

HIGH SHERIFF WORKING OUT MODEL ADMINISTRATION FOR PRISONERS

(Continued from page one)

variation between prisoners and guards. The men were made to feel that the stripes upon their suits marked their souls as well as kept them apart from the rest of humanity. The result was continual and savage discontent and continual outbreaks. Only Five Escapes.

In the entire year of Jarrett's wardenship only five men have broken away. Four of these were immediately captured and one returned of his own will to serve out his sentence.

Far different was the scene last Thursday, a typical evening of the new prison life.

At 9 o'clock the "lines" commenced to come into the yard from the various places where they had been working during the day, some of them working on the grounds of the industrial homes or in the parks without guard or luna to watch them, some of them in big groups working miles away from the prison with only one luna or guard.

All of these men filed into the yard in separate groups, placed their hats on the ground and took off their shoes while they were searched, received a piece of soap, and filed away to the wash rooms, rolling cigarettes, laughing and chattering as they went.

Practically every one of these men bathes at least once a day, although this is not compulsory. So strongly does the spirit of the prison operate upon the lowest types who enter that in a short time they have fallen into the regular schedule of the day's work, and accept cleanliness as a routine duty at first, as a pleasure later.

Three Windows for Food.

At 5 o'clock the gong sounded for supper, and the men, washed and re-treated, made for the three windows out of which the three different kinds of food are passed to them. Here was a further example of the tremendous difficulties with which Warden Jarrett has to contend every day—the great problem of race differentiation.

The very food which is given the men of the different races must be made distinct. The Hawaiians require one sort of nourishment, the Japanese and Chinese a second, the Caucasians a third. This in turn necessitates a larger number of cooks, and today, overcoming all these difficulties, the military department is one of the chief prides of the warden.

That night the men received a great pot containing a pint and a half of the same mixture of rich soup, thick slices of bread and two heavy crackers, a large portion of meat cooked with onions and other seasoning vegetables, and potatoes, rice or pol, according to the taste.

Filing back to the eating places, the men sit down at long tables, which is another innovation of Jarrett, enabling the men to sit like men after the habit of a civilized community. They talk while they eat.

Silence Rule Abolished.

The silence rule was one of the first things which Jarrett abolished, and as a result there is no longer banal commiseration in silence, but cheerful and talkative meal at which the men form congenial groups and discuss their mutual interests.

For there are mutual interests in this prison. An example of them was shown after supper Thursday. A challenge came from the Y. M. C. A. volleyball team declaring that they could "clean up" the Oahu prison team in short order. The challenge was accepted with a shout, and the men filed out to practice while they waited for the arrival of their opponents, or squatting along the side lines, shouted advice or encouragement to the favorites.

The Y. M. C. A. boys arrived slender, active fellows with white skin in sharp contrast with the dark, lean faces of the prisoners.

This Y. M. C. A. team was well drilled and played together for a long time, yet the prison team beat them three games straight, without effort. That game throughout was played in the best of spirits. When at the beginning, the visitors seemed about to run away with the game, the fellow prisoners on the side lines merely rooted all the harder for their representatives in the field; for all the world like a college routine section. No Decisions Disputed.

Throughout the game not one play was the subject of discussion, and yet there was no umpire. What one side ruled the other side accepted. The game was played in an almost open enclosure behind the main yard of the prison, a place from which the entire body of prisoners could have escaped at any moment, and yet there was not one guard present. The sheriff was there as a mere unit among the spectators. He was unarmed.

The game over, the prisoners, or as the warden and the sheriff call them, "the boys," crowded back into the yard of the prison. They walked as if they were glad to go, and once inside the yard the reason for their willingness was not far to seek. Extending over the yard is a great tree fully 150 feet in diameter and from the lower branches of this tree (for it was now dusk) shone suspended electric lights.

Under the quiet light walked groups of men talking cheerfully, or sitting together on the benches smoking. From one side of the yard came a well trained chorus of men's voices and the sound of guitars, ukuleles and a piano. The music room is another innovation introduced by Jarrett.

Only One Guard at Yard.

In the meantime the sheriff sat on the steps of the prison and watched the men. He was the only official in sight, with the exception of one guard who sauntered carelessly here and there, not so much as an authority set to watch and spy upon the men as an arbiter of any little disputes which might arise.

At 7 o'clock the men formed in lines and commenced the calisthenics, a

HE HELPS CRIMINALS TO BECOME GOOD MEN



High Sheriff William P. Jarrett

well ordered set of exercises arranged after the manner of the army setting-up discipline. They kept time with an orchestra playing in the music room.

A chosen squad of 20 men went through the elaborate convolutions of a flag drill with the pride and skill of trained soldiers, moving through the intricate formations vigorously and with an obvious enjoyment. After half an hour of this drill the men broke up into groups again.

Three men came out with an ukulele, guitar, and a guitar played with steel, and made such music as one rarely hears, even from professionals. At the same time every few minutes some man stepped up to Jarrett where he sat on the steps and made some remark to him, some request, or some petty complaint over which they felt themselves grieved. They talked to him respectfully, but without awe or constraint. And he addressed each one by name. He knows the names of every one of the 267 prisoners. After a moment a group of three men approached.

"We have a suggestion to make," said a clean built fellow, evidently spokesman.

"Fire away," said Jarrett cheerfully. Suggest Exercise for Sick.

"We think, sheriff," continued the spokesman, "that the two men who are now in the hospital should be given a little exercise, and suggest that they be sent to the Punchbowl camp for a week or so."

"Why," said the sheriff, "one of those men has rheumatism and he has been given the liberty of the rear grounds whenever he wants to walk. I'm afraid that the air at Punchbowl would be too damp and changeable for him. The other fellow has a face that's out to pieces and probably he would take cold in the cuts if he was sent up now. Make these men take their exercise here for a few days, and as soon as they are strong enough we'll take them up and see how they get on at Punchbowl."

"There goes part of the executive committee," said Jarrett as the men walked off.

"An executive committee of prisoners?" he was asked in astonishment.

"Certainly," he replied, smiling. "This is a self governing body, or nearly so. We have an elaborate system of control among the prisoners. There are, for instance, 15 policemen, under their own chief of police, captain, deputy and three sergeants. No More 'Stool Pigeons.'"

"Understand that these men are not in any respect similar to the stool pigeons of the old regime. The stool pigeon stole about among the men and spied out their secrets. Often to win favor with the warden he would invent disorders which did not exist, or would persecute particular prisoners who had won his disfavor.

"Our policemen on the other hand, have badges which indicate what they are, and they are respected and obeyed by their fellow prisoners. They prevent any quarrels and violent disputes, and when there is bad blood between a couple of the prisoners and one offends the other, or in case some ground rule is violated, they make an actual arrest and in this case the accused man is taken before the executive committee.

"The executive committee consists of 12 men, one elected by each of the eight races represented here, two elected at large and two appointed by me. In the case of a man being brought before the committee accused of a crime he is given a regular trial. One member of the committee prosecutes the man, and another defends him.

"After the evidence has been submitted and weighed, the man is sentenced and the sentence passed up to me. I review the evidence briefly and adopt or modify the sentence imposed. It would astonish you to see how skillfully this police force works, and how impartially and accurately the executive committee makes its judgments.

"The executive committee is subdivided into other committees, such as general welfare, entertainment, sports, police and investigating. For instance, the paving under the eating spaces was a suggestion of the welfare committee, and the entertainment committee advised the establishment of the music room. Another recommendation was for a sanitary drinking fountain, which, by the way, I have secured for them.

"In one word, this prison is practically governing itself. Men must have hope, and employment for the mind as well as for the body, and by getting them interested in their own welfare and showing them that they will be able to build up a spirit of self-respect which when these men leave the prison will make them take an interest in the affairs of the community in which they will live."

Many Make Ornaments.

While Sheriff Jarrett chatted the men were sitting about the prison yard, singing, telling stories, or busy at work upon some toy or piece of decorative work. Some of them carve shells into fantastic and attractive shapes, others work horse hair into intricate chains, and some, as the tinsmith, make horn canes.

The latter require a week of steady application for completion; The horn is softened in the fire, cut into square chunks and through the middle of the chunks a stout steel rod is passed. Then the horn has to be filed away by hand, and the whole rough surface polished for many hours before the work is complete.

This work of the prisoners brings them often a considerable income. One man has made \$150 in a comparatively short term. Others have sums ranging from \$100 down and they use part of this money to keep them in little luxuries with which the prison does not furnish them.

Shortly after 7:30 the men were sent to their cells. The old custom was to confine them at 4:45, which kept them in the cells, dark and without a light to read by, for more than 12 hours at a stretch. Now they are in the cells hardly more than eight hours.

Cell Doors Open at Night.

"Men must have an opportunity to sleep if they are to do real work the next day," is one of Jarrett's maxims, and as a result he sees that the cells are not allowed to become too hot for comfort. The doors of the inner cells are left open upon the halls, and a free current of air circulates. As a result there is practically none of the disturbance in the night which formerly kept all the prisoners from sleep because one or two restless men were pounding on the doors of their cells and yelling for "More air!"

In the morning the men are unlocked at 5 o'clock and after a breakfast as hearty as the supper, are formed into lines, searched and started out for their places of work.

At the site of the new territorial prison, a modern building which will accommodate 500 or 600 men, 62 prisoners are working at tasks for which paid laborers would need a daily wage of \$2.50. At the quarry 50 men work.

At Makiki, the government nursery, the armory, for the board of health in various places, the library, the palace grounds, and the waterfront, groups of from 20 to two men work without guard or luna.

No Guards for Workers.

It is a triumph of the new system that these prisoners can be permitted to go out and work by themselves, raise no trouble during the day and come back at night. Some of them are men who are in for a life sentence. Every day the sheriff makes the rounds to all the sites where the men are working.

At Punchbowl is a camp of 20 men. They are cramped out like any body of pleasure seekers. One guard (?) looks after them. They are cleaning up the ground which will soon be used as the National Guard rifle range. All over the irregular plateau men are cutting down trees and cactus and carting away the rubbish. Much of it is taken back to the jail for fuel.

Where formerly the coal used at the jail ran up to a ton a week the prison now purchases hardly a ton in two or three months.

These men at Punchbowl work by themselves. They are put on their honor, and it has come to many of them first with a shock and then with a thrill of pleasure to know that there are a few people in the world who still think them honorable. They respond to the trust manfully. From these open camps no one has ever attempted to escape. They fear to do so because they know they would draw down upon their head the wrath of their fellow prisoners, men who do not intend to be deprived of these great privileges because one or two of their number wish to have leg room.

Stay Away All Week.

Greater than the triumph of the Punchbowl camp, however, is the Round Top establishment, where 23 men under the direction of two foremen are camped 5 miles from the prison in the heart of the mountains, laboring on a road. Formerly these men were brought back and forth to work every day and working under many guards they took no interest in their work. Furthermore the time taken in traveling to and from the jail left them an extremely abbreviated day. Now they are taken to the prison on Saturdays and brought back to the camp on Monday morning. It leaves them a week clear for work and an outing besides, and they accomplish three times as much as the gang which worked there under the old regime.

Indicative of the new spirit of the men is the fact that under Henry's regime, 20 guards were necessary to accompany 111 workers in 11 places. Today 185 men work in 19 places under 10 men themselves prisoners, who are foremen rather than guards. Where there is simple work to do no luna, so-called, is used.

On the way back from Round Top the machine of Sheriff Jarrett passed a broad shouldered fellow, who, with a broad grin, raised his hand in half military salute.

Job When He Got Out.

"Good morning, Mac!" sang out Jarrett as the machine whirred past. "That man," he continued a moment later, "got out of prison a few months ago. He was considered a bad one under Henry's regime. Given a little liberty he turned out to be a fine fellow. He worked hard and took an interest in his work. When he completed his term I went to a businessman and told him that this man had served his term, exactly what he had done in prison, and just how much I thought of him. The man employed

RAPID TRANSIT FIGHT IS BEGUN ON BROAD BASIS

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chase cost us nothing," he continued. "The fact is that it cost a good many thousands of dollars. It is a part of our property. It has been held as such by the local supreme court and by the supreme court of the United States. The territory has taxed it as our property."

He added that this year the railway was assessed at \$2,000,000. Depreciation Rate "Absurd."

It was argued by the attorney-general that the company has adopted an "absurd rate of depreciation," and that "a great part of the so-called investments have been used to replace wasted material." He also stated that portions of the property of the company are not used for public purposes. The company has levied a portion of its capital, he added, in a manner which in no sense is beneficial to the public.

A section of the territory's complaint was amended today to read as follows: "That your petitioner has been informed by an expert accountant, who has examined the books of the said Honolulu Rapid Transit and Land Company, and by expert engineers who examined the property of the said railway, as well as the statements prepared by said accountant from said books, that the actual cost of the property of said railway, as well as the actual value of said property, does not exceed \$986,000, and your petitioner believes the information so obtained and, therefore, charges the fact that neither the actual cost nor the actual value of the property of said railway exceeds \$986,000."

Territory's Points.

The territory's fight, as outlined in its petition for an injunction, is to restrain the company from increasing its capital stock. The territory alleges that the present capital stock, \$1,207,500, exceeds the amount which the company by law is authorized to issue. The territory also alleges that the company plans to increase its capital to \$1,600,000, which it seeks to prevent. The territory also seeks to prevent the payment of any dividends upon any stock except that now outstanding.

The Rapid Transit Company maintains that it has every legal right to increase its capital stock to \$1,600,000, and while stating that it may do so, it says that it may do so only if it is not restrained by order of court.

This is the gist of the legal battle that began today in the ammunition for the battle lies in the terms of the charter and in the facts concerning the company's physical valuation.

In Charter Provision.

In the charter it is provided that the Rapid Transit may not increase its capital stock in any amount exceeding the actual cost of the property of the railway plus 25 per cent of such cost. This regulation was to prevent stock watering.

The territory maintained on April 30, when the petition was filed, that the actual cost of the railway was only \$795,407 and charged that the present capital stock is more than the company could legally issue and that the proposed increase to \$1,600,000 would be far in excess of what it could legally issue.

These charges the company just as strongly denies, declaring that it has issued only stock which could legally be put out under its charter terms.

Thus the question of the cost of the railway "plant" looms up as one of the vital issues of the injunction suit. It will be the endeavor of the territory to show that the company's statement of cost is too large; the endeavor of the company to show that its statement of cost is correct under the true interpretation of the charter.

The territory has conducted expert examinations both of the company's books and the physical property of the company as well.

H. Gooding Field, the accountant, has been retained by the territory for the examination of the books; while the physical valuation has been made under the direction of Superintendent of Public Works C. R. Forbes. It was also reported this morning that several well known civil engineers of Honolulu had been retained as experts for the government.

Territory's Plea.

The gist of the petition for an injunction filed by the territory is in the following paragraphs:

"That it is provided by said charter of incorporation and by said franchise that it shall not be lawful to increase the capital stock of said corporation at any time in excess of \$2,000,000; unless the proposed increase shall, when taken with said original capital stock, represent only the actual cost of the property of the railway, and not over 25 per cent of such cost in addition thereto."

IV.

"That the said Honolulu Rapid Transit and Land Company has from time to time increased its capital stock so that the amount of said capital stock now outstanding is of the par value of \$1,207,500."

Cost of Property.

"That your petitioner has been informed by an expert accountant, who has examined the books of the said Honolulu Rapid Transit and Land Company, that the actual cost of the property of said railway is \$795,407, and your petitioner believes the statement of said expert accountant and therefore charges the fact to be the actual cost of the property of said railway is \$795,407."

Cost of Property.

"That your petitioner has been informed by an expert accountant, who has examined the books of the said Honolulu Rapid Transit and Land Company, that the actual cost of the property of said railway is \$795,407, and your petitioner believes the statement of said expert accountant and therefore charges the fact to be the actual cost of the property of said railway is \$795,407."

VI.

"That the amount of capital stock now outstanding, to wit: Capital stock of the par value of \$1,207,500, exceeds actual cost of property of the railway and 25 per cent of such cost in addition thereto."

VII.

Increase in Stock Planned.

"That the said Honolulu Rapid Transit and Land Company plans and intends to do so, unless restrained by the order of this court, further increase its said capital stock to the sum of \$1,600,000, and that such proposed increase, when taken with the present existing capital stock, does not and will not represent only the actual cost of the property of said railway and not over 25 per cent of such cost in addition thereto, but that it exceeds the actual cost of said railway and 25 per cent of said cost in addition thereto, to wit: the sum of \$795,407, plus 25 per cent of said \$795,407."

VIII.

"That your petitioner is without any adequate remedy at law. Injunction Asked."

Wherefore, your petitioner prays that said respondent be enjoined to appear and answer this petition, answer under oath and show cause why an injunction should not be granted, restraining said respondent from increasing said capital stock of said Honolulu Rapid Transit and Land Company to the sum of \$1,600,000 or to any amount in excess of the present capital stock of said corporation; and your petitioner further prays that, pending a hearing hereon, the said respondent be enjoined and restrained by order of this court from increasing the capital stock of said Honolulu Rapid Transit and Land Company to the amount of \$1,600,000 or to any amount in excess of the present capital stock of said corporation; and that said respondent be enjoined and restrained until further order of this court from paying or at any time increasing the capital stock of said Honolulu Rapid Transit and Land Company other than upon the amount of said stock now outstanding.

Rapid Transit's Answer.

The Rapid Transit's answer was filed on July 24.

Among other things, the answer of the company denies that the actual cost of the property of the railway at the time of the filing of the bill was \$795,407, and says that the actual cost at that time was and now exceeds the sum of \$3,171,941.

The answer denies that the amount of the capital stock outstanding at the time of the filing of the bill—that is, stock to the par value of \$1,207,500—exceeded the actual cost of the property of the railway and 25 per cent in addition thereto.

Answering paragraph 7 of the bill, the respondent says:

"That neither its directors nor its stockholders have taken any action looking to the increase of its capital stock to the sum of \$1,600,000, or to any other sum, but that after a full investigation by the legislative and executive branches of the government of the territory of Hawaii, as to the amount of capital stock which the respondent was then entitled to issue, in case it should be granted an extension of its franchise for a period of approximately 20 years, an act was passed by the legislature and approved by the governor on April 29, 1913, which in terms provided, among other things, that the respondent might increase its capital stock as of January 1, 1913, to \$1,600,000, and issue to its stockholders of that date, or their representatives or assigns, sufficient additional paid-up stock to make the entire capital stock of the par value of \$1,600,000, which amount should, with the bonds to the amount of \$591,000, then outstanding, represent the entire property of the respondent as of that date."

"And the respondent says that it has a just and legal right to increase its capital stock to said sum of \$1,600,000, and that, although it has hitherto taken no action looking to that end, it may do so at any time unless restrained by order of the court; and it denies that such increase, when taken with said present capital stock, will far exceed, or at all exceed, the actual cost of said railway and 25 per cent of said cost in addition thereto, and it says that such increase, when taken with said present capital stock, will be less than the actual cost of the property of said railway and 25 per cent of such cost in addition thereto."

Subpoenas were issued today for the appearance of C. G. Ballentine, manager of the Rapid Transit, and Alfred L. Castle as witnesses in the case.

Until the close of the trial, Judge Stuart will hear the case from 10 o'clock in the morning until noon. There also will be afternoon sessions, beginning at 2 o'clock.

John Dougherty, a military prisoner, escaped from the guards at Fort Hamilton. He was shot at several times.

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Loan and Water Commissions Decide to Send Engineer to Field at Once

At a joint meeting of the Oahu Loan Fund Commission and the Water Investigation Commission, held this morning in the new rooms of the harbor commissioners at the Capitol building, James T. Taylor, engineer of the field party which is to make investigations for the latter commission, was given privilege to get his party together at once and make a study of the feasibility of draining Hildebrand Glen, Nuuanu, for water to place in Reservoir No. 4. Mr. Taylor announced that he will begin work immediately.

Considerable discussion as to the advisability of storing large quantities of water in Reservoir No. 4 came up at the meeting. Jorgen Jorgensen asked if any careful measurement had been made to ascertain whether the reservoir seeps as much as it is supposed to.

Harry Murray, general manager of the water and sewer system of the city, replied that no definite measurement had ever been taken, but that it made little difference so long as the water that seeps out is caught by the reservoirs below.

My experience with seepage water," replied Jorgensen, "is that most of it goes straight down, and would not be caught by the other reservoirs."

In that case," said Murray, "the artesian basin will catch the water, so it is not lost anyway."

This little exchange of opinions was one of the brightest spots in the meeting, which was fairly dull at times, many of the members repeating themselves and one another in their suggestions, and it was finally decided that the best means of getting at the subject was to have a field party put on the work at once.

Take Up Sewer Pump.

Following the announcement by Charles B. Forbes, acting as chairman of the investigation committee in the absence of Chairman L. A. Thurston who is on Hawaii, the members of this committee adjourned, and the loan fund commission took up the specifications of the proposed sewer pumping plant, submitted by Manager Murray for investigation.

As the plans called for separate contracts for furnishing and installing the pump and engine, they were returned to Murray by the commission with the request that both furnishing and installing be placed under one bid.

Both Murray and Fred Kivikko, engineer, insisted that they favored the separate bid plan, but Murray stated that he would abide by what the commission considered best in the matter. By motion, therefore, he was instructed to furnish plans and specifications for both furnishing and installing the plant, the specifications to be similar to those already drawn up. These will be submitted to the commission at a later meeting.

A deed to 978,055 acres of land was recently filed in Daltart, Tex.

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Morning's on CHANGE

Only 272 shares of stock changed hands during the session this morning with reported sales of 920 shares made between boards, Olan being the leader of the bulk of the trading, with transfers of 315 shares. Prices have made absolutely no changes, all being the same as those of last week, down to the smallest fraction.

"Everything that goes up must come down"—is an old saying. It does not refer, however, to the price of meat—Brooklyn Union.

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