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The Garden Island.

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LIHUE, TERRITORY OF HAWAII, TUESDAY, NOVEMBER 19, 1912.

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MISTRIAL AGAIN CAUSE OF DELAY

A law suit involving an eighth of an interest in a piece of real estate in Hanalei, and appearing on the calendar as William Unku vs. Elizabeth Kaio and Miss Elsie Kapu, and one which to go into details, would require the aid of a Philadelphia lawyer, resulted in a mistrial last week after the jury had spent all Saturday afternoon in its deliberations.

The great difficulty in settling the matter, seems to rest in the fact that much of the evidence is to be obtained through such indefinite sources. The case is one wherein many years ago, a certain wealthy woman married a young man to whom she deeded all of her property. Soon after, the wife died, and when the husband passed away and it was discovered that he had made his will in favor of his children, the relatives of his late wife, brought charges to the effect that the deed to the husband by his wife should be set aside and considered valueless, as the same was made under pressure from the husband, and that she had executed the deed through fear for her life, the charge being made by a friend of the husband and wife, and the one through whom the deed was transferred from wife to husband. As both were then dead, the relatives evidently thought they had a cinch on the property and got busy. After many attempts to untangle the legal nets surrounding the case, Judge Hardy, rendered an opinion in favor of the relatives of the wife.

Not feeling satisfied with this decision, the plaintive went to the Supreme Court, where Judge Hartwell over-ruled the opinion of the Circuit Judge, holding that the deeds, documents, nor even the one man's evidence, were sufficient grounds for an opinion in favor of defendants. The case was therefore reopened and according to the present outlook, will remain so indefinitely, as the mistrial at this term has resulted in a postponement of the case until the March term of the Circuit Court. The sum of \$187.00 was spent for jury fees alone in the trial which ended in a mistrial Saturday. Further complication have been added in this famous case by the appearance of one Kaupena, who also claims an eighth interest in the land, and whose chief points are so dependent upon the same testimony as given in the first case, that Judge Dickey tried the two cases combined.

Attorney Lymer appeared for the plaintiff, while Attorney Alexander Lindsay appeared for defendant.

New Library Books

The following new books have been added to the Lihue library: The loss of the Titanic. Beasley. Creative Evolution. Bergson. Goethe's Works. 7 vols. An Introduction to Science. Thomson. Caviere. Grant Richards. London Lavender. E. V. Lucas. The White Shield. Myrtle Reed. Prudent Priscilla. Wemyss. Less than the Dust. Hamilton. A Picked Company. Mary H. Foote. The Blue Wall. Child. The Inner Flame. Burnham. Concerning Sally. W. J. Hopkins. Best Stories to Tell Children. Sara Cone Bryant. J. M. LYDGATE.

Our School Schedule

Superintendent of Public Instruction Willis M. Pope has mailed cards to the school principals bearing the following information: SCHOOL YEAR 1912-1913. Fall Term, Sept. 16 to Dec. 20, 1912. Winter Term, Jan. 6, 1913 to April 4, 1913. Spring Term, April 14, 1913 to June 27, 1913. WILLIS T. POPE, Superintendent of Public Instruction.

HUNTING PERMITS HELD ON KAUAI

The following request reached this office sometime ago, but owing to our inability to secure the desired information from authentic sources sooner, we were unable to grant the request:

Kekaha, Kauai, Nov. 2, 1912.

Mr. E. B. Bridgewater, Editor GARDEN ISLAND, Lihue, Kauai.

Dear Sir:— Will you please publish a list of all persons holding "Hunting Licenses?" If you will do this I am sure all good sportsmen will appreciate it.

Yours respectfully, SPORTSMAN.

The list of those holding hunting licenses, as compiled by the County Treasurer, is as follows:

C. Ayau, Kodama, Mitsui, F. Crawford, Frank B. Cook, D. S. Johnson, F. W. Akana, D. K. P. Kipala, Kanizawa, Nishida, Sam Paku, Ah Pen, Maeda, A. Inman, Honda, Wm. Elliot, W. J. Sheldon, Naito, Vincent Akana, K. Tatakawa, Julian Dias, Frank Riedel, E. J. Morgan, Gaylord Wilcox, D. K. Hayselden, A. Menefoglio, A. J. Derby, K. C. Ahana, S. Nita, M. Lujan, H. C. Berg, A. Johnson, Henry Birkmyre, D. L. Austin, J. R. Myers, D. Prigge, W. V. Hardy, Jas. McClellan, Chang Sack, A. D. Hills, P. L. Rice, E. H. W. Broadbent, C. Akina, L. C. King, Rufus P. Spalding.

The above list comprises only those licenses that in full force day November 19, 1912. Additional names will be published on renewal of license.

Menefoglio Appointed

A. Menefoglio, the newly elected Supervisor has been appointed to a position on the Loan Commission to fill the unexpired term of J. K. Lot, whose resignation became necessary through the latter's being elected to the House. Mr. Menefoglio strengthens the Board, being recognized as a man of executive ability and a live wire as concerns the needs of his districts. THE GARDEN ISLAND congratulates the Board in the addition of such a man to its ranks.

What Does It Mean?

According to Associated Press reports, the toll rate for traffic through the Panama Canal will be \$1.40 per ton. Now, then, the question has arisen as to just what this means—whether the tonnage of the vessel or the freight carrying capacity of the ship. In as much as all ships do not carry freight the contention of some that the tonnage of the vessel only is meant, would seem proper. Yet, the contention by others that freight tonnage was meant, and that some special provisions for war vessels and passenger traffic will be made, also seems possible. Perhaps some of our readers would like to express an opinion on the subject.

Lihue on Booming List

Rumors are rife to the effect that Lihue is to have a third ice factory, another soda works, a rival electric lighting system, one more big wholesale and retail general merchandise store and a fertilizer factory. Lihue is certainly in the lime-light of progressive-ness and now that her boom is on there seems no end to her possibilities. A high school building will probably be the next move with the centralization of the public school of Wailua, Hanamaulu and Huleia, making the Lihue school the central institution.

Remember your friends abroad by sending them one of those beautiful hand painted Hawaiian Calendars, of which there are 65 new subjects all on display at the Lihue Store. The last Christmas mail for Europe, leaves Kauai on the 30th of this month. tf.

THE GARDEN ISLAND OFFERS 'XMAS GIFT

THE GARDEN ISLAND has decided to make some teacher a present of a handsome mission style writing desk for a Christmas present, and means to allow the friends of the teacher to have a say as to whom this handsome desk will be given. In order to carry out this scheme, we have decided to let such a decision be reached through a popularity vote. That is, the teacher receiving the largest number of votes as the most popular teacher will be awarded the desk.

Below will be found a coupon which will count for ten votes in favor of your favorite candidate. It will cost you absolutely nothing to vote for any teacher, nor to enter the name of any one. However while the coupons are good for but ten votes, a year's subscription will count five hundred votes in favor of any candidate.

All subscriptions must be limited to a single year, and sent to Contest Editor, GARDEN ISLAND.

I nominate M of _____ School as a candidate in Popular Contest Name _____	TEN VOTES Good until Nov. 26 M _____
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The contest will close Saturday December 21, 1912, at 4 P. M.

L. D. Timmons Here

L. D. Timmons, formerly manager of the late Hawaiian Star, and one of the best known newspaper men in the Territory, has accepted a position with the Eleese Store in the capacity of book-keeper. Kauai's Temple of Fashion is to be congratulated on securing the services of such a competent man, and THE GARDEN ISLAND bids a hearty welcome to an old colleague.

Kealia's New Manager

KEALIA Nov. 18.—Gaylord P. Wilcox, formerly headluna for the Koloa Sugar Co., has been installed in the management of the Kealia Plantation. Mr. Wilcox is a plantation man of ability and the social community is pleased to have such charming people as Mr. and Mrs. Wilcox in its midst.

Brief Breveties

Frank Crawford, E. Cropp and Mr. Schultz motored over to Waimea last Sunday.

Charlie Gray, the Kapaa Wine Merchant, is the possessor of a new Ford Runabout.

Manager C. Bayer of the Makaweli store is in Honolulu arranging for the big shipment of holiday goods necessary for his Christmas trade.

Manager Roendahl of McBryde store has returned from Honolulu where he has been busy for the past week, getting a line on his goods for the holiday trade.

Mrs. Helen Bruns, (nee Akana) of Kalihiwai, returned to her home in Honolulu Saturday after an extended visit to her mother in Kalihiwai.

Otto Wix the celebrated landscape artist will exhibit about 28 of his latest reproductions of Hanalei and Wainiha views at the Lihue Hall on the afternoon and evening of December 3rd.

Mr. Robt. Catton Pres. of Catton Neill & Co. accompanied by Mr. Haywood Manager of the new Electric Department of that firm have been spending a few days on our Island looking up matters in their line.

Eddie Fernandes, the expert moving picture showman, accompanied by a troupe of expert acrobatic performers including bicycle trick riders are playing a three night's engagement at the local theater, the last appearance being scheduled for this evening at 7:30. The performances have been greeted by large and appreciative audiences.

Switzerland is reported to have 150 millions of dollars invested in hotels and to do a business of over 50 million a year with them. This is practically all a tourist business. Someday the same kind of a tale will be told about Hawaii, when we have eliminated the bad channels the bad roads and the accommodations.

COUNTY WORK IS PROGRESSING

That the construction of the county's bridges is progressing in a most satisfactory manner is indicated by the report made by County Engineer Moragne at last Monday's meeting of the Loan Fund Board. In reporting, Mr. Moragne said in part, "The Waipa bridge has been finished and accepted at this meeting, the bridges in the Hanalei District viz: the Kilauea, Waiole and Waikoko bridges will be completed by the end of the year and open for traffic. Mr. Haggerty will commence work on the foundations and approaches to the Kealia Steel bridge at once, and the Anahola Hill will be completed sometime during the month of December."

What with this very satisfactory progress in bridge and grade work, the macadamizing going on to an equally satisfactory degree, which, if the "rocks" hold out, will complete pieces of road for which every traveler will utter up a prayer of thankfulness to our worthy county fathers and engineer.

New Chairman Named

The member of the Kauai Loan Fund Commission by a unanimous vote, elected the new Territorial Superintendent of Public Works, H. K. Bishop, chairman of the local board, vice Marston Campbell, at their meeting in Lihue last Monday. With a Bishop at the helm there should be little chance for irregularities in so far as Kauai is concerned.

Promotion Workers Here

Mr. H. P. Wood accompanied by Mr. Bonine together with a first class photographic outfit for landscape and moving picture work have been making a tour of our Island during the last few days in the interest of the Promotion Committee. They express themselves as more than ever convinced of the superior attractions of the Garden Island.

Koloa's Fat Dividends

In addition to the satisfaction of the stockholders of the Koloa Plantation at receiving such fat dividends, there is another fact which must not be overlooked by these fortunate individuals and that is, the part which Manager Charlie Wilcox has played in the production of these dividends. Though comparatively a young man, Mr. Wilcox has proven his worth as a manager, and deserves the congratulations of every happy stockholder in the plantation entrusted to his care.

Future Prospects

The last week has witnessed the inauguration of winter's blasts, the thermometer on Wednesday morning, registering 58 degrees, the coolest which will probably be experienced this winter. The drought continues, however, but the plantation interests are hopeful that December will bring the much needed rainfall.

Eddie Fernandes is on Kauai

Eddie Fernandez, the popular moving picture man, is touring the island with the best lot of pictures ever presented to the Kauai public, including the following of his own make:

The 1912 Floral Parade Queen Liliuokalani's Reception, Horse Racing and Automobile Races, held at Kapiolani Park etc., etc. Also the latest cowboy and Indian pictures from the coast.

He also has the celebrated Francis Dainty Co., novelty Slack Wire and Bicycle Artists who have pleased everybody at Lihue where they have performed for three nights.

H. H. BRODIE ON SCHOOLS

To the Editor of THE GARDEN ISLAND.

In your issue of Nov. 12th. I noticed an article about the Lihue School written by Mr. Lydgate. I want to thank Mr. Lydgate for taking his time and showing this interest in our schools and for stating to the people what he has seen. Just commendation and public approval of the work a person is doing a stronger incentive than dollars. I wish that more of our educated, thoughtful people would visit our schools. Our teachers are doing good work and take a pride in it and are glad to have visitors. Every complimentary word said in the article is true and the same can be said of many other schools on Kauai and in the same degree if there was only the pen to make it public.

Our schools have made progress in the past few years which has been due to various causes. Chief among them has been a better system of organization of work and of help to the teacher both in the matter of the work of the teacher and the method of doing it; again, we have a body of professionally qualified teachers which we did not have, a few years ago,—especially in the primary grades; again, our teachers are better paid and are willing to stay with the work and others are encouraged to fit for the profession; and further, our local semi-control of schools, as represented by our Board of Supervisors, has given us the needed room which we have never had previous to this year. And lastly, there is a spirit, a pride, a devotion that makes the teacher artful in her work; I doubt if you will find a body of teachers more artful, in primary work especially, than you find right here on our little Island of Kauai. H. H. BRODIE.

Doubtful Macadam

From Kekaha comes a complaint that the macadam recently completed on the Kekaha road will not stand the results of a rain storm; that the work was not properly done, owing to the haste in its accomplishment, and that their Supervisor Gay would prove much more profitable to the electors of his district if he could be induced to pay closer attention to his duties as such. It is said that he sailed for the coast on election day, and further, that his nonattendance at the regular monthly meetings of the Board of Supervisors, has been cause for considerable comment.

If these rumors are without foundation, evidence of such should be very easily obtainable, but if they are based upon facts, then Mr. Gay not only owes it to himself to look after the best interests of those who faithfully supported him in securing his position but he owes every consideration to those self-same constituents. The voters of Waimea indicated their confidence in Mr. Gay in re-electing him as their Supervisor, and now, at least he can show his appreciation by attending meetings and otherwise fulfilling his duty as a Supervisor. If his business interests prevent such, then let him step down and out that some one who may be able to do so may take the position.

Mrs. W. H. Rice, Sr., Home

The multitude of friends of Mrs. W. H. Rice, Sr., will be delighted to learn that she returns from San Francisco tomorrow morning, to which place she was taken some time ago for special treatment in connection with her eyes, and from whence she returns practically cured. Mr. Rice, and daughter, Mrs. Ralph Wilcox accompanied her on the journey.

H. Carls, one of our local bowling experts and all-round good fellow, returned last Wednesday from a four month's trip throughout Europe.