

AN ELOQUENT ADDRESS.

G. W. ASHFORD SPEAKS.

THE "CONSPIRATORS" DEFENDED.

TINKER A FREE MAN.

The District Court opened at its usual hour this morning after disposing of a few unimportant cases the great conspiracy case was called.

C. W. Ashford addressed the court and spoke for an hour and a half. It is impossible to do justice to the eloquence of this leading lawyer and we have to confine ourselves to publishing the gist of his forcible address.

The charge against the defendants is that of conspiring together and also with other persons not mentioned to overthrow the government by force. A conspiracy is a fraudulent and malicious combination between any two persons to do something injurious to a third party. If any of these defendants did conspire they should be committed. If not, they should be discharged. A magistrate should only commit for trial whenever he believes that a jury on the same evidence, with the same witnesses, and under the same circumstances would convict. It is not enough as the A-G. probably will contend that there is a suspicion, and that by other evidence adduced the defendants might be found guilty, by a jury. No man should be shut up except there is good reason to believe that a jury will convict him. I desire to take the case separately. I hardly need say much in regard to Weed. The Attorney-General has admitted that the evidence against him is very light. The evidence against Weed has been given by only one man, and the man is Osmer. Supposing his evidence against Weed had been more damaging than it was, that he had identified Weed with all these schemes against the government, it should be remembered that his evidence was only that of one man against one. And I doubt that the court will hold that the evidence of Osmer against the denial of Weed would hold good before a jury of 12 men. The court is not to assume that other evidence will be produced. The government cannot be supposed to have any more evidence against Weed. If it had, it would have produced it here. Osmer has not brought any evidence that any jury would entertain, even if Weed had not denied his statements. He admitted himself that whatever Weed did say it was only in general terms as what could be done in case an insurrection should happen: Mr. Weed's statements that he was indifferent to any disaster happening here may be brought up. He is not on trial here for his opinions. Any man has a right to express his opinion. I know that it is a very delicate point with the government. Any criticism of the government, is considered seditious. I don't know how long this government will be able to sustain itself in office. Many of its members undoubtedly wish to get out of it. Because they are opposed or criticized, the men doing so, do not become conspirators. Their proclamation January 1893 was that they established a free government, a liberal government, and it is perfectly legitimate for any man to criticize it even to the extent of advocating the re-establishment of the monarchy. But Weed never even went so far. Osmer is a spy. Possibly he wants to be called a detective, but to be that certain degree of intelligence, and integrity is necessary, and as Osmer possesses none we will call him simply a spy. He was bounced as a

turnkey. He came to Weed to pump him. He met Weed at a saloon and he poured into his ear his grievances against the government and then he tried to borrow \$10.

In regard to the gun on which the whole case against Weed rests, there is absolutely nothing to show that Weed ever proposed to use the said gun against the government. Osmer's statement that this young man ever could say that he had the control of the soldiers is simply atrocious. If the court believes it, he is undoubtedly the only man in the room who does. With whom did Weed conspire? With Crick? Yes, he was seen in a saloon with Crick and as Crick is a conspirator naturally Weed is another. Such seems to me to be the argument of the learned Attorney General. But if such theory is to be carried out, who is safe? Especially as long as the government uses such reproaches as Osmer in its service. If Weed was conspiring with whom was it. If he did not conspire with the other defendants he ought to be discharged, and there is absolutely no evidence that he did so.

In regard to Nawahi the first evidence is that he was at a meeting with McEvoy, Bush, and Crick on the 14th of August at the residence of Bush. McEvoy has fortunately for the defendants located his "meeting" on a day on which we have been amply able to prove an alibi. This man McEvoy has been on the trail of these men for a year. He has not even known enough to locate dates although according to his own statements he said that he recently has refreshed his memory with a reference to his diary. Now that meeting was either on the 14th of August, or he lies. He gives evidence that a meeting took place on the 14th of August. He says that Wilson and Norrie and other noted, and more or less disreputable characters were called traitors by Nawahi. He says they talked about a movement. If it was in the salvation army line, or any other kind of move we are not told. This Scotland Yard man says that Nawahi stated that if the natives got gun and cane knives they would fight the haoles. Will any one believe such rot? It has been proven that as early as the 15th of January last the defendants knew or at least had reason to believe that McEvoy was a spy. Since then he was held at arm's length. Is it reasonable then to believe that these defendants would make him their confidant and expose revolutionary schemes if they did entertain such? I dismiss Mr. McEvoy from this case, with the contempt that his despicable character deserves. I do not desire to use the English language in expressing any sentiments as fully as I might in regard to that specimen of humanity. Nawahi's presence at his house on the 14th of August has been fully proven. Have we come to the point that the evidence of a defendant has no weight against any hired scoundrel, who will perjure himself for a petty pay and attempt to swear away the liberty of a citizen? McEvoy has sworn that Nawahi was at Bush's house at 2 p. m. on the 14th of August. We have proven he was not.

I now take up the evidence of Van Giesen. We cannot close our eyes to the fact that the provisional government and the republic have led a most miserable life and have been harassed from its beginning to the present day. I pity the men now in office and I offer my gentle advice to all—an advice which I am following myself—"keep out of politics." (The A. G. "Kokua") I hold it perfectly right for any citizen to discuss the situation and even discuss probabilities which may happen at any day. Has not a man the right to discuss what would happen if explosives were used, if the soldiers deserted their ranks, and if an insurrection should happen? I discuss the situation, and with all due respect to Nawahi, I believe that I am as good a military man as he and I must say that I never could approve of his plan of turning a gun into the natives, and the

natives into the haoles—with cane knives.

This Van Giesen has proven himself to be a bound. He has accepted the hospitality, the food and even the money of the defendants and he made a sorry show of himself. Van Giesen's yarn in regard to the map which he claimed was the object of the alleged conspirators has been disproven by every man employed and present in Bush's house. The map and the list, which Van Giesen claims that he copied, are very suspicious. Van Giesen has been paid for one year \$100 a month and when that list was in his hands, a list that would have furnished stronger evidence against the defendants than any produced here, he simply took a copy and left alone the original the most damaging original if it ever existed which I doubt. I believe that I can prove an alibi for Van Giesen at the meeting in October to which he testified. The employees of Bush have stated that Van Giesen was bounced in September. Nawahi brings the latest appearance of Van Giesen at Bush's house to 27th of September. Since then he did not go there. Nawahi at the time was on Maui. As none of them were there how is it possible that the conversation between them as reported could take place? Van Giesen stated that according to his diary he was present at Bush's house with Nawahi in October and November. It has been proven that neither Van Giesen or Nawahi were there during these two months, which finally proves that Van Giesen is a miserable liar who for a paltry sum of money, handed to him out of taxes collected, makes up conspiracies to suit the Attorney-General. If Van Giesen says, that there were 1100 arms around town and it was true, this trial would not take place today!

In regard to Bush and Crick the evidence seems equally absurd. What is there to have prevented Van Giesen from having placed the guns in the house occupied by him and Crick? The guns were found 48 hours after Crick had been locked up. I believe that the Attorney-General and Marshal act honestly, but they are so badly scared that their condition is bordering on insanity. The very mention of a magazine rifle throws them into hysterics.

There is nothing to show that Bush was connected with any move to overthrow the government. He had a right to put his rifles outside his house or inside. It might have been foolish for him to hide his guns, but where is the law preventing a man from hiding his arms or any other property. There is nothing to show that Bush knew anything about these guns at all. The principle of Bush in his papers has always been "wait! wait! wait! Royalists have cursed him for that policy, but, nevertheless, he stuck to it and hoomanawanui was his war cry! If the finding of the cartridges on Mr. Bush's premises constitutes a conspiracy the statute ought to be changed. And then I hope that we all are guilty!

Mr. Ashford ended his address at 11:35, stating that he felt sure in his position as far as Weed and Nawahi were concerned. He admitted that there were some show of evidence against Bush and Crick, but he thought it was altogether based on the finding of the guns. He asked for the discharge of all defendants.

After a short recess the Attorney General in answer to a question of Mr. Peterson stated that he had desired to enter a *nolle prosequi* in the case of J. Tinker. His argument in the conspiracy case was started at 1:30 p. m. and is going on as we go to press. Mr. Tinker was received with sincere congratulations on his liberation after having been confined for 9 days in the station house.

At 2:30 p. m. the Attorney General closed his address. The Judge reserved his decision till Monday Morning at 9:30.

For plum puddings and mince meat call at H. E. McIntyre's grocery store.

ADMIRAL WALKER.

There seems to be a great deal of commotion and jubilation because Admiral Walker has written a report which is distinctly different from the report of Blount. Nobody so far has seen the report of the Admiral, but we doubt very much that anything said or written by that gentleman will have any influence on the American administration. Mr. Walker is a "back number." We took pleasure in calling our friends attention at one time during the sojourn of the Admiral that he was another specimen of the paval bug which infests these fair isles. Our "friends" were highly indignant and the admiral was lauded and praised for his integrity, truthfulness and honor. We knew the specimen of the blight better than our friends did.

There is no naval officer in the U. S. navy who does not favor the fortification of Pearl Harbor and the annexation of Hawaii. These things accomplished, promotion, an increase in service and raised salaries are matters of course. Mr. Walker puts his statement, we are told, against that of Blount. The latter gathered a most exhaustive material and he wrote a just report based on his own observation and on the information received by him. The Admiral was dined and wined and writes a report which from the start must be prejudiced because he and his colleagues necessarily must advocate the annexation of these islands.

What did Walker know about the sentiments of the people? The property holders he says favor annexation. Who were they? The intelligent citizens cry for annexation. Who were they? The majority of the people hankers for annexation. Where did the admiral meet the majority?

The truth is that he adopted the views of his dear chum Chief Justice Judd. He listened to nobody outside the sacred circle which could afford to dine him. He took no evidence. He did not "mix" with the people. He simply accepted as gospel truth the selfish statements of the little ring which now runs the government.

Blount kept aloof. He listened with the greatest impartiality to every man or woman who desired to furnish him with impressions or facts, and as a result of his untiring and careful work he gave to his government a report which in days to come will stand forth as the clearest and truest document filed in the archives of the United States. The men now in power here may for their own ends impeach and dispute Blount's statements. In their hearts they know that he spoke the truth and nothing except the truth.

But he wouldn't be "wined" or "dined."

Talkee—Talkee.

A few members gathered at the hall of the American League last night, and listened patiently to annexation speeches of Cecil Brown, Hartwell, and C. L. Carter. The three attorneys filed briefs and made arguments and the "judges" slept. The only remark worthy of notice was the statement of Kikila, that annexation is our only "salvation! That from a senator, and a prominent supporter of the republic is quite interesting. As a final tableau Dr. McGrew and Cecil Brown shook hands, and the respective members present shook hands among themselves and congratulated each other for being such thundering fine fellows. And then they went home—we hope so at least.

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November 27, 1894.

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An entire new stock of Refrigerators and Ice Boxes built on the Ice Saving plan and finished in the latest artistic style is what we have to show you. One of these is large enough to hold meats and provisions for a large family. One compartment with glass shelf is made for Butter and Cream exclusively. The say you can put onions in the same compartment without the butter being affected, the ventilation is so perfectly arranged. Our lowest priced articles in this line are perfect in their ice saving qualities.

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