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CHARLES S. CRANE, Manager.

DEARER LOAF THREATENED.

Dear bread is looming up. All the signs are that flour will go higher before it becomes lower in price.

Dear flour will mean a general rise in foodstuffs, enhancing the difficulty of subsistence to people of only moderate means and causing distress to the poor.

DEPRESSION A REALITY.

While a disastrous financial panic has seemingly been averted, it would appear that a general depression in business can not be stayed.

Referring to the financial crisis, which seems happily to be fairly well passed, Mr. Clews says there is no need for any repetition of the financial hysteria that marked the August break in the stock market.

SOUVENIR OF THE CONGRESSIONAL PARTY.

There is about to issue from the Gazette Press a souvenir account of the trip of the Congressional party to Hawaii in 1907.

The Congressional party was here to see and find out real conditions as well as to be shown the show places of the islands.

This souvenir pamphlet is an account of that tour. There is an introduction telling what the Congressmen came for, who came, and why they came.

As promotion literature, it cannot be surpassed. It contains the things that people want to know about the islands, and they are illustrated with new and up to date pictures.

THE LOCAL FINANCIAL SITUATION.

There is no apprehension felt by local bankers that they can not handle the present financial situation here, which, so far as it contains any difficulty, is forced upon them by the financiers in San Francisco.

As previously stated in this paper, the immediate inconvenience produced here, through the stipulation mentioned, is caused by the prevention of the importation of coin, usual at this season, for relieving the heavy drafts on circulation made by the collection of taxes.

Besides the effect of the semi-annual collections of taxes on the circulation, the local banks have a load to carry every month in providing for the payrolls of the plantations.

All of the foregoing facts and figures indicate the necessity for periodical importations of gold. Therefore an easing up of the local stringency will depend very largely on the time when gold may again be imported.

Over and above all, the best security this community possesses is that of confidence in its own resources and in the ability and integrity of its leading financiers.

Cash, credit and confidence, but the greatest of these is confidence. The business of the world rests on these three factors.

It would not be an unmixed evil if the critical habit of a certain evening paper were ingrowing. Then, when it howled over the publication by the Advertiser of an interview in which a citizen called it down for "unauthorized" statements, it would not make its principal first page display of an article written to discredit this paper's news.

The issuance of clearing-house certificates in San Francisco in small denominations to enable employers to meet their payrolls, is carrying the device of clearing-house certificates farther than it has probably ever been carried before.

The real baseball spirit was shown at the Aala park games yesterday when thousands stood throughout the showers to witness the games, their ardor undampened.

The evidence furnished by the ball game as it connects the persons signing with the misdemeanor in question. It does not specify any time or occasion on which they were arrested and it may be doubted whether such a recital inserted incidentally in a document designed for an entirely different purpose and signed by persons unfamiliar with the language in which it was written could be held sufficient to support a conviction in the absence of all other identification.

NO USE FOR AN EXTRA SESSION OF CONGRESS

(Associated Press Cablegrams.)

(Continued from Page One.)

NEW YORK, November 5.—In the opinion of Congressman Charles N. Fowler, of New Jersey, chairman of the House Committee on Banking and Currency, it would be useless to call a special session of Congress to consider the present financial situation and consider remedial legislation.

LONDON, November 4.—All the gold in the open market has been purchased by the United States at a discount rate of six per cent.

NEW YORK, November 4.—The gold importations for the local market amount to a total of \$32,250,000.

The Trust Company of America and the Lincoln Trust Company have suspended.

SAN FRANCISCO, November 4.—The circulation of clearing-house certificates is proving satisfactory.

SAN FRANCISCO, November 2.—The scores of the football games played today follow: Princeton 16, Carlisle Indians 0; Pennsylvania 15, Lafayette, 0; Harvard 6, Brown 5; Cornell 18, Western University of Pennsylvania 5.

HONGKONG, November 3.—The Scandinavian mission at Nombur was stoned yesterday by a mob.

SAN FRANCISCO, November 4.—Forty clerks were busy in the clearing house all day Sunday, preparing small clearing-house certificates in order that employers may be able to meet their payrolls today.

NEW YORK, November 4.—Seventeen leading financiers were in conference with J. Pierpont Morgan, Sunday night, until a late hour, regarding the present situation.

SAMARKAND, November 4.—A violent earthquake was experienced here, though little damage was done.

SAN FRANCISCO, November 4.—President David Starr Jordan, of Stanford University, will speak at the Central American Peace Conference, Washington, to be held November 11 and 12.

LONDON, November 4.—Emperor William, accompanied by the Empress and by Chancellor von Buelow, will arrive November 11, to remain a week in Great Britain.

NEW YORK, November 4.—The Cunard steamship Mauretania will arrive on her maiden trip to New York November 16.

SAN FRANCISCO, November 4.—The Japanese of San Francisco and other Pacific Coast points are celebrating the Emperor's birthday.

SUPREME COURT AND AH SING CASE

The Supreme Court yesterday rendered a decision in the case of Ah Sing, convicted in the Circuit Court of being present at a gambling game.

The text of the decision is as follows: The Territory of Hawaii v. Ah Sing and 67 others. Error to Circuit Court, First Circuit. Argued October 17, 1907. Decided November 4, 1907.

Hartwell, C. J., Wilder and Ballou, JJ.

Evidence—execution of document.

A ball bond, purporting to be signed by a defendant, offered in evidence for the purpose of identifying him by means of a recital therein, is inadmissible unless accompanied by evidence that it was executed by the defendant.

OPINION OF THE COURT BY BALLOU, J.

The defendant Ah Sing, who we have held is the only person having any standing in the prosecution of the above entitled writ of error (ante, page 392), was convicted in the district court of Honolulu and again on appeal in the circuit court of the first circuit of violating R. L. Sec. 3175 by being present at a place where certain gambling games were being carried on.

The record shows that a room in which gambling was going on was raided by several members of the grand jury, and sixty-eight Chinese who were there present were arrested. These were taken to the police station, where they were released upon depositing cash bail. It does not appear from the record when the arrested persons first gave their names.

The condition of this obligation is such that whereas the above bounden principals were arrested upon a charge of violating Section 3175 of the Revised Laws of Hawaii, by being present at a place where certain gambling games were being carried on known as fan tan and pai kau were being carried on at which money or something of value was lost and won and, whereas the said principals were upon the 27th day of November, A. D. 1906, convicted of said charge, by the Honorable S. H. Derby, Second District Magistrate of the District Court of Honolulu, County of Oahu, and sentenced to pay a fine of twenty-five dollars (\$25.00) and the costs of said prosecution, and whereas said principals have appealed from the judgment of said Court to the Circuit Court of the First Judicial Circuit at its next term, etc.

At the trial in the circuit court some of the defendants were identified by name or appearance as having been in the room on the occasion testified to. In the case of others, including Ah Sing, no witness was called either to identify them as having been present at the gambling game or as having been among those who were arrested and taken to the police station.

The evidence furnished by the ball game as it connects the persons signing with the misdemeanor in question. It does not specify any time or occasion on which they were arrested and it may be doubted whether such a recital inserted incidentally in a document designed for an entirely different purpose and signed by persons unfamiliar with the language in which it was written could be held sufficient to support a conviction in the absence of all other identification.

We do not find it necessary to pass upon this point, however, as we are of the opinion that the bond was improperly admitted in evidence for the purpose for which it was offered. Although the name of Charles F. Chillingworth appears on the bond as an attesting witness to the signatures of the principals and surety no proof by such witness or otherwise of its execution was offered. The bond also bears the words "Approved. Henry C. Vida, Asst. Sheriff," and was admitted upon Mr. Vida's testimony that he was assistant sheriff, that on the 23rd of November, 1906, certain Chinese were brought to the police station charged with being present at a gambling game and released on cash bail and afterwards an approved bond was put up in lieu of cash bail, which bond he thereupon identified as the one which he had approved. The bond was then offered for the purpose of identifying the parties before the court and admitted over the objection that the

ONE DAY IN THE FEDERAL COURT

Judge Dole yesterday sentenced Waila, boatswain of the Maui, to three months' imprisonment for assaulting Jack Kalliani, on the high seas, on the Maui. It was Jack's first voyage as a sailor.

The trial of Frank Dillon, formerly assistant postmaster at Kahaui, indicted for embezzling \$109.69 of post-office money order funds, was set for December 19, 1907.

Alexander C. Dowsett pleaded not guilty of adultery and his trial was set for January 2, 1908.

Joseph Kane and Napaona pleaded guilty, one to fornication and the other to adultery, and will be sentenced today.

The trial jurors for the term were called and sworn. Charles Fox was excused on account of sickness; J. C. Galt, on account of his work; George H. Hartwell, because he does not understand English well enough, and Thomas J. Ryan because of defective hearing. John Effinger forgot to appear and was brought in on a bench warrant. The personnel of the panel is as follows: William Lishman, Jack H. Mayatt, J. N. Wood, John Cassidy, E. C. Bond, Wm. H. King, W. F. Heilbron, Erling Maklun, Alex. Garvie, Wm. Chalmers, W. S. Terry, Samuel Parker, Wm. Pullar, E. A. McInerney, F. H. Kilby, S. A. Walker, F. A. Mayfield, Daniel Lovell, John T. Moir and John Effinger.

THE SUPREME COURT.

In the Supreme Court yesterday, the appeal from Judge De Bolt's refusal to discharge Ching Tai on habeas corpus was argued and submitted by W. W. Thayer for the appellant, and Deputy Attorney General M. F. Prosser for the Territory. It was taken under advisement.

The cases of W. B. Wierce, Limited, vs. C. J. Hutchins, trustee; Frank Lueweiko against Pratt, and Kane vs. Richardson et al., were all set for argument next Monday.

The court will meet again this morning.

LOWRIE'S NEW COMPLAINT.

The motion for leave to file an amended complaint in the Lowrie case was filed yesterday by Judge Gillman. The principal change is in the parties defendant. The defendants now proposed are H. P. Baldwin, J. B. W. R. and G. P. Castle, the S. N. Castle estate, J. P. Cooke and Wallace M. Alexander.

FINAL ACCOUNTS.

W. O. Smith as administrator of the estate of the late James W. Girvin yesterday filed his final accounts and asked for his discharge. The total value of the estate administered is \$4034.28.

RECEPTION AT THE JAPANESE CONSULATE

The large reception hall at the Japanese Consulate was the scene of a brilliant affair last night, Consul General Saito receiving with Mrs. Saito in honor of the birthday anniversary of the Emperor of Japan. The affair was limited to the resident Japanese of Honolulu, all the leading Japanese merchants, professional men and others, with their wives, attending.

After the formal reception there was a patriotic and musical program rendered, also typically Japanese. The room itself was beautifully decorated with flags and greens, the emblems of Nippon, America and Great Britain being entwined.

Delegate Kuhio had a quite long conference with Governor Frear yesterday at the Governor's office regarding matters to be urged at Washington. The object was to arrive at a mutual understanding in regard to such matters.

AN INFALLIBLE REMEDY.

No matter how severe an attack of diarrhea may be, Chamberlain's Colic, Cholera and Diarrhea Remedy never fails to give relief. You cannot afford to be without it. For sale by all dealers. Benson, Smith & Co., agents for Hawaii.

signatures of the defendants had not been identified.

To convict a defendant by his own written admission it would seem essential that there be some evidence that he signed the writing or that the signature was his. The tendency to assume that a signed document is all that it mutely purports to be, without requiring external evidence of authorship, is one which must be constantly guarded against. 3 Wigmore Evidence, Sec. 2136. As a court record the bond might have been admissible for some purposes upon proof of its mere existence, but as a written admission of the defendant of a collateral fact its execution should have been proved like any other written and unrecorded instrument. The assignment of error upon this point is sustained, the judgment of conviction of Ah Sing reversed, and new trial ordered.

M. F. Prosser, Deputy Attorney General, for plaintiff. R. W. Breckons for defendant.