testimony heard.

In the case of Ah Choa, the board decided to reprimand him. In the other two cases the testimony was ordered written up and submitted to the Attorney General for his opinion whether under it the board could act.

There will be another meeting on Monday afternoon, at which Fred Kiley's application will come up for a public hearing.

The Mikahala brought the following freight: 2800 bags K. S. M. A. sugar, 1400 bags Waimea sugar, 164 bags taro, 75 bags rice bran, 59 cases honey, 12 empty wine casks, 1 cow, 1 calf, 19 cans milk, 124 packages sundries. She encountered strong trade winds and heavy seas.

Several other cases were wiped off the calendar yesterday. Kumano, a Japanese hackdriver who had run over and broken the arm of a Chinaman, was discharged on a charge of furious driving, he having settled with the Chinaman, Nishizaka, who had agreed to get a wife for another Japanese for \$100, payable in advance, and who had failed to come through with the goods, was discharged from the charge of gross cheat placed against him, it being shown that he had given a promissory note to ensure the repayment of the money. The complaining witness had the note, but did not know what it was until it was explained to him at the trial. He thought it was a receipt for the hundred.

Joe Everett, the hackdriver, was summoned to appear for leaving his horse untied, but he failed to answer to his name. He had been released to appear by the Sheriff and took that to mean that he had been liberated without a stain on his character. It came as a shock to him last night, therefore, to find himself arrested again on a warrant.

Yoshioko, a Japanese vagrant, was sent to the reef for three months.

# CASES FOR THE SUPREME COURT

(From Thursday's Advertiser.)

The November session of the Supreme Court will commence next Wednesday. Twelve cases have already been placed on the calendar. Among the cases to be heard are two that have already been to the Supreme Court of the United States. These are F. J. Lowrey et al. trustees vs. Territory, the Lahainaluna case, and William W. Bierce, Ltd., vs. Clinton J. Hutchins, trustees.

Among other cases are a couple of tax cases and the appeal of the Territory from the order of the Circuit Court granting a writ of mandamus to Frank R. Lucweiko, now deceased, to compel Land Commissioner Pratt to approve his account for which the Legislature made an appropriation.

The following is the list of cases:

In re assessment of income taxes, Makee Sugar Co. Appeal from Tax Appeal Court, Kauai. Attorney General and M. F. Prosser for tax assessor-appellee; Kinney & Marx for taxpayer-appellant.

F. R. Harris v. Byron O. Clark. Exceptions from Circuit Court, First Circuit. H. G. Middleditch for plaintiff-appellee; Kingsbury & Kellogg for defendant-appellant.

In re assessment of income taxes, Hawaiian Commercial and Sugar Co. Appeal from Tax Appeal Court, Maui. Attorney General, M. F. Prosser and D. H. Case for tax assessor-appellant; Castle & Withington for taxpayer-appellee.

Alice K. Kaee v. Kaula Richardson et al. Exceptions from Circuit Court, Second Circuit. James L. Coke and E. M. Watson for plaintiff-appellee; Kinney & Marx and D. H. Case for defendants-appellants.

In re application of F. R. Lucweiko for a writ of mandamus against James W. Pratt, Commissioner of Public Lands of the Territory. Appeal from Circuit Court, First Circuit. T. M. Harrison for petitioner-appellee; J. W. Cathcart for respondent-appellant.

Frederick J. Lowrey et al., Trustees, v. Territory, Original, Castle & Withington and Smith & Lewis for plaintiffs; Attorney General for defendant.

William W. Bierce, Limited, v. Clinton J. Hutchins, Trustee. Exceptions from Circuit Court, First Circuit. A. G. M. Robertson for plaintiff-appellee; Castle & Withington and J. W. Cathcart for defendant-appellant.

Lahaina Agricultural Co. v. A. Poaha et al. Error to Circuit Court, Second Circuit. Kinney & Marx for plaintiff-appellant; C. W. Ashford, J. M. Vivas and J. L. Coke for defendants-appellees.

In the matter of the estate of Augustine Enos, deceased. Appeal from Circuit Judge, Second Circuit. James L. Coke for appellee; John M. Vivas and Holmes & Stanley and C. H. Olson for appellants.

In re application of Lewers & Cooke, Ltd., to register and confirm their title to certain lands. Appeal from Court of Land Registration. Castle & Withington for petitioners; Attorney General L. A. Dickey, C. F. Peterson and Thompson & Clemons for certain respondents-appellees; Holmes & Stanley and C. H. Olson for the Kaploani Home, one of the respondents-appellant.

James L. Holt, Tax Assessor, v. W. C. Peacock. Exceptions from Circuit Court, First Circuit. Attorney General for plaintiff-appellee; C. W. Ashford for defendant-appellant.

C. S. Holloway, Superintendent of Public Works, v. E. V. Richardson et al. Exceptions from Circuit Court, First Circuit. Attorney General for plaintiff-appellee; A. G. M. Robertson, C. W. Ashford and Thompson & Clemons for defendants-appellants.

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# CHIEF JUSTICE IN DEFENSE OF RULE

Chief Justice Hartwell in speaking yesterday of the new rule regarding court papers said: "The new rule is the result of a suggestion made by one of the Circuit Court Judges and concurred in by the Justices of the Supreme Court and all of the Judges of the Circuit Court for the First Circuit. It is considered, in view of the serious losses of documents which have been suffered in the past, to be important to take this step. The rule is said to be substantially the same that is in force in many jurisdictions on the mainland."

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