

From San Francisco:
Manchuria Jan. 29
For San Francisco:
Mongolia Jan. 29
From Vancouver:
Aorangi Feb. 6
For Vancouver:
Mosna Feb. 3

EVENING BULLETIN

3:30 EDITION

A Full Share of Business cannot be had without the BULLETIN'S help

With the advent of Spring, activities in business will come to each merchant, to each man who is conducting a business, the opportunity to say a long good-bye to hard times, or to cling to them a little longer. THE BULLETIN LEADS TO BUSINESS PROSPERITY.

VOL. XI. NO. 4221.

12 PAGES.—HONOLULU, TERRITORY OF HAWAII, FRIDAY, JANUARY 29, 1909.—12 PAGES.

PRICE 5 CENTS.

ADVANCE GUARD OF TOURIST SEASON HERE LINING UP FOR LEGISLATIVE OFFICES

ATCHERLEY HABEAS CORPUS CASE HEARD

Statute Unconstitutional Is Magoon's Main Point

SURPRISED THAT LAW HAS SURVIVED SO LONG

Magoon Says Even in Russia Such Outrageous Laws Would Not Be Tolerated

The Dr. Atcherley habeas corpus case came up before Judge Robinson this afternoon. City Attorney Cartwright, his deputy, Fred Milverton, and the Attorney General appeared for the respondent, Dr. Peterson, while J. A. Magoon appeared for Dr. Atcherley. Milverton presented both a motion to quash and a return to the writ. The latter referred to the hearing of the Atcherley case before Judge Andrade and the facts relative to his commitment. It denied that the District Court had no jurisdiction to commit Atcherley, that Atcherley was sane and not a menace to the public safety, that he was entitled to an appeal and his release pending this, and that the law was unconstitutional.

Magoon moved that the allegations relative to the District Court proceedings be stricken from the return as being immaterial and improper. This was denied.

Magoon then asked that the allegation of Atcherley's sanity be taken as confessed, there being no denial thereof, the allegation in the return based on the commitment being useless, Magoon did not expect that the Court would go behind Andrade's finding but that only showed that Atcherley was insane at that time, and Magoon proposed to show that at the present time Atcherley was sane. He was therefore entitled to an order taking his sanity as confessed. "If they claim he is insane," said Magoon, "I propose to them right now that he is sane."

The motion was denied and the Court told Magoon that it was up to (Continued on Page 6)

STOCKS ARE BOOMING

The following quotations on Honolulu stocks were received by cable today from San Francisco:

	Bid.	Asked.
H. C. & S. Co.	102	107
Honokaa	15	*
Onomea	42	45
Panauhau	21	*

* None offered.

WILL MAGOON FREE ASYLUM INMATES?

Lawyer Says They Are All Held Without Warrant

THINKS SUPERVISORS CAN MEET SITUATION

Gives His Reasons Why General Asylum Delivery Does Not Appear To Be Probable

Will there be a general delivery from the Insane Asylum this afternoon?

If the contention raised by J. A. Magoon in the Atcherley case that the law under which insane persons are committed is unconstitutional, will the inmates of the foolish house who are thus illegally held in custody swarm from the gates of their present home and swarm on the streets of Honolulu?

Will the man who thinks he is Emperor Napoleon be directing imaginary battles from the corner of Fort and King street? Will the self-imagined Brutus try to assassinate Mayor Pea? Will the man who labors under the delusion that he is a poached egg be clamoring at the Grill for a piece of toast to sit on, or will would-be Diogenes be going on his search to the meeting of the Board of Supervisors?

The possibilities seem inexhaustible, and the question only remains: Will it happen?

J. A. Magoon, the man who is pulling the string, says he does not think it will. This, at least, is encouraging.

"There is no doubt but that the law is unconstitutional," said Magoon, when he was asked what he thought would be the consequences of his action. "Consequently the inmates of the asylum have not been legally committed, and are not legally held. However, there are many reasons why they will not be let loose on the community. First of all, they are kept there because they are a menace to the community, and the community will have an inherent right, though not a legal one, to protect itself, but it must be very careful that it detains only such persons as are actually a menace, who will probably, and not possibly, do some criminal act; otherwise, the authorities will risk suits for heavy damages. Secondly, the present inmates of the asylum do not want to get out, or they are being kept there at the wish of their relatives and friends, who wish to be relieved of the responsibility." (Continued on Page 2)

SALARY BUSINESS YET HANGS FIRE

Milverton Mum Regarding Stand City Will Take

CRAWFORD CLAIMS HE IS SAVING CITY MONEY

City Hall Is Expectant and Mayor Is Ready for What May Come—No One Knows What's Next

"We have given the Auditor no definite advice regarding his action in connection with those salary demands," said Deputy City Attorney Milverton this morning. "Of course, we have discussed the matter informally, but no decision has been arrived at and Mr. Bicknell has not been advised from this office as to what he should do."

That there will be a test case in the courts before very long, is evidently believed by his Honor's supporters. For some days, it is understood, the Mayor has had his case ready and a summons to court would have found him prepared.

Whether or not the City and County Attorney's office contemplates taking any militant action cannot be ascertained. "There has been no change in the situation since yesterday," is Milverton's stereotyped answer. Requests for further information evoke a pleasant smile and nothing else. Questioning Cathcart brings forth the answer, "See Milverton, this is in his hands." The Auditor is the most unhappy-looking man about the premises. He admits frankly that he does not know what his next steps will be, and looks as though he might have come to look upon office-holding as a delusion and a snare.

There is a growing feeling that no action will be taken until some employes come forward and brings suit for his pay. That in making Willie Crawford's appointment as messenger in the City and County Attorney's office date back to January 15, an actual saving of money has been made, is the claim of Deputy City Attorney Milverton. Crawford's diary shows that he was employed as an interpreter in Chinese cases on January 14, and that he was employed steadily until the 27th, when his appointment as messenger was announced.

According to Crawford's statement, he would have been entitled to \$5 a day for the time that he worked, had he chosen to put in a bill for it. In consideration of the fact that the appointment was dated back to the 15th, he agreed to waive the extra remuneration.

Crawford insists that he has been working every day, except Sundays, since the 14th, and that he did not put in a bill for \$5 for each day, is due to advice received from Cathcart.

MANY ARE SEEKING LEGISLATURE JOBS

Six Candidates Running For Clerkship of House

SAVIDGE SEEMS SURE OF SENATE POSITION

W. O. Smith Probably President of Senate, Kalama Vice President and Holstein Speaker

Now that the session of the Legislature is in sight, the matter of the appointments to the positions incidental thereto is becoming a burning question with the politicians and those interested in the jobs.

The position of Clerk of the House is the one which seems to be the most coveted; at least so far there are far more applicants for this position known than for any other. R. A. Kearns, the stenographer, is considered the favorite by many on account of his ability and as he has the advantage of having had experience with this kind of work by holding the position of stenographer of the House in the session two years ago. The only rift in Kearns' lute appears to be the fact that Holstein of Keolu, who is one of the powers of the House, is believed to be against him. Jimmy Lloyd is another strong candidate for the clerkship. He has the strong point in his favor that he acted as clerk of the Republican Central Committee during the campaign, and should thus be able to enlist the support of many of the local legislators and politicians.

Among the other candidates for this position are A. St. C. Pihanaia, who ran for the nomination for Auditor, but was defeated in the convention; Jas. L. Holt, the former Tax Assessor; Woodward, who held a position in the House last session; and W. H. Beers of Hilo, who is the only man from the other islands known to be in the race.

There has been for some time a move on foot to abolish the position of stenographer of the House, and let the Clerk do the work of both positions, but it is understood that this will meet with strong opposition, especially from the members from the other islands. If it is decided to retain both positions, those of the candidates mentioned who are stenographers stand double chances of appointment, though in every case the clerkship is considered the plum.

With regard to the minor positions in the House nothing definite can be (Continued on Page 2)

TOURIST RUSH IS FAIRLY STARTED

Manchuria Brings Large Passenger List From Coast

RETURNING MEMBERS OF SPECIAL EMBASSY ABOARD

Decks of Big Liner Are Black With Humanity As Vessel Approaches Wharf

Having aboard a number of prominent Chinese Government officials returning from their mission to Washington, and one hundred and ninety cabin passengers, ninety-seven of whom were for Honolulu, the big Pacific Mail liner Manchuria, entered the harbor and docked at the Oceanic wharf at 11:20 o'clock this morning. She was greeted by the largest crowd that had assembled there for many a day.

The Japanese Methodist school children, attired in their uniforms, were at the wharf to receive and welcome Bishop Charles W. Smith, who arrived with his wife.

On behalf of the Honolulu Methodists, Rev. J. W. Wadman and Mrs. Wadman, accompanied by the officials of the church, were there to see that their distinguished guests were given special attention. The Bishop, on landing, thanked the Japanese children for the reception accorded himself and his wife.

Among the passengers who arrived was J. A. Kennedy, president of the Inter-Island Steam Navigation Company. He went up in the Manchuria and returned today in the same boat. Mrs. E. T. Dreier, Mrs. Emma Dreier and Edward Dreier, family of the late August Dreier, also returned today. Rev. J. T. Jones and wife are well known to a large number of Honolulu people. A. W. T. Bottomley, the banker, returned from a business trip.

Among the through passengers of the members of the Chinese Special Embassy, which went to Washington with the High Commissioner to thank President Roosevelt for the return of the Chinese indemnity. They are Dr. Hsu Shi Chang, Tong Hong Cheng, Wong Yuen Cheng, Asiao Chinan, Liu Shih Chung, Liu Yin Ling, Yan Yu Sue, Ow Keng Tsang, Yang Yu Ying and Chu Sing Yuen. At the wharf they were met by the Chinese committee, who escorted them to the Chinese Consulate, whence they proceeded down town.

The tourist rush is now fairly on. The corridors of the hotels present an animated appearance, and everywhere there are little knots of eager visitors. Though the big Manchuria brought 100 passengers here today, very few of them were local people.

The passengers on the Manchuria tell of other parties preparing to come here and there is every indication that the coming season will be (Continued on Page 2)

NO ALIEN LAND FOR CALIFORNIA

SACRAMENTO, Calif., Jan. 29.—Assemblyman Drew introduced a substitute bill today covering the movement originally started to prevent Japanese from holding land in California. This bill provides that all aliens shall be prohibited from owning land.

GAMBLING OPPOSITION WILL BE DEFEATED
SACRAMENTO, Calif., Jan. 29.—The bill to put an end to race track gambling has been unfavorably reported to the Senate. It is believed, however, that the bill will pass.

ASKS A MILLION TO FIGHT FRAUD

WASHINGTON, D. C., Jan. 29.—Secretary of the Interior Garfield has asked for the appropriation of a million dollars to fight the land frauds.

ITALIANS ESCORT REMAINS OF CONSUL

NEW YORK, N. Y., Jan. 29.—The bodies of United States Consul Cheney and his family, who were killed in the Sicily disaster, arrived here today. The hearse bearing the remains was escorted from the steamer by thousands of Italians.

'QUAKE AT MALAGA
MALAGA, Spain, Jan. 29.—An earthquake was felt here today. There was no damage.

MESSINA SHOCKED
MESSINA, Sicily, Jan. 29.—Severe shocks of earthquake were experienced here today.

OMNIBUS CLAIMS BILL PASSED
WASHINGTON, D. C., Jan. 29.—The Senate today passed the omnibus claims bill.

\$10,000. BY DYNAMITE
CARLTON, Texas, Jan. 29.—The State Bank of this town was dynamited today. The robbers obtained \$10,000, and escaped.

LOOKING OVER DAM

Legislative work is beginning. This forenoon a party of five legislators visited the Nuuanu dam on a tour of inspection. They were Senators Moore, McCarthy, Quinn and Cooche, and Representative Furtado of Hawaii. They simply took a look around to acquaint themselves with the lay of the land and what has been done.

Miss Ethel Arnold and Mrs. Turner, sisters of Mrs. Humphrey Ward, are as enthusiastic in favor of woman suffrage as Mrs. Ward is opposed to it. Miss Arnold is now lecturing on equal suffrage in New York, and Mrs. England has taken to the platform in England.

Peter Jackson (colored) of Spartanburg, S. C., was sentenced to five years in prison for stealing a cheese.

remarkable for the number of persons coming here. There were no vacant accommodations on the Manchuria, and it is reported that other ships headed this way are booked well ahead.

MEXICAN HAS MAIL

Bringing four days' mail from the Pacific Coast, the American-Hawaiian freighter Mexican is expected here today, so when she sailed from San Francisco, she took all of the mail. The Manchuria sailed later and took what mail had accumulated since the sailing of the Mexican, but the bulk of the supply is on the freighter. The Mexican is also bringing a large consignment of supplies for work on the permanent post at Lihouha.

Mrs. Harry Holt has been chosen to represent the island of Oahu in the ranks of the Hawaiian princesses who will be one of the chief features of the Floral Parade on Washington's Birthday.

SUGAR
SAN FRANCISCO, Calif., Jan. 28. SUGAR: 88 analysis Beets, 10s, 3-4d. Parity, 4.12 cents. Previous quotation, 10s, 1-1-2d.



A Man's Taste

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