

EDITOR IS RELEASED

Y. Kimura Made an Acceptable Apology.

INDICTMENT IS THEN QUASHED

Court Wouldn't Sentence Chinese Boy for Criminal Assault.

Y. Kimura, the Japanese editor of the Honolulu News, who was indicted by the August grand jury for criminal libel, was discharged yesterday morning by Judge Gear, upon a nolle prosequi being entered by Mr. Cathcart.

Kimura was charged with having libelled a prominent Japanese merchant, one S. Kimura, in the News' issue of July 31st. In this article it was alleged that Kimura had not shown the proper respect for a deceased friend, and had danced naked in the room where his dead body lay. It was alleged further that he with others had been singing and otherwise enjoying themselves at the funeral.

In court yesterday morning Mr. Cathcart announced that he desired to enter a nolle prosequi. "It has been represented to me," said the deputy attorney general, "that the amende honorable has been made to the person who claimed to be libeled, and he is desirous of dropping the prosecution."

Judge Gear inquired if it wasn't a rather strange proceeding to drop the prosecution after an indictment had been returned, simply at the request of the prosecuting witness.

Mr. Cathcart replied that in his opinion the only reason libel had been made a criminal offense was because of the trouble a personal quarrel might cause. He thought it was but a personal matter and did not believe it worth while to take up the time of the court and jury with a trial when the offender had apologized and the prosecuting witness was satisfied.

The nolle prosequi was entered, Judge Gear stating that he didn't believe a grand jury indictment should be made the basis for an apology.

COURT NOTES.

W6 Chong, a Chinese boy 15 years of age, charged with a criminal assault upon a girl of 13, was released upon suspended sentence. Judge Gear stated that he did not feel justified in imposing even the minimum of three months, and the order was consequently entered.

Judge Gear yesterday appointed David Dayton as guardian of Richard N. Oliver. The boy has an estate of \$3000. Formal order was made yesterday for the continuation of the August term of court for 12 days from August 29.

Judge Robinson yesterday denied the motion for alimony in the Metcalf divorce case.

The accounts have been approved in the guardianship matter of Kala Kaahua and P. D. Kellett Jr. allowed a fee of \$15 as master.

E. G. Ferreira has applied for license to practice in the district courts of the Territory.

David Dayton has filed his third annual account as guardian of Madeline C. K. Dowsett, showing receipts of \$2189.95 and expenditures of \$1518.98, leaving a balance of \$661.97 for the year. The inventory shows 375 shares of Dowsett Co. stock, par value \$100, and 50,000 Dowsett Co. bonds.

An inventory has been filed of the estate of the late David Center, showing property worth \$23,890.92. The estate consists of 50 shares Honolulu Plantation Co. stock, 1950; 29 shares Waianae, \$2900; 50 shares Waiolu, \$5000; 125 Hawaiian Sugar Co., \$2500; 50 shares American Sugar Co., \$500; 15 shares Honoumouli, \$1500; cash, \$3840.92.

The mother of the minor children has asked to be appointed guardian. S. C. Allen has appealed from Judge Humphreys' order compelling him to pay \$75 to E. M. Watson and \$50 to J. J. Dunne for services as guardians of the Lucas minors.

Motion to dismiss the order vacating service in the case of Bishop & Co. vs. W. H. Pain et al. has been made. Petition has been made for the appointment of George H. Huddy as guardian for Iokepa Kale.

A divorce was granted yesterday to Kekula Kupihea from James Kupihea. In the matter of the estate of Annie H. K. Dowsett, David Dayton as guardian reports receipts of \$2189.16 and expenditures of \$1503.77. The estate consists of 375 shares Dowsett stock and 50,000 Dowsett bonds.

Judge Robinson yesterday heard the case of Godfrey vs. Kidwell. Motion to have the sale of the McCully tract confirmed will be presented to Judge Humphreys this morning.

Judge Humphreys yesterday granted a license to practice law in the district courts to Robert W. Shingle.

Divorce was granted by Judge Robinson to Alice A. Bryant from Edwin J. G. Bryant, on the ground of non-support.

Mrs. Kato Kiku has applied for letters of administration upon the estate of Kato Iwakichi.

A NEW FUR SEAL ROOKERY

WASHINGTON, August 19.—Lieutenant Ellsworth Berthoff of the revenue cutter service, who received a gold medal from Congress last spring for his part in the expedition in Alaska in the winter of 1897-98, has added to his exploits by discovering a new fur seal rookery in the Aleutian Islands. While cruising among the islands near the ex-

treme western end of the chain early in July, as executive officer of the cutter Manning, Lieutenant Berthoff went ashore with a boat's crew on the island of Boulder. There he found a rookery of fur seals, similar to those found on the famous Pribilof islands, which are situated 700 miles in a northeasterly direction from Boulder.

The scene of the newly discovered seal herd is a mere dot of land between Behring sea and the Pacific ocean, fully 3500 miles west of San Francisco, but still within American jurisdiction.

Lieutenant Berthoff approached the herd closely enough to learn that none of the seals had been branded, and there was no sign that white men in search of fur seals had ever been near the island. Captain Shoemaker, chief of the revenue cutter service, heard through the Aleutian island natives that there was a seal herd near the western end of the long chain of islands and he issued instructions last spring that the report be investigated by the Manning. It is believed that further discoveries will be made which, in view of the gradually declining seal fisheries in the Pribilof islands, will prove to be of great importance.

CIRCUIT COURT PLUM

(Continued from Page 1.)

ed practically the reorganization of my office to meet the conditions. I don't say yet that I shall not go to Honolulu but I think it very improbable. No other man is yet in mind for the journey but it is not likely that anyone will go out there before sometime late in the fall."

THE CASE OF CHINESE CONSUL.

It is probably already known in Honolulu that Territorial Senator Carter, who investigated the alleged cases of smuggling, in which the Chinese Consul at Honolulu was said to be implicated, found that there was not sufficient evidence to sustain those charges. Mr. Carter's report was forwarded here to the Treasury Department and thence referred to the State Department. There it was stated this afternoon that the charges had not been sustained against the Chinese Consul but for the good of the service it had been deemed expedient to transfer him to another post of duty. This, of course, was done through the Chinese government on the strength of representations from the State Department to the Chinese Minister here.

HONOLULU CUSTOMS RECEIPTS.

The annual summary of receipts for customs at the port of Honolulu, covering the fiscal year ended June 30, last has been received from Collector Stackable and is on file in the office of Mr. W. S. Chance, chief of the division of special agents. It will be printed as a part of the Secretary's annual report to be made public two or three months later. It shows that the receipts from customs in the territory of Hawaii during the past fiscal year were \$1,227,518.23. The amount of refunds and drawbacks was \$16,355.02. The expenses of collecting this sum was \$86,932.82, of which \$92,521.04 was for salaries, \$262 for cents, \$4,038.28 for miscellaneous expenses, and \$111.50 for expenses paid directly by the Department.

Collector Stackable states that the number of vessels which entered Honolulu or Hawaiian ports from foreign ports was 210, that cleared there for foreign ports was 118; while the number of vessels which entered from domestic ports was 382 and that cleared for domestic ports 499. The entries of merchandise for duty numbered 3,250 and the entries, which were free of duty, numbered 132. The total number of entries of every character was 4,876.

BRAZILIAN SUGAR.

H. W. Furniss, the United States Consul at Bahia, writes to the State Department the following account of a convention of sugar producers in Brazil:

"Pursuant to a call issued by the National Society of Agriculture at Rio de Janeiro, delegates assembled here on June 25, 1902, to take part in the first sugar producers' convention of Brazil. Delegates were present from all the sugar-producing States—Sao Paulo, Rio de Janeiro, Pernambuco, Bahia, Parahiba, Alagoas, Sergipe, Rio Grande do Norte, and Maranhao. They were not sent according to any basis of apportionment, but were designated by the various agricultural and commercial societies, municipalities, State governments, groups of cane raisers, and sugar producers.

"The national society had planned an elaborate programme, to include the discussion of such subjects as symptoms of the sugar crisis, its causes and remedy; condition and preparation of the soil and qualities of cane cultivated; methods of culture; methods of sugar making; production; foreign trade; internal trade and means of enlarging it; production and consumption of alcohol, its industrial application for light and heat, its use as fuel for large factories; use of sugar cane for feeding stock.

"The subjects were not assigned to delegates, but it was left to the individuals to take whatever part they might wish; and instead of discussing the points outlined on the programme, the convention virtually narrowed down to considering various plans which were proposed to better the condition of those engaged in sugar production. These plans included federal loans to planters; abolition of tax for foreign export and payment of bounty for sugar so sent; a consumption tax on all sugars, the revenue so derived to reimburse the States for the export taxes removed and the bounty established; the storing of sugar by the Government and the sale of same without the intervention of the middleman; etc.

"After a week of discussion, it became apparent that the interests of the delegates were so diverse that it would be impossible to come to any definite conclusion, and the convention adjourned on July 4, to meet in February, 1904, at Pernambuco. The only thing accomplished was the adoption of a motion to the effect that inter-state duties should be abolished and protesting against the high rates of taxation in general."

ERNEST G. WALKER.

WILL GIVE A PLACE

Portuguese May Be Allowed a Man.

FOURTH DISTRICT REPUBLICANS ACT

Declare One Representative Candidate Will Be Selected From Names Submitted.

Republicans stand ready to place the name of a Portuguese upon the ticket for the Legislature if the members of the political club of that nationality will agree to support the nominees of the party. This was agreed to in the meeting of the Fourth district committee yesterday, although the members of the Fifth district committee decided that they could not agree to make such a nomination unless the Portuguese came into the party by the regular channels.

The meeting of the Fourth district committee was well attended, though the members did not get together until late. The motions of McClellan and Isenberg were set aside and finally after some discussion the following motion of Brooks was passed:

Resolved, That it is the purpose of the Fourth district committee to place at the meeting of the district committee, to be held next week, one Portuguese American on the legislative ticket this year, from the Fourth district, provided the Portuguese Political Club will select names from which such candidate is to be chosen, and will pledge themselves to unanimously support the entire Republican ticket in return for such nomination.

A letter was read from Major Camara, saying that he had been misrepresented, that he had said only that the Portuguese club would not affiliate with the Republican party, but would support the entire ticket if the club nominees were on it.

Members of the committee said that the statements of members of the club were that the Republicans must take the Portuguese as they found them, and that there would be no affiliation with any party.

The conference committee of the Fifth district committee reported the substance of the conference and the matter of representation was then taken up. McCandless offered the Isenberg proportional representation resolution. This was tabled after some debate, and the secretary was directed to notify the central committee that the matter of representation should be taken up at the regular course of coming into the party, and should secure representation in the usual way.

The committee on rules reported and under this plan the following committees were appointed:

- First precinct—Lot Lane and James Davis.
- Second—Nainoa and Kekuku.
- Third—Naukana and Goodale.
- Fourth—Gilliland and Kekahuna.
- Fifth—Douglass (only one member from this precinct).
- Sixth—Nawaakoa and Woodward.
- Seventh—Clark and Sherwood.
- Eighth—Dwight and Kapono.
- Ninth—Apio and Harris.
- Tenth—Kwai Fong and Isaac.

Finance Committee—L. McCandless, George S. Harris and J. C. Lane. On motion it was decided that a committee of three should be created for the purpose of conferring with a similar committee from the Fourth district and then deciding the date for the holding of the joint convention for the nomination of senators for the Third senatorial district.

Chairman Achi announced that he had made arrangements for the placing on file at the headquarters of the remarks of all the Home Rule orators, and that any member could see them so as to refute them.

WAS AN ORNERY SPANISH PARROT

Bird That Cursed Officers of the Chilean Customs Service.

There are nationalities among parrots as well as among men and when a parrot decides to stick to one nationality and to adopt but one language all the wiles of man will not prevent him from doing so. Captain Perry of the barkentine Addenda has a parrot on his vessel which has been with him for some years but which declines to speak anything but the Spanish language. The bird has caused Perry some trouble.

This parrot is a large, bright, green colored bird. It was raised on the Isthmus of Panama. For months and months Captain Perry has been endeavoring to teach the parrot to speak English. The only reply he has received to his courtesy in this way toward the bird was a cursing in Spanish. The bird swears like a regular deep sea skipper but sticks to its Spanish.

The only friends that the parrot has aboard the ship are two Guam natives who speak Spanish and can thus understand the bird. But the last time that Skipper Perry was in a Chilean port he came very near going in to durango ville and all because of the bird. When the Chilean customs officials boarded his vessel they enquired if he could speak Spanish. He replied that he could not but a moment later the officials heard a voice declaring in pure Spanish: "Captain is a d—- liar." Later the bird was shouting: "Get off the ship you thieving officers." This was too much for the officials. They looked high and

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- 75 Dozen Ladies' White Jersey Ribbed Vests, Crochet and Tape Trimmed 10c each.
- A Table Full of Towels Including Turkish Bath, Honey Comb and Husk 10c each.
- A Small Lot of Hemmed Pillow Cases 10c.
- Good Quality Cheek Gingham, 2 Yards for 10c.
- White and Colored Feather Stitched Braids, 3 Pieces for 10c.
- Three Hundred Yard Spools Thread, 4 Spools for 10c.
- Three Packages Correspondence Envelopes for 10c.
- A Lot of Fancy Brooches and Lace Pins 10c.
- Fancy Hair Pins, Worth 5c and 10c Each, 10 for 10c.
- 25 Dozen Dressing Combs, Worth up to 25c 10c each.
- 50 Pieces of Laces, Some of Them Were 50c, Now 10c yard.
- 20 Dozen Lace and Embroidered Handkerchiefs, Your Choice 10c.
- A Lot of Children's Fast Black Hose 10c pair.

Whitney & Marsh, Ltd.

CABLE COMING DEC. 1ST

(Continued from Page 1.)

by her. It may be of interest for your readers to have some of the measurements of this grand boat. A gross tonnage of 12,600, length 572 feet, beam 63 feet, and mean draft 27 feet. The writer had the pleasure of going over the vessel soon after reaching port. Her trimmings and furnishings are plain, but substantial and uniform. Her cabin staterooms are fitted up for 220 passengers and the dining saloon has seating for over 200 at first table. The beautiful bronze staircase is something unique in itself and exceedingly appropriate to the general finish of this magnificent boat. I find the staterooms to be quite roomy, high between decks, with air tube ventilators for the let out or take up of foul air. The suites, of which there are four sets, are complete in their furnishings and comfort, and suggest all the luxuries of travel that can be conceived. The social hall is unique in itself and entirely different from anything of the kind I have visited. The advent of this vessel in the Pacific will revolutionize ocean travel to the Orient, and we predict that this boat will bring about many progressive improvements for the comfort of passengers in other competing lines. "COSMO."

low for the owner of the vessel and finally learned that it was the bird, Captain Perry had considerable difficulty in explaining that the bird was an "old Spanish shiner" and that it had not been taught such bad and discourteous language aboard his vessel.

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