

GILBERT ISLANDERS

MANY OF THOSE WHO LEFT HERE ON THE ISLEWORTH FOR THEIR NATIVE ISLANDS HAVE SENT FOR THEIR CHURCH LETTERS OF DISMISSION FROM KAWAIAHAO CHURCH IN ORDER TO UNITE WITH THE CHURCH IN THE ISLAND OF ONOTO.

A considerable number of the Gilbert Islanders who left here by the steamship Isleworth for the homes in their native islands which they had not seen for more than twenty years, have sent to Rev. H. H. Parker of Kawaiahao Church for their church letters. They want to be dismissed from this old missionary church here, in order to unite with the church in the Island of Onoto. This island is one of the southernmost of the Gilbert group, and more of the Gilbertese who lived so long in Hawaii were from this island than from any other of the group.

The fact of their sending for their church letters is taken as a sign that they are satisfied, and expect to spend the remainder of their days there.

Rev. Hiram Bingham has received

AWFUL DEATH OF A. E. TULLOCH

WAS CAUGHT IN A CAVE-IN OF A BANK WHERE HE WAS DIGGING PITS AND TUNNELS FOR THE PURPOSE OF MAKING CHARCOAL—NEIGHBORS CAME TO THE RESCUE BUT ARE TOO LATE—HIS CAREER.

HILO, December 29.—A. E. Tulloch, an old resident of this island, was killed near his home at twenty-two miles, Olaa, by the caving in of a bank on Monday afternoon.

Mr. Tulloch was one of the early settlers in Olaa and had tried coffee growing with indifferent success, and when the Olaa Sugar Co. was organized and his land was considered too high up to be of use for cane and was not bought with other land in the vicinity he began planting cane on his own account, but the result was not satisfactory. Recently he abandoned the cane and decided to cut down some of the timber on his land and make charcoal.

With this in view he began the construction of charcoal pits on a rather elaborate scale, turning dips into the banks and then making tunnels extending for quite a distance into the bank. He had graded the tunnels and was finishing up his work prior to laying a wooden track when the bank caved and he lost his life.

After partaking of luncheon with his children he went to his charcoal pit at the edge of the timber to resume his work and as he did not return at five o'clock one of his boys went to the place to ascertain why. He saw no signs of his father but found that the bank had caved in and in his frenzy began digging at the earth with his hands. He soon gave up and ran to inform his sister who, in turn, notified F. G. Snow, one of their nearest neighbors. Mr. Snow called his men together and with picks, shovels and hoses hurried to the spot.

Live shark at the Aquarium.

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letters from Rev. Charles Isaias, who was the pastor and leader of the returning exiles, in which he says that the older member of the party, which is by far the larger number of them, are very much delighted to be back in their native islands and are very well satisfied with their condition there. Some of those who were born in Hawaii or who left the Gilbert Islands when they were very young, find life rather dull in that distant part of the Pacific, and the food supply there does not offer the same variety that they had in Hawaii. Nevertheless, it is said, they are getting accustomed to their new home, though some of the younger ones are making efforts to get back to Honolulu, and some of them doubtless will turn up here.

The route of the pit was long and it was not known where Mr. Tulloch was working when the bank caved. It was some time later when Mr. Snow, digging down near the end of the pit, found one of Mr. Tulloch's hands reaching over his head. Careful digging followed and the body, in an upright position, was found, his arms stretched as though he was trying to shield himself from the tons of dirt that had started to fall.

When found the body was limp and artificial respiration was attempted in the hope that he might be brought to life. This was continued until the arrival of Dr. Curtis and the limbs had become stiff.

The remains were brought to Hilo on the morning train on Tuesday and funeral services were held from the Foreign Church at three o'clock in the afternoon.

He was one of the best known of the Olaa settlers, of a high moral character and respected by everyone who knew him. He was a promoter of temperance movement among the employees of the Olaa Sugar Co., in whose employ he was for some time as a wheelright. His interest in small farming and cane cultivation brought him into prominence with his neighbors and he was a leading spirit in the movement to organize a small company that would handle the cane of the owners of lots in upper Olaa, a plan which did not attract much attention from the financial men whom he believed would take hold of the scheme and put it through.—Hawaii Herald.

Relief After Six Years—Mrs. M. A. Clark, of Timberrange, N. S. W., Australia, writes: "I wish to inform you of the wonderful benefit I have received from your valuable medicines. I suffered from a severe cough for six years and obtained no relief until I took Chamberlain's Cough Remedy. One bottle cured me and I am thankful to say that I have never had the cough since. Make any use of this letter that you like for the good of any other poor sufferers." For sale by all dealers, Benson Smith & Co., agents for Hawaii

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Senator Mitchell Indicted

(Associated Press Cable to The Star).

PORTLAND, Ore., Dec. 31.—United States Senator J. H. Mitchell and Congressman Herrman have been indicted on charges of conspiracy to defraud the government out of public lands.

TOGO TO THE SPIRITS OF DEAD COMRADES

TOKIO, Dec. 31.—Admiral Togo addressed the spirits of the dead soldiers and sailors at funeral services held here today. The ceremony was attended by an immense throng.

A BIG CHICAGO FIRE.

CHICAGO, Dec. 31.—A fire in the business section today did damage amounting to \$600,000.

RUSSIAN OIL STRIKE SERIOUS.

TIFLIS, Dec. 31.—The oil strike at Naku continues and is becoming very serious.

CHADWICK IN NEW YORK.

NEW YORK, Dec. 31.—Dr. Chadwick has arrived here from Europe and has been taken to Cleveland in connection with the indictment against himself and his wife.

DEMANDS PROMPT PUNISHMENT.

CONSTANTINOPLE, Dec. 31.—The American legation here demands prompt punishment of the men who recently looted the American caravan.

REMOVED FOR ALLEGED LAND FRAUDS.

WASHINGTON, D. C., Dec. 31.—President Roosevelt today directed the removal of J. H. Hall, United States District Attorney for the District of Oregon, for alleged connection with land fraud cases.

SUGAR GOES UP.

SAN FRANCISCO, Dec. 30.—The New York price of 96 degree test centrifugals this day is 4.83 cents a pound. The last previous quotation was November 15, 4.625.

Richardson Demurrer Was Over-Ruled

SUPREME COURT CLOSES ITS YEARS' BUSINESS WITH A DECISION IN THE CASE OF EDWIN VIVIAN RICHARDSON, THE FORMER WATER WORKS CLERK WHO IS CHARGED WITH EMBEZZLEMENT OF GOVERNMENT FUNDS.

The Supreme Court sat this morning for a brief spell and handed down its decision in the case of Edwin Vivian Richardson charged with embezzlement while employed as clerk of the Honolulu Water Works. The matter at issue was the exception to the overruling of a demurrer to the indictment charging Richardson with embezzlement on the grounds (1) that it charged no offense against the law, (2) that it was duplicitous and (3) vague and uncertain.

The syllabus of the court's decision is as follows: Indictment of officer for embezzlement. Averment of appointment. In an indictment of an officer for embezzlement, it is not necessary to set forth particularly in what manner or by whom he was appointed.

Duplicity: Under a statute relating to embezzlement by officers and others who are charged by "law, regulation or appointment" with the safe-keeping, transfer or disbursement of money, it is not duplicitous to aver in an indictment that the officer was so charged by "law, regulation and appointment" instead of by only one of these methods if they are not inconsistent methods.

What officers liable: Under such a statute, an inferior officer or clerk whose office or appointment is recognized by statute only in the appropriation bill, is within the statute if he is charged with the safe-keeping, etc. of money by regulation or appointment; he need not be charged by law.

Regulation or appointment not inconsistent with law: A clerk of the water works may be charged by regulation or appointment with the safe-keeping, transfer or disbursement of money although the superintendent of water works is charged by law with the duty to "collect all water rates from ships and persons in Honolulu or its vicinity."

In the question raised as to the appointment or otherwise of the accused the decision runs:

ENTERPRISE ARRIVES AT HILO.

The S. S. Enterprise arrived at Hilo yesterday from San Francisco.

KINAU ARRIVED TODAY.

The steamer Kinau arrived this morning shortly before noon from Hilo and way ports. She brought a good sized crowd of passengers, many of those returning being school children who had been away on the other islands enjoying Christmas vacations.

"In our opinion the defendant could be charged by regulation or appointment as well as by law with the safe-keeping, transfer or disbursement of moneys. The cases cited by defense are not in conflict with this view. In none of the statutes construed in those cases were the words "regulation" or "appointment" used. In such of these cases the question was whether the officer indicted was one who was charged by law with the safe-keeping, etc., of money. If, as we hold, an officer may be so charged by regulation or appointment as well as by law, the present case is clearly distinguished from the cases relied on by the defendant.

"Nor do we think that the statute which describes the duties of the superintendent of water works would prevent the clerk of the water works from being charged by regulation or appointment with the safe-keeping, transfer or disbursement of moneys. The section referred to, C. L. Sec. 315, provides for the appointment of the superintendent of water works "whose duty it shall be to keep the conduits or pipes for the conveyance of water in repair; collect all water rates from ships and persons in Honolulu, or its vicinity, and perform such other duties in connection therewith" as the superintendent of public works may prescribe. It does not follow that because the superintendent of water works is to "collect" all water rates from ships or persons in Honolulu or its vicinity, the clerk of the water works could not be charged with the "safe-keeping" transfer or disbursement of money so collected for such purposes or from such persons, not to mention other money, even if he could not be so charged, within the meaning of the statute, with the duty to "collect" water rates by way of assisting the superintendent of water works, the latter being responsible for such collection.

"The exception is overruled and the case is remanded to the circuit court for further proceedings."

CLUB DECISION NEXT WEEK.

Attorney General Andrews filed his brief in the Pacific Club case yesterday morning. Judge Whitney will not render a decision until next week.

SUGAR ON HAWAII.

Parson Birmingham of the steamer Kinau reports the following sugar on hand at Hawaii plantations: Waialua, 5000 bags; Waiuku, 3000 bags; Lanipuna, 5,000 tons.

FRIENDS OF JACK ASHORE

ANNUAL MEETING OF THE SAILORS' HOME SOCIETY—REPORT OF THE SUPERINTENDENT OF THE HOME—THERE WERE NO SHIP-WRECKED CREWS ARRIVED THIS YEAR—THE HOME NOT SELF-SUPPORTING BUT IS CONSIDERED WELL WORTH SUPPORTING.

The annual meeting of the Sailors' Home Society was held this morning at the office of the Secretary F. A. Schaefer. Officers will be elected next month. The matter of principal interest was the report of the superintendent of the Home, which was as follows:

The eleventh annual report of the Honolulu Sailors' Home must needs echo the cry of all other Honolulu business affairs. The usual annual shipwrecked crew has not put in an appearance. No government fleet has come to our harbor to quicken our finances, and defalcations have been more numerous.

Nevertheless, the Home has supplied a still important need of the port. Men of the sea have come to their natural headquarters. We have had 4 captains, 6 mates, 10 second mates, 1 third mate, 5 boatswain, 14 ships carpenters, 247 able seamen, 21 ordinary seamen, 18 cooks and stewards, 3 cabin boys, 3 engineers, 14 firemen and coal passers, 363 transients (mostly sailors), making a total of 812 and representing twenty-one nationalities.

These hundred and thirty-one officers and seamen have shipped from the home, 9 seamen have shipped in the United States navy, 12 seamen secured shore employment. For safe-keeping, banking drafts etc., the superintendent has handled for officers and men \$1957.50, 198 letters have been received for sailors 32 letters have been forwarded to other ports, 9 letters from anxious friends concerning sailors have been answered.

Fifty-two destitute seamen have been assisted. Amount of assistance \$114. There were 99 defaulters. Amount \$257.90. Collected on old debts \$41.10; expended for repairs, \$22.75; expended for renewals \$67.95; gross receipts \$2,552.55; gross expenditures \$2,552.55.

Our reading room has had an unusual supply of interesting reading and illustrated matter contributed by numerous friends, and many packages of books and papers have been distributed to departing ships.

As the year closes the constantly de-

creasing sugar fleet of sailing ships is arriving, and prospects for business are better. The property is in as good condition as can be expected after a service of eleven years.

Respectfully submitted,
ISALAH BRAY,
Superintendent.

The following is the letter of transmittal of the report:

F. A. Schaefer Esq., Secretary Honolulu Sailors' Home Society,

Dear Sir: In handing you the inclosed report I beg to call your attention to the balancing of accounts, I have made this possible by an overdraft, or loan on my part of \$222.95. Aside from this the Treasurer of the Society has paid electric light bills for repairs months, also about \$100 for services etc. For the benefit the Electric Light Co., receives from the attention well in our yard, the matter of lights in addition to the water privileges, would be small compensation. All bills are paid with the exception of \$32 for the sewer rates for 1904. I have not settled this bill for two reasons. One, that I have not the means. Another, that I am not sure it is necessary.

Although the home comes short of balancing all accounts at the close of this, and last year, you will notice by the report that it is still a most useful and desirable beneficiary for this port.

When general business of the port revives, permanent boarders such as mechanics etc., will more or less solve the problem of expenses, and the home will still be available to all visiting seamen.

Respectfully yours,
ISALAH BRAY,
Superintendent.

Honolulu, December 31, 1904.

The report of the treasurer, Senator E. Faxon Bishop, shows that there had been received donations from H. Hackfeld & Co., W. G. Irwin & Co., Castle & Cooke, Theo. H. Davies & Co., M. S. Grubbam & Co., F. A. Schaefer & Co., Allen & Robinson, C. Brewer & Co., Bishop & Co., Alexander & Baldwin, and Oahu Railway & Land Co.

TO CABLE FANNING ABOUT WEISBARTH

BACKERS OF HAWAIIAN VIKING CONSIDERING ADVISABILITY OF MAKING CABLE INQUIRIES.

Backers of Captain Weisbarth the Hawaiian Viking are considering the best methods to pursue to ascertain some information regarding the movements of his vessel, the schooner Lavinia.

Unless something be heard from him within a day or so, a cablegram is to be sent to Fanning Island asking if any trace of him has been found. The only thing which deters the Honolulu backers of Weisbarth's expedition from sending some sort of relief expedition after him, is the fact that he is a man of such infinite resources that difficulties which would lay the average man prostrate, would make no difference to him. Although the vessel has undoubtedly run short of provisions, it is the belief of his backers that, in all likelihood, he has gotten sufficient to keep him and his crew of Palmyra Island, or else he has gone to some other island.

JAN. UNDERWEAR SALE.

Beginning Tuesday morning at Sachs' will be a great reduction sale of ladies' muslin underwear. Remarkable bargains promised. Sale for one week only.

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SAVE YOUR MONEY.

The Twenty-Ninth Series of Stock in the Pioneer Building & Loan Association was issued in July, 1904, and is now open for subscription. The membership fee is fifty cents per share, and the monthly fees are one dollar per month per share. The stock draws much better interest than a savings bank.

Further information can be obtained from A. V. Gear, Secretary, 122 King street.



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