

MAILS
From San Francisco:
Sonoma, Nov. 22.
For San Francisco:
Lafayette, Nov. 23.
From Vancouver:
Niagara, Dec. 1.
For Vancouver:
Makura, Dec. 10.

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KITCHENER MAY DECIDE TO ABANDON DARDANELLES FIGHT

GOVERNOR BRANDS JUDGE STUART'S ATTACK "IMPERTINENT, SCANDALOUS"

Is Joined By Land Commissioner Joshua D. Tucker in Motion to Strike Out Three-fourths of Complaint of Jurist Against Manner of Administering Land Laws—Demurrers to Writ of Mandamus Also Filed Yesterday Afternoon

A motion to strike and expunge fully three-fourths of the allegations and other matters and things in the petition and alternative writ of mandamus brought by Circuit Judge T. B. Stuart against Governor L. E. Pinkham and Land Commissioner Joshua D. Tucker, on the ground that these portions of the writ are "immaterial, irrelevant, impertinent, scandalous and a reflection on the conduct of the said respondents, as public officers," was filed in circuit court yesterday afternoon by Attorney-General Ingram M. Stainback, counsel for the respondents. Demurrers to the writ accompanied the motion.

The motion represents the opening gun in the defense of the governor and the land commissioner, and indicates that a hotly-contested legal battle will be the outcome. Judge Stuart's petition in mandamus relates to the present enactment of the land laws, declares that their present enforcement is not within the law, and seeks to have them enforced as he himself believes they should be.

"Of the allegations and complaints set forth in the judge's petition, nearly three-fourths are objected to in the motion filed by the governor and the land commissioner, who seek to have these matters stricken from the complaint.

Portions Objected To.
The motion filed yesterday first moves to strike from the writ that portion relating to the act of Congress of May 27, 1910, which provides for the opening of homestead lands when 25 or more persons qualified as homesteaders shall make application, and the "duty of the respondents" regarding the opening of agricultural and pastoral lands.

It further moves to strike the paragraph which, in part, declares that the respondents "have each willingly violated said requirements of Congress in each and every respect" and "have failed and refused to survey and open up the land." That part of the writ regarding the "frivolous excuses" given by the respondents "for their non-compliance with said act" also is objected to.

Respondents object to the paragraph which, in effect, alleges that "since the passage of the last act of Congress in 1910 it has never been complied with in word or spirit by said respondents." The paragraph alleging that the respondents have allowed entry of large tracts of lands in thousands of acres to the plantations and corporations "without any conditions for reservations concerning the same," and that they have "attached many annoying, foolish, absurd and unlawful conditions that render the right of homestead a farce and a cheat upon the ordinary man," is objected to.

Object to Stuart's Idea.
The three allegations by Judge Stuart concerning his idea of the results of the rules and regulations under which the respondents require entries of small parcels of land to be made, one being that "they deprive said citizens of liberty and property without due process of law," are asked to be stricken out.

Objection is made to the statements which allege that the "unlawful rules and regulations" will "give them (the respondents) the power to class said lands and attach thereto foolish, absurd, ruinous, impossible and unlawful conditions, which render the right of the citizens of the United States worse than worthless."

The third, fourth and fifth sections of that part of the writ asking that the respondents be "commanded" to comply with certain requests laid down by Judge Stuart are objected to, one of these being that "the respondents be commanded to immediately comply with the acts of 1910 in reference to the 25 petitioners and in reference to bringing all of the said lands immediately into the market."

Concluding the motion to strike reads as follows:
"This motion is based upon the grounds that the said matters and things are immaterial, irrelevant, impertinent, scandalous and a reflection on the conduct of the said respondents, as public officers, and based further upon all pleadings herein."

Call Writ "Vague."
That the petition and writ of alternative mandamus brought by Circuit Judge Stuart is "uncertain, unintelligible, vague and ambiguous," is one of the grounds set forth in demurrers to the petition filed by the respondents in connection with the motion to strike.

With the exception of the opening paragraphs, the demurrers of the governor and the land commissioner are identical. In opening, the governor contends as follows:
"That this honorable court has no jurisdiction of the person of this respondent as governor of the Territory of Hawaii, as aforesaid, for the purpose of mandamus."

Land Commissioner Tucker contends as follows:
"That the said writ does not state facts sufficient to constitute a cause of action or to entitle the petitioner herein to relief by writ of mandamus against the said respondent."

The remainder of the demurrers, which are addressed to Circuit Judge Ashford, reads as follows:
"That the said writ does not show the existence of any official duty on

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JUSTICE HUGHES WON'T TOSS HAT INTO RING NOW

Former New York Governor Refuses to Allow Name Before Nebraska Primary

[Associated Press by Federal Wireless] WASHINGTON, D. C., Nov. 18.—Justice C. E. Hughes, former governor of New York, has again signified his refusal to allow his name to be used for presidential campaign purposes. He has notified the secretary of state of Nebraska that he is not a candidate at the presidential primaries to be held in that state, and that his name must be kept off the primary ballot.

MAN FOR WHOM WILSON INTERCEDED TO BE SHOT IN SALT LAKE TOMORROW

[Associated Press by Federal Wireless] SALT LAKE CITY, Utah, Nov. 18.—Joseph Hillstrom, convicted of the murder of John Morrison and his son in January of 1914, will be executed tomorrow by shooting. He was to have been shot on October 1, but was reprieved at the request of President Wilson, who acted upon the representations of the Swedish minister, Hillstrom claiming to be a Swedish subject.

The man has always stoutly maintained his innocence and the motive for the murder has never been satisfactorily explained.

WOMAN SAYS ANCONA WAS SHELLED AFTER STOPPING

[Associated Press by Federal Wireless] WASHINGTON, D. C., Nov. 18.—Dr. Cecil Crell, a woman physician of New York, and the only native American who was a passenger on the Ancona and survived, has given a statement saying that the Austrian submarine shelled the Ancona after the Italian liner had stopped upon warning. Her testimony is given credence and is held to be important.

CARRANZA REAL GENERAL; HE'S CENSORING NEWS

[Associated Press by Federal Wireless] DOUGLAS, Ariz., Nov. 18.—It is reported here that Gen. Obregon has encountered a force of Villa's men south of San Pedro, while attacking Cananea, and that a fight is in progress. News is being censored by the Carranza officials and details cannot be secured.

BRITISH MINISTERS ON WAY HOME FROM PARIS

[Associated Press by Federal Wireless] LONDON, Eng., Nov. 18.—After three days in France, the British ministers who crossed the channel to attend the first joint war council have left Paris and are now en route home.

DOMINICAN REPUBLIC PRESIDENT IS DYING

WASHINGTON, D. C., Nov. 18.—President Jimenez of the Dominican Republic, is dying at Monte Cristi, according to news received by officials here.

AUSTRIAN AEROPLANES BOMBARD ITALIAN TOWN

[Associated Press by Federal Wireless] LONDON, Eng., Nov. 18.—News has been received here that Austrian aeroplanes have bombed Belluno, Italy, injuring three persons.

ONE CHILD IS VICTIM OF TEUTON AIR-RAIDS

PARIS, France, Nov. 18.—A Teuton airship has dropped bombs on Verona, Italy, injuring one child.

GRAB GAMBLERS AND BIG OUTFIT IN DARING RAID

Eight Men Nabbed in Room in New Allington Hotel; Find Chips and Loaded Dice

LETTER FROM WIFE OF ONE VICTIM GAVE CLUE

Tips Reached Detective Dept. That Men Were "Pulling Off Big Stuff" Here

Drawing in the net which they had been spreading for two weeks, the detective department last night caught three of the most accomplished gamblers that have ever been arrested here, and took an outfit which is probably the best here or on the mainland. In the raid they took one man who is believed to have a record as a desperate criminal.

The gamblers were taken in the room of "John Smith" Corbett, in the New Allington hotel. F. Johnson is the owner of the gambling outfit, and C. L. Watson and Corbett are his partners. The other men in the game were W. Wilson, F. Miller, Charles Finn, R. Martin and G. Felix.

Johnson, Watson and Felix appeared in the police court this morning and were released on \$250, \$50 and \$25 bail, respectively, trial being postponed until tomorrow. Each of the other men forfeited \$25 bail, which was put up last night. Corbett was rearrested this morning, charged with maintaining a gambling game.

Johnson and Watson were arrested a few weeks ago and paid heavy fines, after being caught by McDuffie's men while engaged in a game by the light of automobile lamps on a road near town.

Have Suspected Corbett.
Detectives have been watching Johnson and Watson since they landed here two months ago, and Corbett, who has lived here two years, has been under suspicion for some time as he was known to live without working. Recently "tips" came that the three men were "pulling off some big

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CANAL BARRIER LIKE AN ISLAND 15 FEET HIGH

That the Panama canal will not be open for traffic before January 1, if then, is the opinion of Col. Walter H. Chatfield, U. S. A., now Fort Srafer commandant, who arrived this afternoon on the T. K. K. steamer Klyo Maru from Balboa, with Mrs. Chatfield and the latter's sister, Mrs. Ella R. Tupper.

Col. Chatfield, his wife and her sister sailed from Galveston on the transport Buford, now anchored at Colon, unable to pass through the canal. All their household goods are still on the transport. Permission had to be obtained by wireless from Washington before the colonel could come on the first steamer to take command of the 2d Infantry here. The Buford's soldiers and officers are quartered at military posts, hotels and homes in the Canal Zone.

"When we left Balboa October 26," Col. Chatfield said this afternoon, "the official statement was that the canal would be closed until November 1. We saw the slides in Culebra (Gatun) cut. The hills seem to have broken away from both sides but more to the east. The barrier is a veritable island, 15 feet high, entirely across the channel and originally between 300 and 400 feet long. When we left they thought a small channel would be open in 10 days. Big steamers, however, will not be able to get through before January 1, I am inclined to believe."

GRAND JURY THOUGHT TO BE PROBING CASH AUTO CASE ONCE MORE

The territorial grand jury was believed to be investigating this afternoon the case of Charley Cash, former inmate of the city jail, who was arrested on October 30 charged with the larceny of an automobile. It is alleged that the stolen machine was the one which conveyed Cash and Sylvester Cullen to the home of Hans Riedel, which escapade resulted in the arrest of Cullen and Cash for assaulting Riedel and his wife. Both pleaded guilty to the assault charge.

No report was expected today from the grand jury by the city attorney's office on the investigation of the city jail scandal. Among the persons summoned to appear before the grand jury as witnesses were John Lucas, Julius Asch, Hans Riedel, Tatsushima and Police Officer Kila.

SEASIDE HOTEL MAY BE TAKEN BY TERRITORIAL CO.

Important Deal Pending for Beach Property But Negotiations Not Closed; Waikiki Improvements Likely

Authoritative reports in business circles that the Territorial Hotel Company may acquire the Seaside Hotel has a basis in fact, though negotiations are not yet complete, the Star-Bulletin learned today.

"Negotiations are under way, but are not closed. That is all I can say at present," said Mr. C. C. von Hamm, secretary and a director of the Territorial Hotel Company, when inquiry was made as to the truth of the rumor.

The Seaside Hotel is under the management of J. H. Hertsche, and the ground is owned by the Bishop estate. The Seaside was formerly operated for George Macfarlane, who now lives in New York and is said to be still interested in the ownership of the buildings and improvements, holding a ground lease from the Bishop estate. This lease has some years yet to run and it is presumed that if the Territorial Hotel Company closes its negotiations the lease may be extended upon the expiration of the present term.

The acquisition of this beach hotel by the territorial company is expected to herald material improvements in this section of Waikiki and the news has been received with great interest in business circles.

ITALIANS MAKE PROGRESS NEAR GORIZIA FORTS

Getting Closer to Stronghold Which Bars Way to Trieste

[Associated Press by Federal Wireless] ROME, Italy, Nov. 18.—Making progress in their efforts to capture the important stronghold of Gorizia, on the Trieste front, the Italian forces have captured positions northwest of the city.

MEDITERRANEAN RAVAGED BY SUBMARINE ATTACKERS

[Associated Press by Federal Wireless] LONDON, England, Nov. 18.—It is reported from Algiers, Africa, that during the period from November 3 to November 7, 13 vessels of the Allies were sunk by Teuton submarines operating in the Mediterranean sea and adjacent waters.

AMSTERDAM, Netherlands, Nov. 18.—The Norwegian steamer Ulrikken, bound from New York for Rotterdam, has struck a mine in the war zone and sunk. Five of the crew perished.

GERMAN ARRESTED; SAID TO BE PAROLE-BREAKER FROM INTERNED EITEL

[Associated Press by Federal Wireless] LONDON, Eng., Nov. 18.—The British authorities have arrested a German lieutenant from the Prinz Eitel Friedrich, interned at Norfolk, Va., as a parole-breaker.

AN INVITATION TO THE PUBLIC

TO THE PUBLIC.
I desire to call attention to the fact that the retail merchants of Honolulu, who are members of the Chamber of Commerce, have given much thought and have performed a considerable amount of extra work in preparing their show windows for a window display contest, which is to take place on Saturday morning, the 20th.

Business Honolulu, as we saw it some years back, is forgotten in the rush and enterprise which has developed a necessity to do just a little better than the other fellow, if success would be attained. A cordial invitation is therefore extended to the public to view the enterprises and efforts of the merchants through the window dressing which will be displayed at 10 o'clock on Saturday morning. Each merchant is contesting against the other merchants in an attempt to have the best window and it is the hope that the public may lend their presence so as to help make the affair a success.

RAYMOND C. BROWN, Secretary, Chamber of Commerce of Honolulu.

PHYSICIANS OF ORIENTAL RACES MAY BE BARRED

Governor's Letter to Medical Examiners Opens Question of Language Tests

ADVISES TAKING CASE TO COURT FOR DECISION

No One Nationality Named in Communication; What is "Official Language" of Hawaii?

Whether or not physicians of Oriental races who have only an inadequate command of the English or Hawaiian languages may legally be passed and licensed to practice in the territory of Hawaii, is a point raised by Governor Lucius E. Pinkham in a long communication which he sent yesterday to the Board of Medical Examiners of Hawaii.

Governor Pinkham writes that he is convinced that the board should seek the opinion of Attorney General I. M. Stainback, and even the decision of the courts, as to their powers and limitations, and as to what is "the official language of the Territory of Hawaii."

This unexpected point recalls the sudden and heretofore inexplicable resignation of Dr. George Herbert and Dr. E. D. Kilbourne from the board early this month—resignations tendered, according to the physicians, at the request of the governor. The third member of the board, Dr. R. W. Benz, returned Tuesday from the mainland, and retains his original position on the board. The places of Dr. Herbert and Dr. Kilbourne have been filled by the appointment of Dr. J. T. McDonald and Dr. W. L. Moore, as announced in yesterday's Star-Bulletin.

At the time the resignations were asked for and tendered, rumor had it that the breach between the governor and the board arose from the fact that recently three Japanese physicians were passed after examinations, while army surgeons resident on Oahu were "plucked." No direct explanation has been made.

Governor Pinkham's letter, which probably forecasts a test case in the courts of the territory, follows, in full:
Nov. 17, 1915.
To the Board of Medical Examiners of the Territory of Hawaii, Honolulu, T. H.

Gentlemen:
A survey of the Organic Act and Revised Laws of Hawaii 1915 has convinced me the Board of Medical Examiners should seek the opinion of the Attorney General of the Territory of Hawaii, and even the decision of the courts as to their powers and limitations.

The questions arise as to what is the official language of the Territory of Hawaii; and
Whether it is obligatory on those, officially charged or licensed to carry out the laws and regulations as enacted.

PHYSICIAN LETS BABY MONSTROSITY DIE; STORM OF PROTEST IS AROUSED

[Associated Press by Federal Wireless] CHICAGO, Ill., Nov. 18.—As a result of the refusal of Dr. H. J. Hal-seider to operate on a deformed child after birth, and the child's death, a storm of agitation against and argument for the stand taken by the physician fills the press.

The child, a mental and physical monstrosity, died at the age of three days and previously the physician, for reasons of scruple, had declined to operate though there was a chance of saving the baby's life. The mother had consented to the operation and other physicians and nurses advised it. The physician's reason for declining to operate was that the child might grow to be a menace and a burden to society and that he would not undertake the responsibility of saving its life with this prospect.

UNREST IN PORTUGAL MAY BE DUE TO CONSTANT AGITATION OF WAR PARTY

[Associated Press by Federal Wireless] PARIS, France, Nov. 18.—The President of Portugal has refused to accept the resignation of Premier Castro. Unrest in the country has brought the ministry to the point of resignation, but the President has requested all the cabinet members to remain until Parliament has indicated its desires regarding their successors.

SUGAR
SAN FRANCISCO, Nov. 18.—Sugar: 96 degrees test, 4.83 cents. Previous quotation, 5.02 cents.

Rev. L. L. Loofbourow, pastor of the First Methodist church, will address the student assembly at the Y. M. C. A. this evening from 7:15 to 7:30.

BULGARIANS CONTINUE THEIR ADVANCE; GERMANS PROGRESS; TEUTON SUBMARINES ACTIVE

THIRTEEN VESSELS TORPEDOED IN MEDITERRANEAN IN FIVE DAYS—WINSTON CHURCHILL QUITS CABINET AND GOES TO FRONT, JOINING OXFORDSHIRE HUSSARS—NORWEGIAN VESSEL SUNK BY MINE

[Associated Press Service by Federal Wireless] LONDON, England, Nov. 18.—Speaking in the House of Lords today, Baron Ribblesdale said that he understood that Maj.-Gen. C. C. Munro, who is in command of the British forces at the Dardanelles, is reported in favor of the Allies withdrawing from the attack there. Lord Lansdowne, of the ministry, announced that Lord Kitchener has been sent to investigate the situation and learn Gen. Munro's recommendation.

Reports from Gallipoli today say that the British have renewed the offensive, capturing 280 yards of trenches.

PARIS, France, Nov. 18.—Hope that the Allies in the Balkans may check the enemy's invasion was revived this afternoon when news from the front said that the French, though outnumbered, have been victors in a two days' battle on the Tithirkovoshevo-Krussevitza front. It is also learned that the British have been victorious on the Valondovo-Rabrova front.

LONDON, England, Nov. 18.—Serbia's fate, which yesterday was apparently to be settled in a few hours, is as yet unknown to the outside world.

A mass of vague and contradictory reports, coming from a part of the Balkans where communications are meager and slow, and the strict censorship exerted by the military authorities combine to give the public little but a patchwork of rumors and denials.

The national domain left to the Serbians is now a narrow strip along the borders of Montenegro and Albania and a strip curving westward along the Greek frontier. All the rest of their country is now in hostile hands.

ATHENS, Greece, Nov. 18.—Although war news from Serbian Macedonia is very contradictory, one apparently authoritative report is that a force of 20,000 Bulgarians has forced the 5000 Serbs who were holding Babuga pass to abandon this natural stronghold and retreat upon Prilep. Here they are also said to be hard-pressed.

Serbs In Vain Try To Hold Back Bulgars and Austrians

[Associated Press Service by Federal Wireless] LONDON, England, Nov. 18.—One report from southern Serbia today is that the Serbs and French are endeavoring to prevent the outnumbering Austrians from reaching Prilep and Monastir. Another report is that Prilep has been lost. It is admitted that its evacuation is rendered inevitable by the steady approach of the enemy.

The population of Monastir has fled and the city is imperilled.

German Official Cablegram Tells Of Progress In Absorbing Serbia

[Associated Press Service by Federal Wireless] The following cablegram from official German sources was received today:

"German Headquarters Report, Nov. 18.—The Teuton-Bulgarian armies pursuing the Serbians have reached the general line of Javor, North Raska, Kursumliya, Radan and Oruglija. The German troops have occupied Kursumliya, which was abandoned and looted by the Serbians. The Germans took several hundred Serbians and some cannon.

"On the west front an English attempt to attack by surprise German positions on the road between Messines and Armentieres failed.

"In the Argonnes a French plan to blow up German positions with a mine was known in time by the Germans, who evacuated the menaced trench."

Churchill Off To Fight In Ranks

[Associated Press Service by Federal Wireless] LONDON, England, Nov. 18.—Winston Churchill, former first lord of the admiralty and chancellor for the duchy of Lancaster in the coalition cabinet, has carried out his announced intention of quitting this minor post to go to the front and fight in the ranks.

He left his wife at the railroad station and, unrecognized, entered a special coach, trying to avoid men who wished to see him.

Churchill is a member of the Queen's Own Oxfordshire Hussars and wore the uniform of that regiment today. He has had previous active experience, having served in British campaigns on the Nile, Africa, and at Khartoum.

[Additional Telegraph Despatches on Page 9]

MEMORIALS
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