

Create within yourself your own bright world
Where you may dwell in harmony and peace.
—H. R. Harper.

Honolulu Star-Bulletin

SPORTS, CLASSIFIED AND SHIPPING SECTION

HONOLULU, TERRITORY OF HAWAII, TUESDAY, MAY 9, 1916.

NINE

J. A. MAGOON DEMANDS 'PEOPLE'S RIGHTS' IN FRANCHISE BE SERVED

Taking Up Charter Discussion, He Asks Why Rapid Transit Has Kept Profits

Honolulu, May 9, 1916.
Editor Honolulu Star-Bulletin.

Sir: I was again before the utilities commission the other evening, and I wish to say to the people through your columns in a condensed form what I there contended for. I want it thoroughly understood that I am not acting at the instigation of anyone, nor with any expectation of reward, nor for public favor; neither have I any animosity against the Rapid Transit & Land Company. Quite the contrary, I hope that the large majority of the stockholders of that company are my friends. I am not actuated by motives of jealousy, envy or revenge, but what I do and say is what I think is required of me as a citizen with the best interests of this community at heart.

Of course the company thinks it has the power to allow a certain portion of its net profits to go into extensions and then issue stock to that amount, or it would not do it. I would agree with it were this a mere private corporation with no rights of the people involved. But the people granted this most valuable franchise upon the express condition, after paying operating expense, repairs, renewals, extensions, interest and every other cost and charge properly or necessarily connected with the maintenance and operation, dividends not to exceed 5 per cent on the par value of the stock issued, a sinking fund for redemption of bonds or other record debt and the capital upon the expiration of the franchise, that the excess of income should be divided equally between the Territory of Hawaii and the stockholders of the company. How the people have been kept out of getting one cent of the excess of income, amounting to over a million dollars, I explained in your issue of the 4th inst. The company makes no bones of it. They say that's all right, we did it because we had a right to do it, the charter gives it to us. I deny this most emphatically. To my mind the charter does not such thing and if it does it is the most iniquitous piece of legislation that has come to my attention. In one place to plainly say that the people shall share in the income so as to get them to vote for it, and right at the tail end to covertly insert a clause which wholly nullifies the former provision is unbelievable. The clause referred to is in the very last section of the charter, and reads:

"It shall not be lawful to increase the capital stock... In excess of said \$200,000 unless the proposed increase shall, when taken with the 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; such cost may include all expense of laying tracks and equipping the road for public use, and may also include subsequent extensions and alterations, but shall not include the cost of the land." Says Action Illegal.

I contend that the increase of capital stock referred to here is stock issued for cash actually paid in by the subscribers for shares. The company has no right to put its surplus earnings into extensions and deprive the people of their share of those net earnings, and then appropriate all of the net earnings by issuing to itself stock therefor. The charter does not so state directly or by implication. If it had, do you think it would ever have passed the legislature? But it is asked if the stockholders wished to forego their right of getting their full amount of interest and full share of the net earnings and put the same into extensions, and then take stock for it, didn't they have the right to do so? I say, No. They are either obliged to pay the people their share of the net profits or put the people's share of such net profits with their own share into extensions, and thus augment the earning capacity of the company and then share equally in such augmented profits. Of course this would be changed if they had put in cash for the extensions, for then they would be unquestionably entitled to the interest on their cash investment, and as an inducement for them to do so they were to be given a bonus of 25 per cent in stock over the actual cost of the work. If it not preposterous to claim that they could, after paying expenses, providing for a sinking fund to return all their original capital, paying themselves 8 per cent interest, put the net profits, of which one-half belonged to the people, into extensions and get 25 per cent bonus in stock for so doing? Reason runs mad in making any such claim. Admitting, for the sake of argument, that this proposition is not so plain as it appears to me, is it possible that we can be forced to accept the views of the company without getting a construction of the supreme court upon the proposition?

They tell us that the matter has been decided by one judge in the pending litigation against my contention and that it is now pending in the Supreme Court, but the record is in such shape that the question will not be passed upon. If this be true, I have to say that it is a monstrous shame that the rights of the people are so

"BROKEN NECKS"
Usually prove to be simply displaced vertebrae, in the hands of a skillful Chiropractor.

F. C. MIGHTON, D. C.,
Chiropractor.

304 Boston Bldg. (over May's)

improperly protected. It was said at the meeting that the company had for years been trying to get this very question before the Supreme Court but could not do so as it had to be raised by the government; they could not raise it. What an outrage that after all this earnest desire on the part of the company to have this question decided by the Supreme Court when a suit is brought where it could be raised and decided, that the record is in such a shape that it will not be decided. What are we paying our attorney-general and all his numerous deputies for? And worse than all, what are they hiring outside counsel to assist them for? Will the people stand this kind of misrule forever? Let us rise up in the might of righteous indignation irrespective of party and demand efficient and clean administration of public affairs. Have we not gone far enough on the road to ruin? "Theft of Public Money."

We have covered up our theft of the public money until it is impossible to conceal it longer. Our miserable streets have at last given us away. We can't longer pull the wool over our own eyes and if we could we can't over the eyes of the tourist who comes here.

"But," says the company, "we have got the people in our grip and they have got to come through if they want these extensions." Have you, and in what way? Let us find out what extensions the people want, then let the Public Utilities Commission go to the company and if they cannot be induced to make them it will be time enough to talk about a new franchise. Giving Away People's Rights.

The existing charter provides for a sinking fund to reimburse the stockholders for the amount of their capital invested at the end of the charter. If the fund thus created is sufficient to reimburse them for their capital invested (not bonus stock dividends) with 8 per cent thereon, the tracks at least, I contend, will belong to the people. The company surely will have no license to tear up the streets to remove the tracks after the expiration of the franchise. These tracks should be of the value at that time of a million or thereabouts. Is it possible that this is going to be given as a present to the company at this time, 14 years before the expiration of the charter? What possible justification is there to thus give away the rights of the people? It is said that the plant will be a junk pile at that time. Don't be fooled. The charter reads that the railway, together with its branches and connections, shall be thoroughly and substantially constructed. The cars for carrying passengers shall be of the most approved construction for the convenience and safety of such passengers; whenever the company "refuses to do or fails to do or perform or carry out or comply with any act, matter or thing requisite or required to be done under the provisions of" their charter, the superintendent of public works shall, with the consent of the governing body, cause proceedings to be instituted before the proper tribunal to have the franchise and all rights and privileges granted thereunder forfeited and declared null and void.

Is it believable for one moment that the company under these provisions would dare to let the plant deteriorate into a junk pile? And lastly they tell us that the people have no control over this company; that we are helpless. Let us see how their charter reads:

"Except as by this chapter so otherwise provided, the rights and privileges named in section 769 hereof (the section granting the right to construct and maintain for 30 years this street railway) are granted to said association and others upon such terms, conditions and restrictions as are now or may hereafter be imposed by the laws of the Territory of Hawaii in relation to the matter of constructing and maintaining street railways in the said district of Honolulu, Island of Oahu, and a strict compliance with such laws is hereby required of the said association and others."

Let us exercise the power of control that we have under the present charter and in case the company become belligerent, and that proves ineffectual, it will be time enough to look for some other solution of the difficulty.

J. A. MAGOON.

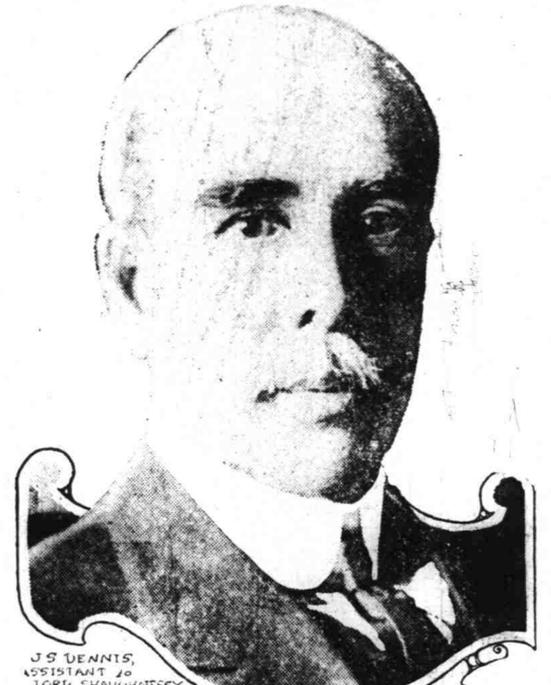
Viggo and Aaga are the names that have been bestowed on two of Denmark's princelings, making one wonder whether Hamlet had such good reason to be melancholy after all.

California has a Japanese population of about 60,000, according to a census being taken by the Japanese consul-general at San Francisco.

Familiarity, instead of breeding contempt, really creates confidence. With an excellent stock and a courteous, intelligent service, the wide-awake merchant has nothing to fear. All he has to do is to use the advertising columns of the Star-Bulletin to show how wrong the poet was.

—THE AD MAN.

SPEND MILLIONS TO PUT SOLDIERS ON FARMS



J. S. DENNIS, ASSISTANT TO LORD SHAUGHNESSY

The providing of employment for returned soldiers is a question that is demanding much attention, and it has been with great satisfaction that Canadians learned that the Canadian Pacific railway is to take action in this regard.

J. S. Dennis, assistant to the president of the Canadian Pacific, makes this statement: "The decision of Lord Shaughnessy to provide farm homes for returned soldiers is a further proof of his willingness to devote his great energy and ability, and the resources of the company, to the solution of the problems facing Canada."

The task of preparing 1,000 farms involves building 1,000 houses and 1,000 barns, constructing 1,300 miles of fence, digging 1,000 wells, breaking and cultivating 50,000 acres. The buildings will require 20,000,000 feet of lumber; preparation of the farms will entail an expenditure of \$5,500,000.

"One thousand farms will provide for an extremely small proportion of returned soldiers, and the government must adopt some general policy of providing these homes. The enlistment of 250,000 additional men called for by the government will double the number to be taken care of after the war. The western provinces have responded nobly to the call of the empire and already there is a shortage of labor of all kinds in the effort to meet this shortage, the government is now advertising in 4,000 papers in the United States for 50,000 laborers. They find there is no chance of getting this number of men, and have announced that from 3,000 to 5,000 is the greatest number that can be obtained."

"Every true Canadian realizes that Canada must ultimately send her best man and spend her last dollar to enable the empire and her allies to bring the war to a victorious termination, but why enlist men before they can be used? It is now recognized that under the most favorable circumstances it will be the end of the year before all the men now enlisted can be transported across the Atlantic, and after that only 10,000 per month can be sent. Many of the battalions now mobilized are much below full strength and it will be months before they will enlist their full quota. Of the men already enlisted, western Canada has provided more than its share on the basis of population. We are proud of that fact, but why drive a willing horse off its feet?"

LAYING OF SUGAR BUGABOO DONE QUICKLY WHEN CONFEREES AGREED

Unexplained Delay in Sending Measure to President; He Signed at Once

By C. S. ALBERT
(Special Star-Bulletin Correspondent)
WASHINGTON, D. C., April 28.—The laying of the sugar bugaboo did not require much time when the senate finally settled down to the task. The attitude of those members who were elected on a free sugar platform caused the delay and worryment. Four hours of valuable time were sufficient when the climax came.

The vote of 59 to 10 was caused by the Republicans unanimously joining in the movement to retain the duty of one cent per pound. They all opposed the previous plan to limit the extension of the tariff rate to four years from May 1. They would have voted with equal alacrity to restore the rates carried in the Payne-Aldrich act, but the Democrats would not entertain such a proposition.

The 10 Democrats who voted against the absolute repeal of the free sugar clauses in the Underwood-Simmons law were: Gore, Hardwick, Hughes, Husting, Johnson of South Dakota, Lane, Marine, Smith of Georgia, Thomas and Vardaman.

During the four hours' debate Senator Hardwick declared his Democratic colleagues were forsaking their promise for free sugar without justification, and Senator Thomas, another Democrat, said the proposal meant granting a premium on the watered stock of American sugar companies.

Senator Kenyon, Republican, quoting free sugar speeches of Democratic senators in 1913, said he welcomed the Democrats into the Republican protective tariff fold. Chairman Simmons of the finance committee replied that the duty of 1 cent a pound was not a protective duty, but under existing conditions a justifiable duty for revenue only.

Although the sugar repeal bill as passed by the house was accented in the senate on Saturday it did not reach the White House until the following Thursday. No reason is given for this protracted delay. It was immediately approved by the president, although he had not favored the unconditional repeal, but desired a four-year extension of the free sugar limitation.

FOUR MORE SINN FEIN LEADERS PAY PENALTY

(Associated Press by Federal Wireless)
LONDON, England, May 9.—Four more leaders of the Irish revolt have been court-martialed and executed, according to an official statement issued last night.

They were Cornelius Colbert, Edmund Kent, Michael Mallon and J. J. Heuston.

SHORTAGE OF MEN ON BORDER LETS RAIDERS GO FREE

Missing Troopers Safe at Marathon; Cavalry Rushed to Glenn Springs

(Associated Press by Federal Wireless)
WASHINGTON, May 9.—Contrary to earlier reports, it is now regarded as improbable that the United States will attempt to run down and capture the Villa bandits who raided Glenn Springs, Deerners and Boquillas, Friday night and Saturday. Reports from the border point out that there are not enough troops available for such a chase.

Despatches from Marathon, Texas, announced last night that Pvt. Roscoe Tyres, reported missing, and O. G. Compton have arrived in Marathon, accompanied by Sergt. Smyth. Earlier in the day Troops A and B of the 8th Cavalry left Marathon for Glenn Springs under the command of Maj. Langhorne, and two additional troops of the same regiment will march for the same town today.

APACHE SCOUTS MAKE BRILLIANT FIGHTERS

HEADQUARTERS OF AMERICAN ARMY IN THE FIELD, May 9.—The Apache indian scouts detailed with the force of the 11th Cavalry that made the dashing and brilliant attack upon the Villa bandits at Ojos-Azules, rode at the head of the troopers in the charge on the surprised Mexicans, and with their revolvers did some splendid shooting. Their marksmanship was superb, say the men who were with Col. Dodd.

CONFEREES FAIL TO REACH AGREEMENT

EL PASO, May 9.—The conference between Gen. Scott, Funston and Oregon yesterday failed to reach any definite agreement, and it was announced that another meeting probably will be held today. The second Villa raid was discussed at the conference.

'NO DANGER OF MILITARISM IN U. S.'—WILSON

(Associated Press by Federal Wireless)
WASHINGTON, D. C., May 9.—In receiving the committee appointed by the American Union Against Militarism, which called upon him yesterday, President Wilson declared that in his own opinion there is no danger of militarism in this country, and that there is a great difference between adequate preparedness and the peril the union has been organized to combat. He added that he hopes that after the end of the war in Europe the nations of the world will unite in a joint effort to keep the peace and establish a common police force for that purpose.

In this connection the president said that it has become self-evident that the weaklings among the nations—those countries without military force to back up their demands—will be in a minor position when the time comes for the six peace conference. "The helpless nations will be negligible quantities in the peace conference, to establish the foundation of a last world peace," said Mr. Wilson. In taking up the question of compulsory training for American men and boys, the president declared that he knows of nothing in the history of the country to show that such a plan is contrary to the best traditions of the United States.

SUCCESS OF NEW REMEDY FOR BACKACHE, RHEUMATISM, KIDNEYS

Falls in Honolulu and adjoining counties are deluged with the results they have obtained by using "Anuric," the latest discovery of Dr. Pierce, who is head of the Invalids' Hotel and Surgical Institute, in Buffalo, N. Y. Those who started the day with a headache, stiff legs, aches and muscles, and an aching head (worn out before the day began because they were in and out of bed all a dozen times at night) are appreciating the perfect rest, comfort and new strength they obtained from Doctor Pierce's Anuric Tablets. To prove that this is a certain uric acid solvent and conquerer of headache, kidney and bladder diseases and rheumatism, if you've never used the "Anuric," cut this out and send 10 cents to Doctor Pierce for a large sample package. This will prove to you that "Anuric" is 37 times more active than lithia in eliminating uric acid—and the most perfect kidney and bladder corrector. If you are a sufferer, go to your best druggist and get for a 50-cent box of "Anuric." You run no risk for Dr. Pierce's good name stands behind this wonderful new discovery as it has for the past half century for his "Favorite Prescription" for weak women and "Pleasant Pellets" for liver ailments.

Switzerland is facing a corn famine.

WILSON DEMANDS GERMANY LIVE UP TO PLEDGE ON SUBMARINE WARFARE

President's Note Shows Strong Attitude; Will Brook No Further Breach

(Associated Press by Federal Wireless)
WASHINGTON, D. C., May 9.—The substance of the American reply to the German note of May 4, which was cabled to Berlin yesterday, was made public last night.

The reply of President Wilson was short and to the point, leaving no room for doubt as to the American stand, which is identical with that taken in the American demands made upon Berlin on April 18.

The President in his reply informed the German government that he has carefully considered the German note of May 4, especially those portions which indicate the purpose of the German government to do its utmost to confine the future operations of the war to the fighting forces of the belligerents and those which express the determination of the imperial government to impose upon its submarine commanders limitations of action to those recognized by international law. The United States, says the President, has been guided in its attitude towards Germany and restrained in its utterances by motives of friendship, which have directed the American efforts to effect an amicable settlement of the differences which have arisen.

"The responsibility in such matters is single and not joint, absolute and not relative."

IN WAR ARENA

SLAVS PRESS OFFENSIVE ON EASTERN ARENA

PARIS, France, May 9.—On the eastern fighting front Germany launched another and greater offensive against the Russian positions south of Iliukst, but were beaten back with heavy loss, according to the official Petrograd statement. In Galicia the Slavs have captured a large mine crater, driving out the Austrian troops, and capturing many prisoners. The fighting was northwest of Tarnopol.

In the Caucasus the Russians, under the Grand Duke, are forcing back the Turks on many lines. Yesterday it was officially announced that the entire first Ottoman line in the province of Erzingan has been withdrawn to the second-line positions, and that the Russians are hotly pursuing the retreating Turks.

A recent official statement from Petrograd on the fighting in the Black Sea littoral says:

"Our troops have progressed still further along the coast west of Trebizond. The enemy, who attempted to check our advance, was everywhere thrown back. Fighting continues near the village of Senaginsgab Anhanlari, in the region of Aschkal. An enemy attempt to take the offensive in the district of Mamakhatun was repulsed by our fire." (Aschkal and Mamakhatun are west of Erzerum.)

WHITE STAR LINER CYMRIC LIMPING INTO QUEENSTOWN

LONDON, Eng., May 9.—The White Star liner Cymric, torpedoed without warning in the war zone yesterday, is now reported making her way, although badly crippled, into Queenstown.

Attack has been made on the Nippon Yusen Kaisha steamer Toyama Maru by a German submarine, but it failed, according to advices to Japanese newspapers of Honolulu yesterday morning. She was from Yokohama, February 24, for London, sailing from Cape Town April 9.

While in the Bay of Biscay, west coast of Spain, a German submarine discharged a torpedo at the Toyama Maru, but missed. Captain Machilda ordered full speed and escaped, and arrived at London yesterday.

BERLIN SAYS ALLIES KILL WOMEN AND CHILDREN

BERLIN, Germany, May 9.—Eight men, 10 women and nine children, all of whom were civilians, were killed during April in parts of Belgium and France by the fire of the allied guns and the bombs dropped by allied aeroplanes.

Twenty-three men, 29 women and 23 children were wounded by the Allies in the same month.

In all the victims of allied aeroplanes raids and artillery fire since September, 1915, total 1313.

BRITAIN FOLLOWS TEUTON LEAD IN AIRSHIPS

LONDON, England, May 9.—That Great Britain is taking a lesson out of the German book, and is constructing a number of aerial warships patterned after the Zeppelins, was formally announced in the house of commons yesterday.

THREE "WAR-PLOTTERS" GUILTY OF CONSPIRACY

(Associated Press by Federal Wireless)
NEW YORK, N. Y., May 9.—Robert Fay, a captain in the German army; Walter Sholtz, his brother-in-law, and Paul Daech, were found guilty in the federal court here yesterday of a conspiracy to destroy ships carrying munitions to the Allies, by means of bombs attached to the propellers of the steamers.

Newfoundland is in the strongest financial position in the colony's history. Officials estimate that there will be a surplus of \$60,000 for the fiscal year ending in June next.

Accepts Pledge in Good Faith.

"In accepting the imperial government's declaration of an abandonment of the policy which had seriously menaced the relations of the two governments, the United States," the note says, "will rely upon the scrupulous execution henceforth of the now altered policy of the imperial government."

"The United States takes for granted that Germany does not intend to imply that the new policy of Germany is contingent upon the outcome of any negotiations which may be carried on between the United States and any other country, notwithstanding certain passages contained in the note of the imperial government which might appear to be susceptible of that construction."

To make this point absolutely definite, the American note says further: "In order to avoid any possible misunderstanding, the United States hereby notifies the imperial government that this government cannot entertain, much less discuss, any suggestion that Germany's respects for the rights of American citizens on the high seas should, in the slightest degree, be contingent upon the conduct of any other government affecting the rights of neutrals or of non-combatants."

"The responsibility in such matters is single and not joint, absolute and not relative."

U. S. MARINES LANDED AT SANTO DOMINGO

(Associated Press by Federal Wireless)
SANTO DOMINGO, Haiti, May 9.—Despite the resignation of President Jimenez, in an effort to bring about peace in the republic conditions became so disturbed here yesterday that the American warships landed marines fully equipped with landing pieces.

The marines were sent into camp on the outskirts of the city, where they would be ready at a moment's notice, but would not excite the animosity of the natives.

The French cruiser Marsellaise came into the harbor yesterday, adding to the warships ready to take action, if necessary, in the protection of foreign residents.

In the Metropolitan Museum of Art, New York city, an Egyptian nobleman's tomb, built 4,500 years ago and transferred in its entirety, has been placed in public view.

Masonic Temple Weekly Calendar

TUESDAY—
Masonic Board of Relief, regular, 5 p. m.
Harmony Chapter No. 4, O. E. S., practise meeting, 7:30 p. m.

WEDNESDAY—
Hawallah Lodge No. 21, special, Second Degree, 7:30 p. m.

THURSDAY—
Honolulu Chapter No. 1, R. A. M., stated, Mark Master Degree, 7:30 p. m.

FRIDAY—
Oceanic Lodge No. 371, special, Third Degree, 7:30 p. m.
Work by Schofield team.

SATURDAY—
Lei Aloha Chapter No. 3, O. E. S., stated, 7:30 p. m.

SCHOFIELD LODGE
WEDNESDAY—
Work in Third Degree, 7:30 p. m.

SATURDAY—
Work in Second Degree, 7:30 p. m.

HONOLULU LODGE NO. 1, MODERN ORDER OF PHOENIX

Will meet at their home, corner of Retana and Fort streets, every Thursday evening at 7:30 o'clock.
CHARLES HUSTACE, JR., Leader.
FRANK MURRAY, Secretary.

HONOLULU LODGE, 616, B. P. O. E.

meets in their hall on King St., near Fort, every Friday evening. Visiting brothers are cordially invited to attend.
F. B. BUCKLEY, E. R.
G. W. WISSE, Secy.

Honolulu Branch of the National German American Alliance of the U. S. A.

Meetings in K. of P. Hall on Saturdays:
February 12, March 11, April 8, May 6, June 3, July 1.

PAUL R. ISENBERG, President.
C. BOLTE, Secretary

HERMANN SOEHNE.
Versammlungen Montags:
April 3 und 17, Mai 1 und 15, Juni 5 und 9, Juli 3 und 17, Aug. 7 und 21, Sept. 4 und 18. General Versammlung Juni 19 und Sept. 18.

EMIL KLEMMER, President.
C. BOLTE, Sekretar.