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(Continued from Page 1)

FIRST REPRESENTATIVE DISTRICT (East Hawaii)

Delegates:	
1—Henry Cobb Adams	1
2—P. C. Lane	1
3—L. B. Nainoa, George K. Ke-	1
Kauoha	2
4—A. S. Mahaulu, J. K. Mahoe,	1
M. O. Souza	3
5—George K. Kahu	1
6—George F. Renton	1
7—P. K. Archer, P. Kamakaha,	1
C. H. McNally, E. B. Miki-	1
lemi	4
8—E. J. Crawford, G. W. Lalkupu	1
(Hasheo), J. Kasiphas (Ka-	1
koe)	3
9—E. K. Fernandez, Simeon K.	1
Nawa	2
10—J. K. Kana, William Lala, John	1
C. Lane, Samuel Paulo Jr.	1
11—Lot K. C. Lane	1
12—Eugene K. Ahi, Solomon Fu-	1
kumura, Wm. H. McInerney	3
13—W. H. Crawford, John K. Not-	1
ley, Chang Chau, Samuel	1
Kamakaha, William H. Ma-	1
huka	5
14—Wm. Wood, Alexander Smith	1
15—Will M. Templeton	1
16—John Jesus, H. B. Kukona	1
17—J. P. Kakahawai	1

Total number of delegates... 36

SECOND REPRESENTATIVE DISTRICT (West Hawaii)

Delegates:	
1—J. K. Pau	1
2—D. K. Kenoi	1
3—A. G. Curtis	1
4—John Bohneberg, Dan Nama-	1
hoe, Evangelina de Silva,	1
James D. Lewis	4
5—W. H. Beers, G. H. Akau, S. L.	1
Desha, James Low, W. S.	1
Terry	5
6—David Keola Kallimal	1
7—David Kalani	1
8—Solomon Kona	1
9—Jas. Mattoon Jr.	1
10—Joachim Silva Ramos	1
11—John Jesus, H. B. Kukona	1
12—	1

Total number of delegates... 20

THIRD REPRESENTATIVE DISTRICT (Maui)

Delegates:	
1—W. A. Dickson	1
2—Chas. K. Parden, R. P. Hono,	1
Wm. K. Kalakini, D. K.	1
Kahanalo	4
3—George Gibb	1
4—C. M. W. Kanui	1
5—E. E. Delbert, M. F. De Ca-	1
mara, E. J. Kelleff, H. B.	1
Weller	4
6—(Abolished)	1
7—Geo. K. Kunukau	1
8—L. C. Keioloa	1
9—Mansel Dupont, W. G. Scott,	1
John Kalina	3
10—Joseph K. Pua	1
11—H. H. Kanehau	1
12—K. Kalamia, Geo. P. Kamaka-	1
hale	2
13—J. K. Kapoi	1
14—J. W. Kawakoa	1
15—	1
16—J. P. Nakelewe	1
17—	1
18—	1
19—	1
20—	1
21—	1
22—	1

Total number of delegates... 35

FOURTH REPRESENTATIVE DISTRICT (Oahu)

Delegates:	
1—W. H. Kallimal, J. P. Rego,	1
2—John Kaimi, Carl A. Wide-	1
mann, Cecil Brown, Charles	1
K. Keioloa	4
3—Alfred D. Cooper, Harry Bailey,	1
Charles Nakai, J. J. Gomes	1
4—William A. Bowen, Robert W.	1
Stingale, Robert W. Breck-	1
ons, John A. Hughes, Wil-	1
liam T. Rawlins	5
5—A. N. Campbell, F. B. Mc-	1
Stocker, F. J. Lowrey, D. L.	1
Withington	4
6—John Aylett, Charles Kealoha,	1
Apaki Manuwal, John Wil-	1
liam P. Kala, William K.	1
Wilcox, A. W. Johanson	3
7—A. D. Castro, S. S. Peck, A. V.	1
Peters, A. L. Muckeye	4
8—M. W. Kaulilau, John Kaho-	1
omaha, Samuel Kalamia, W.	1
L. Welsh, Kalani Peters	5
9—William Ahi	1
10—George Chalmers	1
11—John E. Goas, A. K. Keau,	1
J. H. S. Kaleo	3
12—	1

Total number of delegates... 41

FIFTH REPRESENTATIVE DISTRICT (Oahu)

Delegates:	
1—Henry Cobb Adams	1
2—P. C. Lane	1
3—L. B. Nainoa, George K. Ke-	1
Kauoha	2
4—A. S. Mahaulu, J. K. Mahoe,	1
M. O. Souza	3
5—George K. Kahu	1
6—George F. Renton	1
7—P. K. Archer, P. Kamakaha,	1
C. H. McNally, E. B. Miki-	1
lemi	4
8—E. J. Crawford, G. W. Lalkupu	1
(Hasheo), J. Kasiphas (Ka-	1
koe)	3
9—E. K. Fernandez, Simeon K.	1
Nawa	2
10—J. K. Kana, William Lala, John	1
C. Lane, Samuel Paulo Jr.	1
11—Lot K. C. Lane	1
12—Eugene K. Ahi, Solomon Fu-	1
kumura, Wm. H. McInerney	3
13—W. H. Crawford, John K. Not-	1
ley, Chang Chau, Samuel	1
Kamakaha, William H. Ma-	1
huka	5
14—Wm. Wood, Alexander Smith	1
15—Will M. Templeton	1
16—John Jesus, H. B. Kukona	1
17—J. P. Kakahawai	1

Total number of delegates... 36

SIXTH REPRESENTATIVE DISTRICT (Kauai)

Delegates:	
1—	1
2—	1
3—	1
4—Isaac Iona	1
5—D. E. Kapaeha	1
6—James H. K. Kaiwi, Charles A.	1
Rice, Philip L. Rice	3
7—	1
8—	1
9—	1
10—James K. Lota	1

Total number of delegates... 13

FISHER HEARING

(Continued from Page 3)

A. Simply because the commission was too far away to be familiar with things in Hawaii. The men in the people in Washington—what would they know about the landings—what would they know about the difficulties here?

Q. It amounted to this—you are afraid of being placed under the jurisdiction of men who would not know what they were dealing with. That objection would not hold with you if the proposition was to submit the regulations of your rates, etc., to a commission of men who were near enough to get down to facts?

A. That is right.

Q. The company have never taken any steps with a view to having such a commission appointed?

A. No.

Q. Does your company charge uniform rates to all shippers of the same class between the same points?

A. There is some distinction.

(Discussion)

Fisher: Now the fact that those difficulties exist—those abuses exist—is an excellent reason for remedying those abuses, but I don't believe that it will help us to go beyond showing that there are such abuses.

Mr. Ashford: Do you care to hear something, Mr. Secretary, concerning the comparative charges from the ports where most is done in small farming?

A. If you can show me what the rates are where they are trying to do most of the homesteading and show that there is any discrimination I will be glad to know. If what you say is true it would tend to show that there is a discrimination between the larger ports like Hilo and Honolulu and the smaller ports. It may be true that the small port in getting the worst of it in competition with the big one, but there might be explanations for that. It teaches us that with or without homesteads that abuse ought to be remedied.

Mr. Kennedy: In Hawaii, 29 miles from Hilo, homesteaders grow pineapples, they bring down freight for 75 cents those 29 miles that we charge 25 cents to bring to Honolulu.

Mr. Ashford: Will you kindly state the rate for bananas?

A. For large bunches, it is 25 cents.

Q. Do you know the rate from here to San Francisco?

A. I do not, but they take enormous quantities, while we bring approx-

three of four at a time, from a port.

Q. What is your rate upon cattle from Kona to Honolulu?

A. \$5.00.

Q. Is that available to everybody?

A. Yes.

Q. Say that a homesteader is bringing one—

A. There are limitations.

Q. What are the limitations?

A. 75.

Q. So that if there is at least 75 in the invoice then you may pay as little as \$3.50. If there is at least 75 in the invoice and the cattle are of sufficient size then according to the weight—what is the ordinary weight, 600 pounds?

A. I do not know. 500 pounds is \$5.00, 400 pounds is \$4—

Q. Now, is that for all shippers?

A. All shippers of 75 head.

Q. \$75 invoice?

A. 75 head of cattle.

Q. You never bring 75 head of cattle on one steamer?

A. We can bring 100 head on some of the steamers.

Q. Isn't the usual number 30?

A. On the mail steamers.

Q. Shipping 30 on the mail steamer, what would be the rate?

A. \$5.00 flat.

Same to All Shippers.

Mr. Fisher: Would that be to all shippers?

A. Everybody the same. The cattle have to swim out to the ship with the boats and it takes a great deal of time.

Mr. Ashford: Are the rates between here and the Kauai ports uniform or substantially so?

A. With the exception of Hanalei and Wainiha it is, all \$2.50 a ton, that is in ton lots.

Q. I was speaking of passage rates. Has there been any reduction in the passage rates?

A. There hasn't been any reduction in passage rates, but there has been an improvement in the accommodations.

Mr. Ashford: I think that is all I want to ask Mr. Kennedy.

Mr. Olson: Nothing.

Mr. Lewis Called.

Mr. Fisher: Mr. Lewis: What is your full name?

A. Abraham Lewis, Jr.

Q. What is your employment?

A. My present employment is Vice President and Manager of the Bank of Hawaii, but I think I am called here by virtue of the fact that in 1908, I was then an attorney at law—I received the appointment as Chairman of the Advisory Land Law Commission.

Q. The reason I called you is for both reasons, because you are now connected with the bank and because you did have this further connection. How long have you lived in Hawaii?

A. 12 years.

Q. And what was—have you had all your business experience here?

A. If you want my life history—I graduated from the Stanford University in 1895; I then took up a course of the study of law in the Hastings Law School in San Francisco and graduated from there and received my license to practice in 1897. I was then connected for a number of years with a law firm in San Francisco, which subsequently dissolved. In 1900 I came to the Territory of Hawaii and entered into the law office of W. O. Smith; the next year I became partner of Mr. W. O. Smith and from that year until about three years ago I remained a member of the firm of Smith and Lewis. It was as a member of such firm that I became a member of the Land Law Commission.

Q. Did you come to the Islands because you thought you had more opportunity here or had you any family here?

A. I came to the Islands as the result of a talk with the heads of the firm at that time and with Mr. Smith. Mr. Smith formerly occupied a government position here and had gone into private practice of the law and invited assistance.

Q. Now professionally have you been identified with any particular class of practice here?

A. Well in the Island practice here I think a man represents all classes of practice. I had certain corporation practice, practice carried in the Federal courts, and the general advisory practice, representing all classes.

Q. Were you counsel to any of the large interests here?

A. Well, I think we held retainers for a number of the large concerns here.

Q. Sugar concerns railroad or what?

A. Both sugar and steamship.

Q. Now at the time you were ap-

pointed on this commission what were you doing, practicing law still?

A. I was still practicing law at that time.

Q. That commission investigated what class of subjects?

Tells of Land Law Commission.

A. Well, it was general—with received appointments to study into the land law conditions, to make reports for any needed legislation and to generally investigate the subject of administration of the land laws. You might say that that commission was one very short in life, that is, we received our appointment about the middle of the year—

Q. What year?

A. 1908. And we reported in the second week in November. We had seven members in the commission.

Q. Who were they?

A. W. A. Kinney, A. W. Carter, S. M. Kanakani, W. B. Thomas, J. P. Cooke and myself.

Fisher: Who are they?

Lewis: W. A. Kinney, A. W. Carter, S. M. Kanakani, W. B. Thomas, J. P. Cooke, Carl Smith and myself—that makes seven I believe.

Fisher: I had a copy of that report but it seems it has not been brought down here.

(Mr. Fisher is handed a copy of the Commission's report by Mr. Hemmaway.)

Fisher: Did the Commission unite in these recommendations?

Lewis: They did not. With these seven members, as members, as you will notice in the opening paragraph, it was an extremely difficult matter to get these men together.

Fisher: You mean physically?

Lewis: Physically, yes. One of the members was on the mainland trying a case; at that time, and I doubt very much whether he ever attended a hearing. Other members of the Commission were also away. Mr. Carl Smith was in Hilo, but we had the benefit of his advice in Honolulu; he was a very consistent worker and assisted us materially. As far as that Commission was concerned, we made every endeavor to give everybody an opportunity of presenting their views on the situation. We advertised in all the papers that the Commission would receive suggestions as to how the law should be changed. In order that we might reach the people on the other islands, we advertised notices of hearings of the commission in the different island papers. We held a session at a session at Lihue for the Island of Kauai we held a session at Wailuku for the Island of Maui, and held a session in the Legislative Chamber here for Oahu. To begin with, the hearings were not very largely attended, in fact their attendance was very sparse.

Further, to carry out the scheme—to get as much light as we could on the subject—we addressed personal letters to different organizations and different people making a personal appeal to them to give us the benefit of any advice or suggestions which they might have to offer in connection with the system. As a result of that we received the usual complaints. There were very few constructive schemes outlined, and in fact we did not derive a great deal of benefit from them. However, as a result of these hearings and the communications which we received, the Commission came to the conclusion that the subject was more one of administration than of laws. As a result of our deliberations, we placed the land generally in two subdivisions: that is, of undeveloped land of the Territory and the developed land of the Territory; and decided that the two needed entirely different and distinct treatment. We also had the benefit of our personal acquaintance about the Islanders here, in connection with the character of the lands, conditions under which it was held; and as a result we came to the conclusion that the proper administration of the lands was to give to the Executive a broad discretion; and to have him fit the individual case under an elastic system. It was thought advisable, in case of exchanges of land, that there should be some sort of check.

Discretion Nullified.

Now, if you will allow me to bring this up today, our ideas under these conditions have not worked out as we had anticipated. The discretion we recommended for the Executive has, to my mind, been very largely nullified to some extent—nullified. The Organic Act states, to begin with, that leases of agricultural lands should not be made for a longer period than five years; an amendment to

that was thereafter made, to the effect that a lease could be made for 15 years; but a restriction was placed upon that which provided that should the lands be desired for homesteading purposes, they could be taken over by the government at any time and opened up for homesteading purposes. That made a man's lease a tenancy at will. The subject was then brought up as to whether or not we would consider a provision that any 25 citizens who applied for the opening of the land for homesteading purposes could force the government to so open the lands. That would force the hand of the government to open the lands and would nullify the whole scheme as far as we were concerned. Our idea was that this undeveloped land should be developed and sold if possible; and that every endeavor should be made to develop that land; and second, after it was developed and all taken up, then if there were further inquiries, then to go upon the cane lands; but that the cane lands should not be developed first. Now, as a result of this 25 citizen provision, which has since gone into effect in the amendments to the Organic Act, the hand of the administration has been forced; and all land of a highly developed character can be thrown upon the market for the benefit of the Territory. And that situation, as far as a number of us are concerned, should not be brought about, immediately. For instance, you had a system known here as a "Reserve" system; if that was to be changed the change should not be brought about rapidly, but by a process of evolution; that is, the Government would have the opportunity of opening up these cane lands from time to time, and not throw them open as a whole without an assurance that they were to be farmed properly and given out in any bona fide manner. So much for that side.

Question of Bona Fides.

There is another question which has always been a debatable ground. The main question is, are you going to test the bona fides? You want to tie him up with all sorts of restrictions. In fact, a man whom you would want as a settler might not care to take up the homestead owing to the restrictions which you enforce. Thereby you thwart your object by making the conditions so hard that he is not able to comply with them. I would say that until a man received his title any conditions which the government might see fit to make, which would test the bona fides, were advisable; but after he got his title I think the restrictions ought to be relaxed somewhat. I might say that after our report was filed, the law was drafted and a great many changes were placed in it. This idea of striving to put a restriction on the homesteader who desires to sell his land after he acquires title—either to go out of the Territory or to go into another line of business—by not allowing him to sell to a corporation or to a man who with the land sold him will own more than 80 acres, acts both ways. Is that an attractive proposition to the homesteader? There is the problem. I admit that you want to keep the lands out of corporate hands, but it is a big problem. On the other hand, those homesteaders might want to form independent corporations. It might be advisable that after they get their patents they might want to form little associations whereby they could dispose of their products to better advantage, and in this way be able to secure advances.

Fisher: There would be no reason to put the land in to acquire that, would there?

Lewis: There might be.

Lewis: So far for that theory. I think there was one other proposition and that is this: as far as the undeveloped lands are concerned, the price should be made very low. The man who takes up these lands has a value to create; and if the homesteader creates that value then he is entitled to that land at a low figure. Second, when you come to sell developed land such as cane land, you are making an error if those lands are sold at low figures, because then you get two elements: first, those lands for a number of years have been out at low rentals and the government is now in a position to reap the benefits of having the lands developed; and second, if you place a low appraised value on the lands then there is the element of speculation which will come in no matter what your restrictions are. Some of the speculative class are bound to get in there—it can't be avoided.

The third proposition is: that if you are going to sell out the cane lands there should be made reservations in these cane lands for rights-of-way for ditches. If you leave that power in the government it will avoid Eminent Domain Proceedings, as this would provide that the Government could go upon that land at any time and take a right-of-way. In my opinion you cannot have homesteading of cane lands without the co-operation of the plantations—that is, the government on one hand; the homesteader on the other; and the plantation on the other; and you should deal just as fair with the plantation as with the homesteader. The way to do that is for the government to reserve in any lease those rights-of-way. I presume that has been done in this administration; but probably in times gone by it has not been done. If the government retains that right it does away with the idea of eminent domain proceedings at any time.

In the last proposition comes the question of advances to homesteaders. I think that the banks of the community, those that have natural interests here, desire to assist the advances to homesteaders. With restrictions on attention, and with too rigid restrictions upon the use of the land, it takes that beyond the realm of the private institution. For instance, under the restrictions at present, if a party loans money to a homesteader he has to depend entirely upon the crop. A homesteader, in order to get a title to his land, has to live up to all the requirements of the law pertaining to homesteads; and if he should throw up the lease, then the time which he has been there does not count at all. And the party who loans the money must get another man to take that man's place, or else he will be out the money loaned.

I think that situation is generally recognized here. The Legislature before the last appointed a commission to look into this, and I believe the commission reported against the government making advances to the homesteader direct, although the change in the Organic Act made it necessary that the government make advances to the homesteader. The institution that I am connected with has loaned money in some considerable amounts. The other proposition is that of financial people generally loaning money on these homestead agreements, which has been done to a certain limited extent. It has been done on the Island of Maui. Some branch banks on some of the other islands do make these advances, but as a general proposition if it comes to large amounts and a large number of people either, I don't believe it offers an attractive proposition to the banks.

Fisher: Taking this last point first: How important do you regard it that the lands of this Territory that now belong to the government should not pass into corporate or large holdings?

Lewis: Well, I believe that consistent effort ought to be made here to homestead the land; but do not believe in an experiment that is going to result in an evolution of an established theory. But I think we should keep hammering away on it until we solve it. And I think most people of the Territory are trying to solve the matter.

Fisher: If we can see that the failure to put certain restrictions on the people then ought we to make an experiment of that kind?

Lewis: No, I don't think you should.

Fisher: What do you think about it, frankly?

Lewis: Well, if taking off the restrictions in opening lands to homesteaders would put the land into the hands of a few people or corporate ownership, I don't think the restrictions should be taken off. But I think there should be less stringent restrictions after the homesteader gets his patent.

Fisher: Well, if those restrictions were taken off, sooner or later that would be the result—the majority of the lands would pass into the hands of a few large interests. In the States they do not allow corporations to own real estate at all. There are certain restrictions here as to the amount of land that a corporation shall own. Do you think, without these restrictions that it would be very long before the better lands in this Territory would be in the hands of corporate ownership or a very few large owners?

Lewis: Well, I suppose they would in time as you say.

Political Notices

To Republican Delegates:

I hereby respectfully solicit the individual votes of delegates to the District and County Convention of the Republican party for myself as candidate for Supervisor, having been the first precinct, where I have been elected as a delegate. I am running on my record as a member of the first Board of Supervisors of the City and County of Honolulu, which I have had abundant assurance was a record that gave thorough satisfaction to all sections of the constituency.

Yours respectfully,
DANIEL LOGAN.
Honolulu, September 13, 1912.

NOTICE.

I hereby announce my candidacy for the office of Senator for the City and County of Honolulu, subject to the action of the Republican District and County Convention.

5340-6c
J. C. COHEN.

NOTICE.

I hereby announce my candidacy for the office of Supervisor for the City and County of Honolulu, subject to the action of the Republican District and County Convention.

5340-6c
J. THAS. G. BARTLETT.

NOTICE.

I hereby announce my candidacy for the office of Representative from the Fifth District, subject to the action of the Republican District and County Convention.

EDWIN K. FERNANDES.
5340-6c

NOTICE.

I hereby announce my candidacy for the office of Supervisor for the City and County of Honolulu, subject to the action of the Republican District and County Convention.

ABRAHAM FERNANDES.
5340-6c

NOTICE.

I hereby announce my candidacy for the office of Representative, Fourth District, subject to the action of the Republican District and County Convention.

CLARENCE H. COOKE.
5340-6c

NOTICE.

I hereby announce my candidacy for the office of Supervisor for the City and County of Honolulu, subject to the action of the Republican District and County Convention.

CARLOS A. LONG.
5340-6c

NOTICE.

I hereby announce my candidacy for the office of Supervisor for the City and County of Honolulu, subject to the action of the Republican District and County Convention.

M. C. AMANA.
5340-6c

NOTICE.

I hereby announce myself a candidate for the office of supervisor from the Fifth District, City and County of Honolulu, subject to the action of the regular Republican convention.

JOSEPH A. MCCUIE.
(Keo Makuae).
5339-3t

NOTICE.

I hereby announce my candidacy for the office of Supervisor for the City and County of Honolulu, subject to the action of the Republican District and County Convention.

J. C. QUINN.
5338-7t

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