



U. S. WEATHER BUREAU, DECEMBER 27—
Last 24 hours' rainfall, .00; Temperature, max. 76,
min. 66; Weather, clear and warm.

SUGAR—96° Test Centrifugals, 4.65; Per Ton,
\$93. 88 Analysis Beets, 14 1/2 d, Per Ton \$101.20.

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HONOLULU, HAWAII TERRITORY, WEDNESDAY, DECEMBER 28, 1904.

PRICE FIVE CENTS.

INSANE ASYLUM CONTRACT SHOULD GO INTO COURT

Governor Carter Says That He Wants The Muddle to be Cleared Up As Soon as Possible.

"I think the proper course is to take the insane asylum contract matter into court and have the whole truth brought out," said Governor Carter yesterday.

"I want to have things bright and clean and shining. I want everything open and above board. I have found no fraud in this matter, as far as I have gone into it, but as the thing is left now there is a taint. Let us remove the taint.

"When I made my first proposition to the American-Hawaiian people to annul their contract, I believed that would be the best way out of the difficulty. That proposition fell through, and I have since come to the conclusion that it would not be fair to the people nor to other contractors to permit that contract to be annulled.

"The contractors declined to submit the matter to arbitration. Then let us get into the courts, and have them pass upon it. It will be the quickest way to get at the whole truth. I want the truth brought out."

There was an error, by the way, in the report of Governor Carter's talk with Aheong, the Chinese contractor. The story of the crushed rock that Architect Beardslee would not accept because he said there was dirt in it, as told by Aheong to the Governor, contained no mention of the Concrete Construction Company's quarry. What Aheong did say was this:

"My man took a load of crushed rock to the asylum, and was asked by the architect where the rock came from. 'From the Manoa quarry,' said my man, thinking that the rock came from there.

"We cannot take rock from there," said Beardslee. 'It is full of dirt. You must get it from the Pauoa quarry.'

"My man came back to me, and I told him that the rock was from Pauoa. He went back to Beardslee and told him this, and the rock was accepted."

And that is the tale as it was really told to the Governor.

GRAHAM GOES AFTER EASTERN CAPITAL

Among the departing passengers on the steamer that left yesterday is Mr. W. M. Graham, one of our well known young business men, who goes to New York, for the purpose of securing capital for the development of one of the largest mining concessions in China. This concession covers an area of 26,000 square miles situate in the rich province of Szechuen and is owned by the Szechuen Government Merchants Co-operative Mining Co.

This large concession was exploited in 1900 by Dr. R. L. Jacks, Government Geologist of Queensland and by Herbert L. Way, Superintendent Mining Engineer of the Rand Mines, South Africa.

Their reports show this concession to include rich mines of gold, silver,

copper and quicksilver, that are now being worked by the crude native Chinese methods. The progressive Mandarins and Chinese capitalists composing the company have engaged Mr. Graham to organize an American company for which they subscribe one-half of the stock for the purpose of proceeding with the development of their properties.

The mineral resources of China today present a virgin field for the capitalist and the preference given to American capital in the development of this large concession is a hopeful sign for our future commercial relations.

Protet May Go to Big Island.

When the French cruiser Protet leaves Honolulu next Monday morning she may go to Hilo before proceeding to the coast. Commodore Adegard and the officers are anxious to see the island and visit the volcano.

Should the vessel go to Hilo, Consul Vizavona will accompany Commodore Adegard. It will be his first visit to the big island in fifteen years.

PETERSON GIVES VIEWS ON FEDERAL BUILDING

"The Alexander Young hotel is needed for future tourist travel, and it would be a great mistake to give it up for a Federal building."

R. C. A. Peterson, real estate agent, is the oracle here quoted.

"Even if the building were suitable for United States courts and department offices, which it is not, something would be needed to replace it before many years for hotel accommodation," Mr. Peterson continued.

"I think the Chamber of Commerce and the Merchants' Association might get figures from owners of eligible sites for a Federal building, either to send to Washington or have ready for an agent of the Treasury department who may come to investigate the site question. This would be only fair to people who have heavy real estate interests in the neighborhood of the present postoffice.

"That locality is, in my opinion, the best place for the Federal building. Part of the block opposite the police station one way and the postoffice another way belongs to the Government, and there are no very costly improvements on the remainder. The locality is convenient to the wholesale houses and the docks, and it is right where the public has always been accustomed to do its postoffice business. This is, however, only a suggestion. Let there be a full examination of all available sites, giving property owners a chance to state advantages and name prices of what they may have to offer."

MOLOKAI LUMBER CONTRACT MAY NOT GO TO PETER HIGH

Possibility of a Hitch In the Deal Between the Contractor and the Board of Health About Asiatic Labor.

There is just a hint that there may be a hitch in the granting of the contract to supply lumber to the Settlement on Molokai. It appears that when the bids for supplying lumber were opened by the officers of the Board of Health, the lowest bidder for the work was Peter High, of the Enterprise Mill Company. It was therefore up to the Board of Health to notify High that he had been given the contract, under the law, but it came to the officers of the Board that there were some Asiatics not citizens employed by High in his mills.

This caused a hitch because, under the provisions of Section 63, Session Laws of 1903, no lumber can be used at the Settlement in the handling or working up of which men not citizens have been employed. Instead, therefore, of High being notified that he has the contract, the matter has been passed up to Attorney General Andrews to determine whether the President of the Board of Health has the power to notify the contractor that the Board will accept no lumber that has been handled or worked by Chinese or Japanese. High, of course, may be able to show that the lumber, where it is surfaced, has not been worked in his mill at all, and also that the particular lumber sent to the Settlement has not been handled by non-citizens—in which event he would be within the law in claiming that the contract be granted to him and that his lumber be accepted.

The matter will be held up, just the same, pending the decision of the Attorney General, although High's contract would take effect until January 1st, and the case may be determined before then.

This same point was fought out two years ago, when the lowest bid was rejected absolutely because it was put in by a Chinese concern.

NICHOLLS TO SANDY HOOK

Artillery Captain Goes Into Ordnance Bureau.

Captain J. C. Nicholls, Artillery Corps, U. S. A., who was the senior company officer at Camp McKinley, departed yesterday in the Sierra, en route to the Sandy Hook, N. J., station. Captain Nicholls' departure was somewhat sudden, he having received cable orders two or three days ago to report at his new station at the first opportunity.

Captain Nicholls recently took examinations for a captaincy in the ordnance department of the army and the cable orders gave him the first intimation that he had passed them successfully. It is somewhat in the nature of a promotion, the ordnance department occupying a similar relation to the artillery corps that the engineer department does toward the general military service. It also gives him \$48 more pay per month.

Captain Nicholls has been one of the most popular officers at the camp and he has made a host of friends, who regret his departure. His rise in the service is rapid, for it was only about seven months ago that he secured his captaincy.

"I felt that by staying in Honolulu for my allotted term of three years," he said yesterday, "that I was losing much of the opportunity to keep pace with the real work of my branch. I felt that if I stayed here I would become rusty. I therefore decided to take the examination for the ordnance department. If the artillery corps in Honolulu had its coast guns it would be different, but here the service is acting as infantry."

Ventura Due Tomorrow.

The Ventura will be the next boat from the coast and should bring a heavy mail. She will probably not arrive until late tomorrow afternoon as the vessel did not leave San Francisco until 9 o'clock last Friday evening.

COURTS OF TERRITORY

Chief Justice Frear Explains How They Are Organized.

The courts of the Territory are pretty effectually covered in Governor Carter's annual report to the Secretary of the Interior. Writing of the Judiciary proper, Chief Justice W. F. Frear says:

The first four-year period in the history of this Territory has just come to a close, and with it important changes have taken place in the Territorial Judiciary. Alfred S. Hartwell and Francis M. Hatch succeed Clinton A. Galbraith and Antonio Perry as associate justices of the supreme court, and A. N. Kepoikai, John A. Mathewman and C. F. Parsons succeed John W. Kalua, W. S. Edings, and Gilbert F. Little, respectively, as judges of the second, third, and fourth circuit courts.

The courts of Hawaii correspond with the courts in the States rather than the courts in the other Territories. There is a United States district court, which has also the jurisdiction of United States circuit court, and there are distinct Territorial courts. The latter are in general a supreme court, consisting of a chief justice and two associate justices, five circuit courts, each presided over by a circuit judge, except that the first circuit court has three judges, and twenty-nine district courts held by district magistrates. Cases may be taken from the supreme court, as from the State supreme courts, only to the Federal Supreme Court on writ of error and only when Federal questions are involved. The jurisdiction of the supreme court is mostly appellate. Cases are brought to it by appeal, writ of error, or exceptions. It holds one term a year, beginning the first Monday in October and continuing until final adjournment the following summer. The circuit courts have general original jurisdiction; also appellate jurisdiction in cases from the district courts. They hold, as a rule, three terms a year, varying in length from a few weeks to four months. The district courts have jurisdiction of misdemeanors and, with some exceptions, of civil cases in which the amount involved does not exceed \$300. They hold no terms, but sit continuously. Besides these courts of a general nature there are other courts or tribunals of a special nature, among which special mention may be made of the

(Continued on Page 2)

CRUISER MAY BE DESTROYED

Tokio Fears That Another Ship of Mikado's Navy Has Been Mined. Japanese Service Losses.

(ASSOCIATED PRESS CABLEGRAMS.)

TOKIO, Dec. 28.—It is believed that another Japanese cruiser has been sunk by a mine.

PREPARING BLACK SEA FLEET.

SEVASTOPOL, Dec. 28.—Work is being pushed on the Black Sea fleet.

JAPANESE SERVICE LOSSES.

TOKIO, Dec. 28.—The published list of army mortality gives twenty-three officers killed and fifty-six wounded, presumably at Port Arthur. The navy list records nine officers and sixty-five men killed, indicating the loss of some vessel.

GREAT STORM RAGING BEYOND THE ROCKIES

CHICAGO, Dec. 28.—The severest blizzard of years is raging in the territory between the Rockies and the Lakes. There is snow and rain on the Atlantic coast, extending to the Southern States and the railways and telegraphs are crippled.

NOT QUITE ANNEXED.

MELBOURNE, Dec. 28.—Great Britain has assumed control of the legal and financial administration of the Tongas, the chiefs consenting.

THE REFORM UKASE.

ST. PETERSBURG, Dec. 28.—The Czar's reform ukase has been favorably received by the Conservatives.

FAIRBANKS A MASON.

INDIANAPOLIS, Dec. 28.—Senator Fairbanks was initiated into masonry last night.

SUING A GREAT TRUST.

ST. PAUL, Dec. 28.—The Government has begun suit against the paper trust.

PORTUGUESE WAYLAIED AND BRUTALLY BEATEN

About half-past nine a police alarm was sent in from box 43. It turned out that an old Portuguese man had been nearly murdered on the lot just beyond the head of Aala lane. Nobody knew who he was nor who the assailant had been. A couple of natives from down near the river were attracted by some cries. When they arrived they found the old man, insensible, lying in a pool of blood. A stone was beside his head and an iron pipe about two and a half feet long lay a few feet distant. There was a large jump over one eye and the man's head was badly cut up. Sheriff Henry ordered that he be taken immediately to the hospital. The man moaned several times on the way, and, on being removed from the stretcher to the table, muttered "Me too much sore."

At 2 o'clock this morning A. P. Roderiques, a hack driver, called at the Advertiser office and reported that he had identified the injured man as his father, Paul Roderiques. Last night at about 5:30 he drove his father home. The old man had just sold some cattle and had \$250 with him in a sack, about \$200 being in silver. The elder Roderiques left the house later in the evening. It is surmised that some one saw the money and waylaid him.

The injured man lived on Luso street, near Alapal.