



# THE HONOLULU REPUBLICAN.

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HONOLULU, H. T., TUESDAY, AUGUST 6, 1901.

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## THE AVERAGE EXCUSE WAS OF LITTLE USE

### The Grand and Trial Juries Appear Before Judge Gear.

#### BUSY SCENES AS TERM CONVENES

#### ALLEGED WIDOW OF FIRE CHIEF HUNT NOW COMES TO THE FRONT.

#### Railroad's Answer of Denial, Claiming Right of Jury Trial—Court of Tax Appeals Much of Interest Reveals.

Judge Gear opened the August term of the Circuit Court yesterday, a term which will be an exceedingly busy one. Litigants, witnesses and spectators crowded the court room, the corridors and the stairways. It seemed that all who could get into the Judiciary building were on hand.

When, at the rapping of the gavel, the buzz of half suppressed conversation among the throng died away, the returns for the grand and trial juries were read, after which those who were of the opinion that they had reasons good enough to get them excused from duty began to lay them before the court.

The first to make excuse was Henry R. Macfarlane. He stated that he is the Consul at Hawaii for Denmark and therefore exempt from jury service.

The juror was excused, the court expressing regret that so mandatory an excuse should be given so early in the proceedings.

L. C. Ables next pleaded that he had served on juries more than his time. He said that he had served for the past twenty-one years. Judge Gear refused to excuse Mr. Ables.

The manager of the Honolulu Plantation, James Low, asked to be excused as his time would be occupied in the United States District Court as one of the defendants in the Pearl Harbor land condemnation suits. The court said that when the condemnation proceedings demanded the presence of Mr. Low it would be time enough to consider excusing him.

On account of his being about to make an extended trip in the Orient, N. S. Sachs was excused.

Then George Castle told about his plans to make a three weeks' trip on the other islands. He was going on business and pleasure, chiefly pleasure. Mr. Castle was not excused.

Fred Peterson wanted to be excused because of his being a notary, but was informed by the court that that was no legal excuse. C. S. Crane next begged to be excused. He was excused for the reason that A. W. Pearson of the Gazette Company are absent.

Prince David Kawananakoa was excused until Monday next that he might go to Hawaii to attend the funeral of Mrs. Parker.

There were many excuses forthcoming from trial jurors. E. F. Dillingham, who is on Hawaii on business, was excused until Monday. George F. Repton and P. C. Jones were granted a few days' leave. M. P. Robinson and David Lawrence were excused for the remainder of the week.

All jurors were excused until 10 o'clock this morning, neither the grand jury nor the trial jury being impaneled yesterday. Architect Beardslee, drawn on the trial jury, was excused for the reason that his presence is required on quarantine island while the improvements are being made there. W. S. Wood was not present at the first roll call of the grand jurors. His name was called again at the close of the examination, but there was no response.

#### August Term Calendar Called.

The calendar for the August term was called as soon as the grand and trial juries had been disposed of.

Counsel in all of the criminal cases were ready. All of these cases went over and will be set for trial later.

Then the divorce calendar was called, the cases being set for trial as follows: Kelikua vs. Kelikua, August 23; Houpo vs. Houpo, August 24; Ah Sae vs. Tom Chan, August 7.

at noon; Kellawe vs. Kolomona Kimo-keo, August 8, at noon; Kaonohi vs. Kaleialoha Kaonohi, August 12, at noon; Sam Moe vs. Chong Quon, August 19; Lopez vs. Lopez, August 9; Hattie Kanani vs. Jos. Kalo, August 13; Napua vs. Napua, August 12; Daniel vs. Daniel, August 15; Noholoa vs. Noholoa, Aug. 9; Peters vs. Peters, August 19; Nunes vs. Nunes, August 20; Straus vs. Straus, today at noon; Merrill vs. Merrill, continued to November term; Christley vs. Christley, next Saturday at 9 o'clock; Kumalae vs. Kumalae, continued until November term.

The large number of civil cases were ready for trial with only a very few exceptions. Those not ready for trial were continued.

The case of Gehring & Butake vs. Campbell & Minton was dismissed. The only default was that of the defendant in the case of Kwong Mow vs. Killoha.

The following cases were passed over to the disqualification of Judge Gear: S. Ahmi vs. Anne Waller, et al.; J. P. Mendonca vs. George Markham, Rosamond Naylor vs. Orpheum Company; Mace Bonville vs. Orpheum Company; Honolulu Investment Co. vs. Wilson & Whitehouse Company; J. L. Howland vs. Byron O. Clark; Eugene Avery vs. The Hawaiian Gazette Company; Eugene Avery vs. W. C. King; Henry Zerbe vs. The Honolulu Tobacco Company; David Dayton, guardian, vs. Helen K. Rowland, et al.; Honolulu Investment Co. vs. K. Rowland, et al.; John Cook vs. E. Colt Hobron; John Loeffler vs. Palama Co-Operative Grocery Company; T. W. Hobron vs. Charles L. Helm; E. H. F. Wolter vs. F. H. Redward; G. F. Gouveia vs. T. R. Walker, et al., trustee; Rita C. vs. Irving K. Tewksbury, divorce.

The cases continued to a special term of the court, after the present term, were: C. F. Jeune vs. Campbell & Pettus; L. L. McCandless vs. Samuel Andrews; A. R. Titlow vs. Albert Wythe, et al.; R. Isaacs & Bro. vs. Pacific Import Company. To the November term: Republic of Hawaii vs. Oahu Railway & Land Company; S. Kaul vs. John K. Sumner, et al.; M. J. Harrison vs. A. M. Brown; Naomii Kaahua vs. Kalanibua; T. V. King vs. Charles S. Deaky; Minnie Merrill vs. Loren W. Merrill; Lena A. Kumalae vs. Jonah Kumalae; L. B. Mitting vs. Henry R. Worthington, was continued for two weeks.

The case of Mahoahua vs. Tai Bun, ejectment, was set for today. Divorce cases were set for the noon hours of the next week or two. The first of these cases to be heard will be that of Evangeline Straus vs. Leon M. Straus, which comes up at noon today.

The case of G. F. Robert, trustee, vs. S. Kaul, et al., was stricken off the calendar.

In the divorce suit of Keapuni, Kaka-ha vs. Kaka-ha, a discontinuance was entered. Discontinuances were also entered in F. J. Cabral vs. N. J. Luiz and I. R. Burns vs. Mutual Telephone Company. Attorney Brooks was entered for plaintiffs in Gehring & Butake vs. Horita. Brooks was also entered as succeeding Paul Neumann in Tomi Sayami vs. Bujul Komatso. Hatch & Silliman were entered for Neumann in C. Brown vs. the Equitable Life Insurance Company.

An action to quiet title, T. R. Mossman vs. Emily P. Judd et al., was fixed upon as a test case for eight similar cases as follows: T. R. Mossman vs. S. M. Damon, et al.; Lucy K. Peabody et al. vs. H. R. Macfarlane et al.; C. K. C. Rooke vs. Mary M. Seabury et al.; Lucy K. Peabody vs. S. M. Damon, et al.; Lucy K. Peabody vs. Emily P. Judd et al.; Lucy K. Peabody vs. S. B. Dole et al., trustees of T. R. Mossman vs. Henry R. Macfarlane et al.

Claims to Be Hunt's Widow.

Mrs. Emma Hunt, who claims to be the widow of the late Fire Chief Hunt, appeared before Judge Gear yesterday morning and placed herself on record as a claimant to the estate.

Mrs. Hunt states that she was married to the deceased sixteen years ago in these islands. The estate of the late Hunt consists of about \$500 worth of personal property and real estate and a house and lot in this city worth about \$7000, carrying a mortgage. Judge Gear granted an order, Attorney Wilder having presented a petition, that W. George Ashley be made administrator.

The case of William A. Hall vs. Winam, in equity, bill to cancel a lease was up before Judge Gear yesterday afternoon.

Hall, the plaintiff, a youth who has recently attained his majority, was on the stand and told how he had been in the habit of borrowing, at different times and frequently, various sums of money from the defendant, giving him no more security than his personal note, unendorsed, and how

while he was still a minor, and while his estate was under the guardianship of W. O. Smith, he had leased certain valuable land to Winam, hiding the duplicate of the lease so that his wife would not get hold of it and show it to W. O. Smith.

Hall went on to relate how his wife finally found the duplicate of the lease and was the means of his guardian finding out that he had leased the property to Winam. Winam and Hall were sent for by the guardian, the lease was torn up and Winam informed by the guardian that it was no good.

Hall afterward made out another lease to Winam at a higher rental. Now, having come of age and having found out that his land is worth a great deal more than he ever suspected, and realizing that he could lease the property for a great deal more money than is being paid by Winam, Hall wants the lease cancelled.

Oahu Railroad Makes Answer. The Oahu Railway and Land Company has filed an answer in the United States District Court in the matter of the Pearl Harbor land condemnation proceedings.

The railroad company claims that its land is not necessary for such public uses as are named in the petition, and that the operation of the railroad as now constructed across the portion of the lands named would not interfere with or defeat the use intended to be made of the remainder of the lands required for a naval reservation.

The company denies that the use sought for its land is more necessary to public use than that for which it has already been appropriated.

It denies that any paramount necessity exists for the condemnation of its lands by the petitioner. It also denies that the value of the lands sought is truly stated, saying that it is far greater than \$16,800. It states that the value of its interests in the lands in question and the damage resulting to it by the condemnation is in the sum of \$85,000. It goes on to claim that its land is of special and peculiar value, that it is especially adapted to the use to which it is now being put.

The removal of the railroad track would, the company claims, involve extensive rock cutting and tunnelling, the securing of new rights of way, the laying of two and a half miles of track and the building of that much roadbed. The right to a trial by jury is claimed.

The McInerney Libel Suit. The libel suit of E. A. McInerney & Company vs. the bark C. D. Bryant came on for trial in the Federal Court yesterday morning.

The suit is brought to recover on goods damaged in the fire which took place in the hold of that vessel not long ago.

A value of \$1100 was placed on the goods in question. When the damaged cargo was sold at auction these goods brought \$391. The plaintiff asks for judgment for the balance. Witnesses were put on by the defense in the afternoon. The case continues today. Hatch & Silliman represent the plaintiff; Kinney, Ballou & McClanahan having charge of the defendant's case.

The Court of Tax Appeals. The Court of Tax Appeals for the First Judicial Circuit sat in the hall on the ground floor of the Judiciary building yesterday afternoon at 1:30 o'clock. Almost one hundred tax appeal cases were called. Appeals heard by Judge Wilcox yesterday were those of Mrs. Gray, Lady Mary Hammond Graham, Grinbaum & Company, Carniol Estate and Mrs. Bickerton.

There was much argument on the part of counsel and some interesting questions arose in regard to taxation.

The main question arising in most of the cases was as to whether the owner of property valued at a certain amount was to be taxed for the full value of the property when he had leased it out for a term of years, the lease still having a long time to run, and when the property was, as a matter of fact, not worth to the owner the amount for which it was assessed while the lease continued.

Cecil Brown, representing Lady Mary Hammond Graham, whose property had been assessed at \$75,000, thought that it was manifestly unfair to tax on an assessment of \$75,000 when there was a twenty years lease of the property to be taken into consideration. If there was no lease, Mr. Brown admitted, the property would be worth \$75,000, but, with the lease, he thought that \$45,000 was the fair figure.

W. O. Smith wanted to know who was going to pay taxes on the \$30,000 difference.

Mr. Brown contended that there was practically no difference as far as the owner was concerned as long as the lease held good.

Another interesting point was raised when, in the matter of a \$12,000 building being erected on land that was being leased, W. O. Smith argued that the owner of the property ought

to be taxed for the full value of the property when he had leased it out for a term of years, the lease still having a long time to run, and when the property was, as a matter of fact, not worth to the owner the amount for which it was assessed while the lease continued.

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## SALVATIONISTS MEET EXPANSION'S WAVE

### Red Warriors Glorify Over Many Bloodless Battles.

#### CELEBRATES SEVENTH BIRTHDAY

#### LOCAL CORPS SOUNDS THE KEY-NOTE FOR INCREASED ACTIVITY AND FIELD.

#### Major Wood Submits Facts and Figures—Gratifying Progress in Hawaiian Islands—Needs of Marine Branch.

From all outward appearances the Salvation Army of the Hawaiian Islands has been hit hard by a generous wave of expansion. The keynote has been sounded. The Army has made the declaration that it has outgrown its present confines and limitations. The need has been emphasized that a building solely for its own use must soon be forthcoming, if the local corps would keep pace with its growth.

Such were some of the matters taken up at the anniversary meeting held yesterday evening in the auditorium of the Young Men's Christian Association building.

The meeting marked the closing of a rousing and successful campaign which Lieut. Col. George French and Major Alfred Harris of San Francisco have conducted for the past week or ten days. In their work in these islands the visitors have been ably assisted by Major and Mrs. George Wood of the local corps. At the same time the seventh birthday of the Salvation Army of Honolulu was fittingly celebrated. The work in this city and throughout various portions of other islands in the group was carefully reviewed. Leaders from Maui, Kauai, Hawaii and other points were in attendance, and recounted their long list of gratifying successes. The work locally was presented through Col. French, from figures submitted by the Divisional officer of Honolulu, Major Wood.

Col. French made a strong and powerful address in which he emphasized the great need of a marine branch of the work of the Army. It was pointed out that in all large seaport towns this work was considered essential. Since he has been a guest of the local corps, the Colonel has been making investigations in regard to the formation of a marine division. The idea has been considered by Major Wood for some time, but it was felt that the time was hardly ripe for springing the proposition.

Col. French gave a graphic description of the results achieved through the work among seamen in other places. He was of the opinion that the Salvation Army was losing considerable valuable material in continued neglect of this virgin field.

Col. French then took up the Anniversary of the Army in the Hawaiian Islands. He complimented Major and Mrs. Wood, with the subordinate officers of the corps, upon the success achieved. A glowing tribute was paid to the untiring efforts of all connected with the upbuilding of the Salvation work in the islands. The statements for the past ten months were reviewed. Conversions reported numbered 537. War Cry circulation has reached startling figures. There were 101,762 copies disposed of throughout the islands. These were printed in English, German, Spanish and Japanese. It was shown that the Army officials were constant visitors to the homes of the sick and afflicted. Practically 4000 hours were consumed in the period in this work. Open air meetings numbered 1194. Indoor services held numbered nearly 1000. The total attendance at these services was believed to reach 64,382. The attendance of Juniors amounted to 14,745.

Reference was made to the Salvation Army securing a piece of valuable property at Kakaala, where it was hoped that at some not very distant time the Army would be enabled to establish one of their celebrated farms.

The enrollment of soldiers showed a substantial increase. It was placed at thirty per cent. The Juniors have quadrupled their membership. Twelve corps cadets are now included in the

ranks. The enrollment of officers has increased from 11 last year to 20 at the present time. Sunday schools have increased from 6 to 13, while the classes included in these schools have jumped from 12 to 25.

The work of the Home for Fallen Women was briefly touched upon. The statement was made that to date something like \$1200 has been expended in this work. Progress was noted in the prison work. Three convicts were reported.

Out of modesty, Major Wood refrained from enumerating several "targets" which he had set up for the inspiration of the members of the local corps. However, Col. French did not let his timidity get the better of him, and he made known the purport of the Wood "targets." They turned out to be ambitious desires of Major Wood as well as an outlined plan of work for the ensuing year.

When the eighth anniversary comes around next August, Major Wood hoped for a record of 190 converts. The starting of two or three new circuits at the various plantations. To perfect the organization of the work and raise ten more officers. To increase the soldiers' roll to 100 additional. To develop the work among the foreign laborers now coming to the islands. Last but not least, the erection of a barracks.

Throughout the evening, a varied and interesting program was launched. Bandmaster anon recounted the manner of his conversion, laying the happy event of his life to the bass drum. He closed by rendering a vocal solo.

Captain Lewis of Kauai spoke of the work on the Garden Isle. A new hall has been erected and a half dozen conversions have recently been made. The work of the Army was reported as most successful. Prosperity for renewal success were exceedingly bright.

Captain Bamberger told of the progress made on Maui. He stated that the past ten months had been a period of success. Two hundred penitents had sought salvation. Many were saved, some joined the church, and several had enrolled themselves under the banner of Christ. The leader reported that the genuine article of Christian was pretty scarce on Maui. Not many were found on the plantations. The sale of the War Cry was stated to have been quite large. The Japanese were praised and were said to make good Salvationists.

Captain McGowan of Waimea, Kauai, dwelt briefly upon his labors in his district. He claimed that there was plenty of material on which to work. Results had been fair, considering the field. The only work being done for the recently arrived Porto Ricans was being done in this district. The building for the Chinese Sunday school was now completed.

The addresses were followed by remarks from Captain Burgess of the local corps. A solo in the Japanese tongue was sung by alto, a Maui convert.

Major Wood took occasion to express his pleasure over the work accomplished by his able lieutenants in the ranks of the Salvationists of Honolulu. He complimented them for their vigilance in religious endeavor. To the visitors he spoke words of regret that they would soon be obliged to leave for their homes on the mainland. He hoped that when they paid a second visit, still greater growth would be noted.

Major Harris and Major Wood will soon leave for a three weeks' trip to the other islands. Col. French will leave for San Francisco by the Sonoma.

Mrs. Parker's Obituaries.

A beautiful service was held Sunday afternoon over the remains of the late Mrs. Samuel Parker at the old homestead in King street. By courtesy of Acting Governor Cooper the band played in the grounds before and after service, while the Kawaiahaeo choir sang appropriate hymns at the service. The Rev. H. H. Parker rendered a beautiful tribute to the departed lady's good work during her life. The remains will be taken to Hawaii today for interment in the Parker cemetery at Mana.

Artistic Advertising.

A member of The Republican lately received from A. Barlow, assistant general passenger agent and treasurer of the Union Pacific Railroad, an artistic folding card advertising the dining car service operated by the Pullman Company on the Overland Limited. It contains an account of the Pony Express that preceded the railway and telegraph across the plains, embellished with four illustrations in several colors, together with the menu of a dollar dinner in the Pullman dining car. With the card

came a booklet, "Talk of Pony Express," containing an interesting paper written by Colonel John Doniphan of St. Joseph. It is printed in facsimile of the report in the Kansas City Times of the meeting of the Old Settlers' Association at Kansas City. Mr. Darlow is in charge of the Union Pacific advertising and in that capacity has produced some beautiful works directing tourists to the Hawaiian Islands.

HOUSEWARMING PARTY. Invited Friends Enjoy the Hospitality of Mr. and Mrs. Beerman.

Invited friends of Mr. and Mrs. Beerman were treated to an enjoyable housewarming party at the new residence of the Beermans on Pilkoil street Saturday evening. The time passed merrily with informal sociability and dancing. Light refreshments were served.

Among those present were: Mr. and Mrs. H. H. Beerman, Mr. and Mrs. Burnett, Mr. and Mrs. C. Carlson, Mrs. Hayes, Mrs. Hall, Miss Wolf, the Misses Beerman, Miss Danielson, Miss Castrow, Miss Carter, Miss Bent, Miss Ferguson, Miss Cooke, Miss Carlson, Mr. Owens, Mr. Cockburn, Mr. Corby, Mr. Cradell, Mr. Rosendorf, Mr. A. Perry, Mr. Bickerton, and Mr. Bent.

THE STRANGE AND SUDDEN DEATH OF JAPANESE WOMAN

Drops Lifeless While Talking Excitedly To Her Husband and a Friend Yesterday Afternoon.

Something of a mystery surrounds the sudden death of Tono, a little Japanese woman, who, while in the midst of an excited conversation, dropped lifeless yesterday afternoon in a house on the west side of King street, near Liliha street, in the presence of her husband and Nakamura, a former jail trusty.

Whether or not the mystery will be cleared up this afternoon at 2 o'clock, when the inquest will be concluded, remains to be seen.

There are various theories and rumors of theories as to the cause of the peculiar death and, until the method of the little woman's death is established beyond the shadow of a doubt, the public is at liberty to take his choice in regard to solutions of the puzzle.

It was about 3:30 o'clock yesterday afternoon when the husband of the dead woman was engaged in conversation with the former jail trusty in his room in a house on King street, above described. The two were talking earnestly and, apparently, were engaged in a somewhat heated argument.

Suddenly the door burst open and Tono, the woman who now lies dead, entered and joined in the conversation.

Her chipping into the conversation was somewhat in the nature of an interruption which was not particularly relished by the two men. Something was said which rendered her excited and she gave her tongue free play.

Her actions were very peculiar and the men saw that something was evidently wrong. While they were wondering what it was, however, the woman suddenly dropped to the floor, unconscious.

The now thoroughly frightened husband rushed to her assistance only to find that he could not bring his wife back to consciousness. Medical aid was hastily sought and Dr. Mitamura responded. He made an examination of the woman and pronounced her dead.

Whether the woman came to her death through heart disease or some other ailment which terminated life without a moment's notice or whether there was foul play somewhere, poison for example, remains to be seen.

A coroner's jury, consisting of the following, was summoned as soon as the police were notified: G. Macy, A. Lucas, J. Shaw, A. Buchanan, C. H. Fox and J. J. McDonald.

Weight vs. Love. COLUMBUS (O.), July 21.—Stella Enslie of Bowling Green, O., wants \$5000 from a prominent young farmer of the same vicinity. Miss Enslie avers that the young man promised to wed her eight years ago, has backed out of his promise, and should be assessed heavy damages. In his answer to the bill the young man says that he courted Stella when she was a cute armful, weighing 125 pounds. She now tips the scales at 219 pounds.

Disinterested parties suggest two remedies—either that Stella train down to, say, 210 pounds or that the young man join a circus, take a course of elephant training, and then make his matrimonial promise good.

Various Statements Attributed to Mr. Bell by the Seattle Post-Intelligencer Which Are Very Misleading in Many Ways.

Next to a "wealthy planter," a live and learned "professor" from the Hawaiian Islands is about as good a catch as a mainland reporter wants to make. Seattle reporters would appear to have had their pick of a large school of this kind of fish this summer. The Post-Intelligencer announces the arrival of about twenty school teachers from the group in one day.

That Seattle paper got a "bite" from "Prof. J. N. Bell, of North Kohala, in the Island of Hawaii," and landed him. He is represented to have taught school in the vicinity of Seattle nine years ago and not been there since. According to the latest directory, Mr. Bell is principal of the Ainakea school and Mrs. Bell a teacher thereof, their postoffice address being Kohala. Therefore, unlike the majority of our wealthy planters discovered roaming abroad, Mr. Bell is genuine right enough.

It is to be hoped, however, that the professor may come forward and disclaim the greater part of the interview attributed to him. Even where it deals with the educational institutions of the country, its statements are very much "off." There is nothing wrong with the opening paragraph in this connection, which reads thus:

"The educational system of the islands at the present time is in a good state of perfection. In fact it is just as good as it is in any part of the United States. We have a better compulsory law than you have, for every morning a policeman visits the school and finds out who is absent, and if there is not a good cause the absentees are apprehended and brought to school."

But for the following reference to select schools Mr. Bell, if he really spoke as reported, deserves a calling down of the Superintendent of Education. There are no racial lines drawn in the Hawaiian public school system, and neither government nor private schools "for the exclusive use of white children." This, however, is what Mr. Bell is reported as saying on that score:

"There are two classes of schools in the islands. First, there are the government schools, which are for the natives, Portuguese, Japs and Chinese. Then there are the select schools, some of which are supported by the government and some of which are private. These latter are for the exclusive use of white children. It would never do to allow the whites to go to the same school as the natives for the reason that among many of the latter and particularly among the foreign element the morals are low. There are now all the schools necessary in the islands for the education of all the children and you would be surprised to see the progress which is being made."

When Mr. Bell strikes politics, the first objection to be raised, without even reading what he says, is that a public school teacher has no right to discuss partisan politics when abroad any more than when at home. In the following statements attributed to Mr. Bell he leads out with one of those half truths that are apt to be more misleading than sheer untruths. The record of the latter half of the Republic's regime is such as to disprove the proposition that opposition to Mr. Dole's administration is exclusively native Hawaiian, while evidence in the same line is abundant in the history of the first elections of the Territory as well as in the political controversies succeeding. Mr. Bell is reported

(Continued on Fourth Page.)