



U. S. WEATHER BUREAU, JANUARY 27—
Last 24 hours' rainfall, .00; Temperature, max.
72; min. 58; Weather, fair.

SUGAR—96° Test Centrifugals, 5.24; Per
Ton, \$104.80. 88 Analysis Beets, 16; Per Ton,
\$109.40.

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HONOLULU, HAWAII TERRITORY, SATURDAY, JANUARY 28, 1905.

PRICE FIVE CENTS.

JUSTICE HATCH SENDS IN HIS RESIGNATION

Ill Health the Cause—H. E. Cooper and Arthur Wilder Mentioned for Vacancy.

Associate Justice F. M. Hatch has resigned his position on the Territorial Supreme Bench, to take effect on February 1st.

"It is true," Judge Hatch sent word last night. "I have made up my mind to leave the bench, because I have found that the strict attention necessitated by the proper performance of the duties of the position was wearing upon my health. My resignation was sent to the President, to take effect the latter part of this month."

It is understood that the resignation of Judge Hatch has been in the hands of the President for some little time past, and the appointment of his successor has already been considered. It seems from all that could be learned concerning the matter last night, that there are now but two gentlemen in the line of the lightning, although of course there are more than two who may get in line.

The two who have been most seriously considered for the appointment are former Judge Henry E. Cooper and attorney Arthur Wilder. Which of the two leads in the running it is, as yet, impossible to say. Mr. Cooper is a gentleman who has done distinguished public service in various capacities, and Mr. Wilder is a lawyer of marked ability.

As for Judge Hatch, it is understood to be his purpose to resume his law practice, which was very lucrative when he gave it up to put on the ermine. In fact, in a financial sense, the Judge scored a distinct loss when he accepted an appointment to the bench. He had been one of the leaders at the Honolulu bar, and will again take commanding position when he resumes his practice.

TERRITORIAL BONDS ARE NOT TAXABLE

Opinion From the Most Noted Legal Expert in New York Adds to the Investment Value of Hawaiian Securities.

Hawaiian bonds are not taxable in any State or Territory of the Union.

That, in brief, is the opinion of Judge Dillon, of the New York law firm of Dillon & Hubbard, the greatest bond and corporation lawyers in the country. This makes the bonds available for investment by the trustees of estates and others who want safe investment in negotiable, interest paying securities that are at the same time not taxable, and makes them good property, moreover, to be held by banks. In a word, it makes the sale of the bonds easier, and will be a substantial help in the sale of any subsequent issues that may be made.

The opinion of Judge Dillon was secured by Secretary Atkinson immediately after the negotiations for the sale of the last bond issue were closed. When that sale was pending, the buyers of the bonds wanted the opinion of Judge Dillon, and asked Secretary Atkinson to secure it. The Secretary had no authority to take any step of that kind, and so cabled to Treasurer Campbell asking whether the Territory would authorize him to ask Dillon's opinion upon the question of whether the bonds were taxable. After a consultation with Governor Carter, Mr. Campbell sent a cablegram to Secretary Atkinson, authorizing him to go ahead and get the opinion.

Judge Dillon, however, could not give his opinion at that time, being desirous of studying the question more at length, and the sale was effected without it. Subsequently, the opinion was delivered, news of it being brought to Honolulu by Park Terrell. The written opinion itself should arrive by an early mail.

Mr. Terrell, who will take the signed bonds back to New York—although they are not negotiable until their acceptance by the purchasers—says that the purchasers of the securities will ask the committee of New York savings banks to list the securities for recommendation to the legislative committee of New York to be placed in the class of securities which it is allowed that savings banks shall invest their surplus in.

And this, likewise, will be a move to the credit of the Territory. Mr. Terrell says that there is little doubt that the savings bank committee will act as requested, and as the legislature always follows the recommendations of that committee, that widens the market for Hawaiian securities still more.

The bonds of the Territory are already, under the ruling of Secretary Shaw, available for deposit in national banks against currency issue. Being non-taxable, they are available for investment as the best of gilt edged securities. If they are now made available for the use of savings banks, there will be no better buy in the market for capitalists seeking investment.

PRATT'S NOMINATION AWAITS FURTHER NEWS

Blow at Pineapples—Philippine Tariff Reduction Program—River and Harbor Bill—A Kuhio Anecdote—Hawaiian Interests Generally.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Jan. 16.—The hitch in the nomination of Mr. J. G. Pratt as postmaster at Honolulu referred to in my cablegram of a few days ago, came very unexpectedly. About a week ago Secretary Loeb stated at the White House offices that the President had ordered the nominations both of Mr. Pratt for Honolulu and of Mr. Desha for Hilo.

"These nominations," added the secretary, "will probably reach the Senate by Monday."

That was exactly a week ago, but three or four days after Mr. Loeb's statement, a hitch became apparent, as the nominations did not reach the Senate. Finally that of George L. Desha for Hilo was forwarded to the Senate, Saturday, the 14th. By that time it had developed that the post-office inspector, detailed to make an examination of the situation at Honolulu, as stated in my letter of several weeks ago, had reported by cable. He informed the Postoffice Department that Desha was "all right," but that he could not recommend Pratt because of "dishonest real estate transactions."

As President Roosevelt, in ordering the nominations, had written: "Appoint Pratt if there is nothing against him," Postmaster General Wynne refused to send the nomination in and took the papers to the President at the next Cabinet meeting.

The facts I have stated above are all still of a confidential character here in Washington. What the outcome will be cannot be stated with any certainty just at this writing. The situation has been brought to the attention of Secretary Atkinson, who will confer with the President about it very soon. Mr. Pratt is also aware of the reasons for the hold up of his appointment. He stated frankly he was well aware of the old case that had been raked up against him, and that, as attorney for a man engaged in realty transactions of a possibly questionable nature, he himself had been forced to assume part of the odium. It is not improbable that Mr. Pratt will visit the President and make a complete statement of the charge brought forward by the inspector. He is willing to do so, but will undoubtedly act on the advice of Secretary Atkinson. The entire Wyoming delegation of two Senators, Warren and Clark, and Representative Mondell, are

behind him and have endorsed him for the Honolulu postmastership.

If it is finally decided to have the charges looked into and to await the arrival of the inspector's report on Mr. Pratt, no nomination for a Honolulu postmaster can be expected for several weeks, perhaps not till after Congress adjourns. An investigation, with opportunities for a hearing on one or both sides, is the usual course in such matters. Much will depend on what Secretary Atkinson decides to do. The inspector's report against Mr. Pratt will be by no means final, although it will have great weight.

Delegate Kuhio, who has supported Postmaster Oat for renomination, has not thus far been informed of the reasons for the hitch in the case. He has noted the failure of the appointment to reach the Senate and was around to talk with Senator Foraker about it last Saturday.

Late this afternoon, shortly before the mail is leaving, I learn that Secretary Atkinson received a couple of cablegrams from Governor Carter about the nomination of Mr. Pratt. While expressing unwillingness to embarrass the administration these cablegrams reaffirm confidence in Mr. Pratt's integrity. They also contain a reference to a call from Mr. Desha, who assumes all the blame for the real estate transactions and exonerates Mr. Pratt from any culpability.

Today Mr. Atkinson has had a talk with Secretary Loeb about the case. He received a note from Mr. Loeb, setting forth briefly the reasons why the appointment has not gone in. Later he will probably talk with President Roosevelt. Mr. Atkinson and Mr. Pratt also went to see Postmaster General Wynne today and had a long talk with him about the case. Probably the papers in the inspector's report will be awaited, but the best opinion is that Mr. Pratt will receive the nomination in the course of a few weeks.

DUTY ON PINEAPPLES.

Assistant Secretary of the Treasury Armstrong has informed Secretary Atkinson of the intention of the Department to stand by the decision of Judge Morrow in the United States District Court of California, which virtually reduces the duty on imported canned pineapples, containing added sugar. This is of considerable importance to the pineapple industry in the Hawaiian Islands. Mr. Armstrong said an opinion of the Attorney Gen-

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COMMITTEE DEBATE ON FORTIFICATION OF HAWAIIAN ISLANDS

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Jan. 16.—In my last letter reference was made to the House debate on fortifications for the Hawaiian Islands, during the consideration of the fortifications appropriation bill. Since then I have been able to secure a copy of the hearings on that appropriation bill. As a rule those hearings are not made public, but permission was given in this case. The witnesses before the subcommittee, then preparing the bill, were General Alexander McKenzie, chief of army engineers and a good friend of Hawaii, having visited the Islands about two years ago on a special army mission, and Major Frederic V. Abbot, assistant chief of engineers. Representative L. N. Littauer, of New York, chairman of the subcommittee, did most of the questioning, but Representative Marsh, of Illinois, also participated.

Under the heading "Sites in Hawaiian Islands" the following interrogatories and replies occur:

Mr. Littauer. Now we come to the item for the procurement of land needed as sites for the defenses of the Hawaiian Islands. Last year you estimated for \$526,100 to buy as much land as you deemed necessary for the complete protection of the harbor. We appropri-

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WARSAW IS IN DISORDER

Strike is Subsiding in Other Important Parts of the Czar's Empire.

(ASSOCIATED PRESS CABLEGRAMS.)

WARSAW, January 28.—In a collision between strikers and the troops, two men were killed and many injured. The situation is worse. There are 200,000 unemployed in this city.

ST. PETERSBURG STRIKE SUBSIDING.

ST. PETERSBURG, January 28.—The strike is disintegrating. A general resumption of work is probable Monday.

MOSCOW IS QUIETER.

MOSCOW, January 28.—It is believed that the strike will disappear in a few days.

KUROPATKIN STORMS AND CAPTURES FORTIFIED POSITION

ST. PETERSBURG, January 28.—Kuropatkin reports that he has occupied Sande Pass after a desperate fight, the Japanese being strongly fortified. Two hundred cattle and 100 prisoners have been captured. The news creates satisfaction here.

REFUGEES FROM PORT ARTHUR.

CHEFOO, January 28.—After a week's buffeting four junks have arrived at Port Arthur with 170 refugees.

CHINESE FOR SAMOA.

BERLIN, January 28.—Germany will introduce Chinese into Samoa.

DEFEAT OF AUSTRIAN MINISTRY.

VIENNA, January 28.—The Government has been overwhelmingly defeated at the polls.

AFTERNOON REPORT.

ROCKPORT, Mass., January 27.—The new cruiser Maryland made 22.35 knots off here today on her trial trip.

OLYMPIA, Wash., January 27.—S. H. Piles was today elected United States Senator from the State of Washington.

WASHINGTON, D. C. January 27.—The Naval bill provides for the construction of two additional battleships for the Navy.

PRETORIA, January 27.—A diamond weighing 3,032 karats and valued at four millions has been found in the diamond fields near here. This is the most valuable diamond in the world.

THE FIRING ON THE CZAR AND THE MOB TURBULENCE

ST. PETERSBURG, January 19.—The festival of Epiphany, the blessing of the waters, had just concluded at 1 o'clock this afternoon when, simultaneously with the salute fired from the St. Peter and St. Paul fortress, a rain of bullets swept over the little chapel built over the frozen Neva in front of the winter palace, where Emperor Nicholas and every member of the Romanoff family were participating in the service. The missiles went high, entering windows of the splendid row of salons along the waterfront, from which the Empress, the ladies of the court and the members of the diplomatic corps, including Ambassador McCormick, Secretary Eddy and Second Secretary Bliss and all the high dignitaries of the State, army and navy were witnessing the glittering spectacle below. Fortunately the bullets passed over the heads of all present, striking the opposite wall and clattering

down on the parqueted floor of the white salon. The first impression of those who heard the crash was that it was due to falling crystals from the glass chandeliers and caused by concussion from the booming of the guns. Everybody had been laboring under a more or less nervous strain because of the strike situation, and when the truth was realized the windows were hastily vacated and the greatest excitement reigned within the palace.

BULLETS FROM BOURSE.

Lieutenant General Fullon, Chief of Police of St. Petersburg, himself picked up a missile in the White salon. It was the size of a bird's egg. The police chief was immediately surrounded by officers of the Guards, who examined the bullet and expressed the opinion that it had come from the battery located on the Bourse Esplanade and which replied to the salute of the St.

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