



# MERRY CHRISTMAS



TELEPHONE 365  
STAR  
BUSINESS OFFICE

## The Star Is An Intelligent, Progressive Newspaper HAWAIIAN STAR

SECOND  
EDITION

VOL. XVI.

HONOLULU, HAWAII, THURSDAY, DECEMBER 24, 1908.

No. 5221

# REOPEN CONTEST FOR MAYOR

## WALDEYER LOSES DAMAGE SUIT

VERDICT FOR WAILUKU SUGAR COMPANY IN SUIT FOR OVER \$35,000 DAMAGES FOR BREACH OF CONTRACT—LIBEL SUIT FOR \$20,000 ENTERED AGAINST FORMER MANAGER WELLS BY WALDEYER—LIGHTFOOT THROWS UP RETAINER.

After three hours deliberation the jury in the suit of Carl Waldeyer vs. the Wailuku Sugar Company, which has been tried before Judge Kepoikal in Wailuku, a verdict for the defendant was brought in last night. The suit was for \$35,379.8 in damages for alleged breach of contract.

The trial of the case commenced on November 20, and has continued without pause ever since. The firm of Kinney, Prosser & Anderson represented the defendant and Judge Quarles and J. Lightfoot the plaintiff. W. A. Kinney has spent his entire time on the case in a most painstaking manner, the thoroughness with which he has examined every detail being shown by the fact that he spent nine days in the cross-examination of Waldeyer alone.

The suit arose through alleged breach of contract on the part of the Wailuku Sugar Company, who Wal-

deyer asserted had failed to approve sites and furnish supplies for a number of long tunnels in accordance with an agreement which was part of the contract under which Waldeyer was to build the tunnels.

Within the last few days a new complication in the matter arose through the filing of a suit for libel against C. B. Wells by Waldeyer. Claim is made for \$20,000 by Waldeyer who alleges that, in statements made in regard to the matters just settled through the verdict brought in last night, his character was defamed by Mr. Wells, who was, until a few months ago, manager of the Wailuku Sugar Company. Mr. Wells is at present in this city.

It is understood that, as the result of a quarrel over the work to be taken up in the libel suit, Attorney Lightfoot has quit Waldeyer's services, which will leave him in the hands of the firm of Atkinson & Quarles.

## CAMPBELL TRUSTEE

The contest between R. W. Shingle and Harry Von Holt, for the position of trustee of the Campbell estate, was ended this morning by the filing of an answer to the petition of J. O. Carter and Cecil Brown in which the respondents agree on the selection of Von Holt as the third trustee of the estate. The petition was signed personally by Princess Abigail Kawananakoa, Alice K. Macfarlane and Muriel Campbell, the other heirs signing through their guardians.

This ends the trouble which was first brought up by the petition of

Princess Kawananakoa and her children that Shingle be appointed trustee. This petition was dismissed by Judge De Bolt, and an appeal from this decision taken to the Supreme Court. In the meantime J. O. Carter filed a petition asking that Von Holt be appointed. A motion was entered against this by the respondents on the ground that the petition to appoint Shingle was still before the Supreme Court. Now the whole matter has been settled and the appeal will be withdrawn.

In addition to this, other matters in the Campbell family came up before the court. The withdrawal of Samuel Parker as the guardian of Mary Beatrice Campbell was received and accepted by the court and R. W. Shingle appointed in his stead.

Best cups of coffee in the city at New England Bakery.

## New Election For Kauai Auditor

After a scene in court which might well be styled a comedy of errors, the Supreme Court this afternoon declared the contest between George Baker and Charles Blake for the office of auditor of Kauai to be a tie, each contestant receiving 425 votes. A new election will be held.

The case was continued yesterday afternoon till ten o'clock this morning for a decision on the motion of Blake's attorneys that they be allowed to subpoena the election inspectors of one precinct. Instead of taking this matter up in open court the justices retired to chambers and recounted all the ballots. Decisions were made in three cases, one of which was in favor of Baker and two in favor of Blake.

When the court met at 2 o'clock Chief Justice Hartwell announced that one ballot was very heavily marked for one candidate, and the court was in doubt whether to count it or not.

He refused to say for whom it was but asked for argument by the attorneys on their views of the matter. Peters and Davis held that the ballot should be counted and Watson and Thayer that it should be rejected. The vote, after a short recess, was decided on as valid and then the attorneys found that each side had argued against its own client. Naturally there was laughter.

The court decided that the costs of the recount should be equally divided between the two contestants and adjourned after being wished a Merry Christmas in the name of the local bar by Judge Davis.

Only three nuisances in the mosquito breeding line had to be abated last month. Some residents have reported to the health officers an almost complete absence of mosquitoes. Nearly 700 gallons of oil were used in the campaign in November.

## ISBELL TO MANAGE HAWAIIAN WIRELESS

NEGOTIATIONS TO BUY OUT J. A. BALCH WHO HAS HEARD THE CALL OF THE MINES—WIRELESS WIZARD GOES TO COAST TO SETTLE AFFAIRS PREPARATORY TO TAKING CHARGE HERE—WILL HANDLE AUTOMATIC TELEPHONES.

There is pending a change of management in the Hawaiian Telegraph and Telephone Company, formerly the Wireless Telegraph Company, a change that will be regretted because of the going out of Manager J. A. Balch and a change that will be welcome, since Balch has decided to seek other fields of usefulness, in that Arthur A. Isbell, Wireless Wizard, is to take charge of the system, a system that will someday embrace all the Pacific, if present signs materialize.

It was the intention of the controlling interests not to announce this change, but the information comes through one who is to some extent interested in wireless stock and one who, while he is consoled by the fact that none other than Isbell is to take charge, deeply regrets the contemplated departure of the present manager, J. A. Balch, from these islands and from the management which he has so well conducted.

Isbell, he who installed the more than successful long-distance wireless station at Kahuku, this island, left here in the steamship Claudine last Friday and took the S. S. Lurline from Kahului the following afternoon for San Francisco.

Isbell, it is reported, went to the coast to close up his business affairs there and to prepare to return to Hawaii to take full charge of the Hawaiian Telegraph and Telephone Company upon the retirement of J. A. Balch.

Balch is financially interested in the local wireless system and is, it is said, now awaiting the closing of a deal by which his stock is to be purchased. Wireless stock has boomed since the inception of the system in these islands, and, necessarily, there is more or less delay in reaching an understanding as to the price to be paid.

Balch is a mining engineer and has flattering offers from a Nevada mining syndicate to manage large interests there. He feels again the call of the mines and, as much as he dislikes to leave his host of Honolulu friends, feels that fortune awaits him on the mainland.

At any time the deal which buys out Balch is likely to be consummated. It is understood that Berry, the banker who came here some weeks ago with President Clinton J. Hutchins, of the Hawaiian Telegraph and Telephone Company, is the man who is negotiating for Balch's stock.

When Isbell returns from the coast he will in all probability be accompanied by Chief Electrician Hanscom of the Mare Island Navy Yard who will come to survey for Naval wireless stations in these islands. Isbell may buy into the company, but in any event he will assume the management of the wireless in these islands and of the automatic telephone system which is to be installed on Oahu by the same company.

With the automatic telephone it will be a simple matter for anybody on this island to ring up wireless headquarters and send a wireless to any point on the mainland coast or to any ship in reach, and to receive messages from friends on other shores and afloat.

Balch's management of the wireless has been historical not only in these islands but in the world, for it was under his regime that Oahu reached out and talked with the world and it is owing largely to his careful and energetic enterprise that the genius of Isbell had opportunity of expression.

As previously reported, Hutchins, as president, has many wireless schemes in view which someday may embrace the South Seas.

## CASTRO GIVES UP HIS JOB

(Associated Press Cable to The Star.)

BERLIN, December 24.—Castro, the deposed president of Venezuela, has virtually abandoned his claims to the office and will not cause trouble for the present administration in that republic.

## RUEF STILL GETS DELAY

(Associated Press Cable to The Star.)

SAN FRANCISCO, December 24.—The sentence of Abe Ruef, convicted of accepting a bribe, has been postponed once more, this time till next Tuesday. On that day affidavits will be introduced in support of a motion for a new trial alleging misconduct on the part of the jurors.

## BURNS IS FAVORITE

(Associated Press Cable to The Star.)

SYDNEY, Australia, December 24.—Hugh McIntosh will referee the great fight tomorrow between Burns and Johnson. The betting here is four to five in favor of Burns.

Considerable wagering on the fight has taken place in this city at even money. Some bets have made Johnson, who appears to have many admirers, a slight favorite. The fight will be of twenty rounds duration. Burns gets the lion's share of the purse, win, lose or draw.

## READY FOR ACTION

(Associated Press Cable to The Star.)

WILLEMSTAD, Dutch West Indies, December 24.—The United States naval despatch boat Dolphin has arrived in this port. The protected cruisers Des Moines is due to arrive today. Both vessels have been sent here to be on hand in case of international complications over the blockade of Venezuelan ports by the Dutch warships.

## RAISED TO EMBASSY

PEKIN, December 24.—Minister Tang cables that the Washington legation will probably be raised to an embassy.

IT HAS COME.

We have received that large shipment of Tengu Japan rice and we are selling it fast, as the demand is very great. It supersedes all others in flavor and quality. K. Yamamoto, sole agent, Hotel near Nuuanu.

## CHIEF JUSTICE ALLOWS REHEARING OF FERN'S CONTEST

THE SUPREME COURT READY TO LISTEN TO FURTHER ARGUMENTS WHICH MAY RESULT IN A RECOUNT OF ALL THE BALLOTS CAST FOR MAYOR OF THE CITY AND COUNTY OF HONOLULU.

The contest against Joe Fern for Mayor will be reopened on Monday morning before the Supreme Court and John Lane still has a chance to become the first chief executive of the City and County of Honolulu.

As the result of the motion made this morning by Judge George A. Davis, Chief Justice A. S. Hartwell consented to a re-hearing of argument upon the dismissal of the petition.

The petition was dismissed on Tuesday on the ground that thirty of the petitioners would not combine in their

knowledge of any one fact alleged in the petition, this opinion being held by Chief Justice Hartwell and Justice Wilder, Circuit Judge De Bolt, sitting in the place of Justice Ballou, dissenting.

Judge Davis held that, since in the contest for the auditorship of Kauai, on the petition of one man, with little showing, the court allowed a recount of all the ballots in the county, it was manifestly fair that where twenty petitioners showed knowledge of the facts sworn to on information and belief, recount should also be granted.

## PIPE IS ORDERED FOR KALIHI PARK

Superintendent of Public Works Marston Campbell has ordered the pipe which will be needed for irrigation purposes at the new Kalihi Park. For several months past the range of prisoners which High Sheriff Henry has had at work has been putting the park in condition and two months ago had the trenches dug for the pipe but there was none forthcoming.

Now Campbell has taken the matter up and will see that the work is completed. He has obtained \$50 towards the needed money from a fund raised some time ago and which is in the custody of A. L. C. Atkinson. The other money needed will come from the department funds.

Mining has always been the quick and short road to great wealth. Buy "Mayflower" stock. Buy it now!

**ROYAL BAKING POWDER**  
Absolutely Pure  
The only baking powder made with Royal Grape Cream of Tartar  
No Alum, No Lime Phosphate

CHRISTMAS DINNER.  
The Alexander Young Cafe will serve a Christmas dinner Friday from 5 till 8:30 at 75c and \$1.00.

A RELIABLE REMEDY FOR CROUP.  
With the dry, cold weather of the early winter months, parents of croupy children should be on the alert for ominous symptoms. There is no cause for anxiety when Chamberlain Cough Remedy is kept in the home. If this medicine is given as soon as the child becomes hoarse, or even after the croupy cough has appeared, the attack may be warded off. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

TODAY SOUVENIR DAY.  
Handsome silk fans given away with dollar purchases at Sachs'. Dressed dolls with \$2 and \$5 purchases.

**CHRISTMAS SHOE ORDERS ARE POPULAR**  
BUY THEM AT  
MANUFACTURER'S SHOE Company, Ltd  
The Place to Buy Shoes.  
1051 Fort St. Tel. 282.

**NEGLECT**  
is the most common thing in the world, and causes the most trouble.  
To neglect making out your WILL may undo your life's work.  
Come to us with your WILL TROUBLES. We understand the drawing up of wills, in proper legal form, and we will do it for you without charge, if made one of the Executors.  
Hawaiian Trust Co., Ltd.,  
923 Fort Street

**Our Grand Christmas Fair Now In Progress**  
L.B. Kerr & Co., Ltd  
ALAKEA STREET.

THIS IS THE WAY TO GO HOME TO-NIGHT

