

GERMAN VESSELS STILL IN PORT; BOARD WAITING

Shipping Firm Consults Attorneys and May Let Commissioners Use Its Tugboat

The Star-Bulletin learned on good authority late this afternoon that further correspondence on the German refugee ship question between the agents and the harbor commission would probably issue late today or tomorrow morning.

No meeting of the board of harbor commissioners was held today, the first day without a meeting in more than a week.

At noon new angles on the German refugee merchant steamer situation were these: The harbor board received a communication from Lieut. Col. R. R. Raymond, United States army engineer in charge of the Hawaiian district, in reply to its letter requesting permission to drive dolphins (mooring piles) in Rotten Row to moor the Pommer and Setos. The letter is said to state that the district engineer, while not having authority to grant the request, will not oppose the board's contemplated action.

Castle & Cooke, the local Matson Navigation Company agency, expects to receive an opinion late this afternoon from its attorneys, Smith, Warren & Whitney, stating whether the agency can allow the harbormaster to use the Matson tug in Rotten Row to tow the Pommer to sea without rendering itself liable for damages despite the warning letter sent out Friday afternoon by Hackfeld & Company to Matson agency and all other shipping firms in the city, causing the latter Saturday morning to refuse the harbor board the use of tugs or other vessels to tow the Pommer outside.

The Kona gale blowing last night and today has lashed the sea to fury and at noon local waterfront men were of the opinion that had the Pommer been anchored outside Saturday, but found impossible, the giant freighter would surely have been driven on the reef and wrecked.

Collector of the Port Malcolm A. Franklin said shortly before noon that he had received no further instructions from Washington about the German steamers here.

Next Meeting to be Uncertain
Chairman Charles R. Forbes of the harbor board said shortly before noon that he did not know when he would call another meeting. It is thought one may be held late today or tomorrow to act on the letter from the district engineer.

At the meeting last week when the question of mooring the Pommer and Setos in Rotten Row was considered the harbor commissioners made it clear that the two freighters will be moored parallel with the channel and not at right angles to it as are the Kiluae and other vessels of the Inter-Island reserve fleet. This plan will leave plenty of room for all steamers to pass up and down the channel and from piers in the Ewa basin.

Down to 1 o'clock this afternoon no reply had been received by Gov. Lucius E. Pinkham from Secretary of State Robert Lansing to the lengthy telegram sent to the secretary at Washington Friday night by the territory's chief executive in reply to an earlier cable from the secretary of state.

Developments in the efforts of the harbor board to move or have moved the steamers Pommer and Setos from Saturday afternoon to this morning consisted in the sending of two identical letters dated Saturday by the board to the two houses of the legislature.

"Gentlemen, Herewith, we respectfully submit a copy of action made, seconded and readily carried at a special meeting of the board of harbor commissioners held this morning, wherein the governor is requested to forward a despatch to Secretary of the Interior Lane at Washington, soliciting necessary assistance whereby we may obtain the removal of the German refugee vessels now lying at the territorial wharves. We would most earnestly and respectfully request that you use your influence to obtain the desired result. Awaiting your kindly cooperation in this matter."
House Receives Letter

The communication from the harbor board asking assistance in its efforts to secure the removal of the German refugee steamers from Honolulu harbor, which was received by the house of representatives shortly before 10 o'clock this morning, has been referred by Speaker H. L. Holstein to the committee on health, military and police, of which Representative Ewan da Silva is chairman.

"I move that this communication be referred to the military committee," said Representative Kelekolio, whose resolutions were responsible for the entire German ship investigation.

"I don't see anything that the military committee can do," asserted Representative Miles. "This communication only reports the action of the harbor board."

Reference Causes Disputes
But Speaker Holstein had different views. "The military committee might be able to get a tug for the board to tow out these ships," he ventured.

Kelekolio took the floor again. "According to this letter," he said, "the harbor board is helpless. Let the military committee of the house attend to the towing of these boats out of the harbor."
Miles arose to defend the military committee.

"The military committee," he declared, "has exerted every means in its power, and the harbor board has done likewise. Now the harbor board finds its hands tied, as does the military committee. It stands to reason that we can't come out and dictate to the federal government in this mat-

ADAMSON EIGHT-HOUR LAW UPHOLD IN SUPREME COURT, CONSTITUTIONAL

(Continued from page one)

eight-hour day for employes of carriers engaged in interstate and foreign commerce, and for other purposes, the law was made effective January 1 and comprised four sections. Briefly, the first section, providing the permanent eight-hour wage standard, declares that "beginning January 1 eight hours shall, in contracts for labor and service, be deemed a day's work for the purpose of reckoning compensation of all employes . . . now or hereafter employed by any common carrier by railroad . . . actually engaged in any capacity in the operation of trains."

Railroads not more than 100 miles long and independently owned, and electric street and interurban railroads were excepted.

Commission is Provided
Section 2 provides for the presidential commission of three, now headed by Maj. Gen. Goethals, to investigate and report to the president and congress the "operations and effects of the institution of the eight-hour standard work day . . . and the facts and conditions affecting the relations between such common carriers and employes during . . . six to nine months." A report within 30 days after that period, discretionary with the commission, was ordered, the temporary increased wages remaining in effect still another 30 days.

Section 3, especially assailed by the railroads as void, providing the temporary increase, states: "Pending the report of the commission and for 30 days thereafter the compensation of railway employes subject to this act for a standard eight-hour work day shall not be reduced below the present standard day's wage and for all necessary time in excess of eight hours such employes shall be paid at a rate not less than the pro rata for such standard eight-hour work day."

Section 4, prescribing penalties, declares: "Any person violating any provision of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$100 and not more than \$1000, or imprisoned not to exceed one year, or both."
History of Suit
Early last November injunction suits were filed by various railroads in virtually all federal district courts to enjoin the law's enforcement. The present test case, brought by Alexander New and Henry C. Ferris, receivers for the Missouri, Oklahoma & Gulf railroad, was agreed upon to determine nationwide constitutionality and operation of the law. To expedite such determination, the case was submitted without argument to Federal Judge William C. Hook at Kansas City, Mo.

On November 22, two days after the suit was filed, Judge Hook held the law "unconstitutional, null and void" and gave a decree permanently enjoining United States Attorney Wilson from enforcing it. Judge Hook dismissed the bill as to brotherhood of floors named defendants and ordered the railroad to cooperate in expediting the appeal of the department of justice to the supreme court. He also ordered the railroad to keep account of wage increases due under the law, to insure prompt payment following a decision upholding its validity.

Goes to Supreme Court
The federal appeal was filed in the supreme court November 27 and the court assented to expedition of the hearing, three days of arguments following January 8 to 10. Pending the decision, the department of justice and railroad attorneys formally stipulated that the 500 odd injunction suits should not be pressed, that the federal authorities would not attempt to enforce the law.

So the question is, what can we do?
Representative C. H. Cooke made a suggestion. "I think the military committee could report a resolution that the house join in sending a cablegram to Washington and get some action from Washington."

This ended the argument. The speaker referred the communication to the military committee.
Tabled in Senate
Upon motion of Senator Conroy, seconded by Senator Parnell, the request of the harbor board for aid in the matter of moving the German refugee ships from Honolulu was laid on the table this afternoon.

This action, which means that the senate takes no official recognition of the request, was by unanimous vote of the senate. Makekani, who had first moved to refer the letter to the judiciary committee for perusal, withdrew the motion before the vote.

Business Purely Executive
President Chillingworth reminded the senate when the matter came up that there are three branches of government—executive, legislative and judicial.

"This," he said, "is peculiarly an executive matter in my opinion. I feel that the board was going outside its jurisdiction and should not have come to us with this request. They are appointees of the governor. Chillingworth Would Not Act
President Chillingworth does not favor any action by the senate on the German ship matter as requested by the board of harbor commissioners in a letter handed to the upper house for reading this afternoon.

"I do not consider this a time in which we should act in this matter," said the president this morning. "The state department is in touch with the whole affair, and though I feel that the harbor board has done all in its power to handle the situation I do not consider it our part to enter the discussion."
Senator R. H. Makekani also is opposed to the senate's taking up the matter.

The average daily expenditure of Great Britain is now 5,700,000 pounds sterling.

ENFORCE PENALTIES FOR NON-OBSERVANCE AND THAT THE RAILROADS WOULD KEEP ACCOUNT OF WAGE INCREASES DUE FROM JANUARY 1.

The railroad brotherhoods were not parties to the stipulation nor to the suit, and had no attorneys participating in the supreme court arguments.

Power of Congress Cited
To the charge that the temporary increase takes railroad property without due process of the law, the authorities contended Congress has such power in preventing stoppage of commerce, by a strike or otherwise. Disturbance of existing wage contracts and negotiation of new ones, it was insisted, should not render the law void, Congress' authority being supreme.

That the law is workable and conceded by the railroads so to be was asserted. By substituting an 8-hour day standard for the present general freight service standard of "one hundred miles or less, ten hours or less" as a day's work, the federal attorneys said the law could be made operative, either by speeding up trains to cover the 100 miles in 8 hours or by paying overtime. Formulas to put this 12-1/2 miles per hour "speed basis" into effect were submitted to the court for possible adoption in construing and giving effect to the law.

Discrimination in favor of train operators only and the best paid of these was said not to be arbitrary and the penalties not unreasonable.
Wage regulation, the railroads contended, was beyond Congress' authority and not analogous to its rate regulating power. Actual increase in rates must result from wage increases, the railroads declared. Extension of congressional authority to wages, they charged, would "impair rights of private operation and also interfere with freedom of contract."

In the litigation the federal government was represented by Solicitor General John W. Davis, Assistant Attorneys General J. Carroll Todd and E. Marvin Underwood, and Frank H. Germer of Kansas City, Mo., a special assistant. "The railroads' representatives were Walker D. Hines, chairman of their senate committee, and John G. Johnson of Philadelphia, and Arthur Miller of Kansas City, attorney for the Missouri, Oklahoma & Gulf receivers.

John A. Brashear, John R. Freeman and Ambrose Swasey, the eminent American scientists now visiting Hawaii, made the "Round-the-Island Trip" on Sunday as guests of the Hawaiian Engineering Association. This is Mr. Freeman's third visit to Honolulu. He, nevertheless, joined heartily with his companions in declaring that the Peili panorama and the land and marine views on Oahu excel in beauty and interest anything they were shown in the Orient or have seen elsewhere in years of world journeyings.

The visitors were delighted with the Kaneohe Coral Gardens and much interested in the pineapple, sugar and rice industries. Luncheon was served at Hauula. A short stop was made at Haleiwa. The old Catholic church at Waialae, with its curious door-carvings, was visited.

The trip was under the direction of Wm. G. Hall of the Honolulu Iron Works and included in the party were: Ernest Kopke, Mr. and Mrs. F. B. Howland, the Freeman sons, Mr. and Mrs. Carl B. Andrews, Ed Towae, Sidney T. Carr, Wm. A. Ramsay of Canton, Neill & Co., Mr. and Mrs. John M. Young and Miss Meredith.

It is generally believed here that the St. Louis is now at anchor off Lahaina accompanying the third submarine division, which left for the Maui port a week or more ago to engage in regular practice work.

CRUISER'S MOVES REMAIN SECRET

Where is the U. S. S. St. Louis?
She was not at Pearl Harbor on Sunday and is not at this port today. Inquiry at the United States Naval Station on Alameda street did not result in throwing any further light on the cruiser's movements.

The Naval Militia of Hawaii did not cruise on the St. Louis Sunday. They went over to Pearl Harbor on a cruise with their steam cutter.

Capt. George R. Clark, commandant of the Pearl Harbor naval station, said over the telephone at 1 o'clock this afternoon that he is not allowed at present to give out any information concerning the movements of United States men-of-war.

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There were eight firms which entered bids. G. Shutoku was second low with \$64,174 and K. Hara was third with \$70,437. The other five were the Hawaiian Ballasting Company, H. Monzen, Fukuya & Company, Sanke Company and Ohta Planning Mill.

The buildings composing the new hospital are the administration, four general wards, contagious ward, tuberculosis ward, morgue and chapel, kitchen and laundry.

Charles Briggs, aged 66, a wealthy retired business man of New Zealand, died very suddenly at the Beretania sanitarium Sunday afternoon. The body is at Williams' undertaking parlors and will be forwarded to surviving children in the south on the Makura. He was a widower. The deceased had apartments at the Colonial hotel while here.

ENGINEERS TALK TO MEMBERS OF COMMERCIAL CLUB

Three of America's foremost engineers were the guests of the Commercial Club at lunch today. Following the introduction each told of the beauties of Hawaii, and inasmuch as they had returned from a tour of the Orient declared that they were more than pleased to meet with brothers under the American flag.

S. S. Paxson called the meeting to order, introducing Carl Andrews, president of the Hawaiian Engineering Association. Andrews, in speaking of the noted guests, said that each had at one time been president of the American Society of Engineers.

Dr. John A. Brashear was the first speaker, and opened his remarks with a statement that he was more than pleased to meet with a body of men who owed allegiance to the American flag. He said that of all the degrees that had been conferred upon him the one which he appreciated most was given by the people of Pittsburgh, and that was "U. J.," which stood for "Uncle John," and that was his name while he remained in Honolulu.

Dr. Brashear told of carrying a message from President Wilson to the Orient, and spoke of the reception given the party by President Li Yuan Hung of China. He said that at the reception given him by the president of the republic he had purchased a flower which he was retaining as a keepsake. He spoke of peace, and hoped that the time would come when war should be no more.

Dr. Brashear said that when he left for the Orient he had talked before 700 school teachers, and three or four had kissed him when he left. The noted astronomer, who is 77 years of age, said that he expected that he would have to kiss the whole crowd when he returned, and would endeavor to do his best. In concluding he said: "God bless everyone of you."

Tells of Canal Work
John R. Freeman of Providence, R. I., was next introduced and told of the slides in the Panama canal. He was one of the commission sent by President Wilson to report on the slides, and returned with the report that he believed that slides in the canal are a thing of the past. He concluded by telling of the beauties of Hawaii.

Ambrose Swasey of Cleveland, who has been a visitor to Hawaii on three occasions, said that he was pleased to meet with such a representative body, and hoped that he might have the opportunity to return to Hawaii in the very near future.

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THEY WERE RUNDOWN

How often we hear in olden times or woman that "they were rundown in health" which accounts for their present sickness. For that reason it is important that when you find you tire easily, when your nerves are troublesome or your work is irksome, you should strengthen your system immediately with the blood-enriching, tissue-building food in Scott's Emulsion which contains pure Norwegian cod liver oil and is free from alcohol.

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LOCAL AND GENERAL

Lei Aloha Chapter, Eastern Star, meets tonight.
Harmony Lodge, I. O. O. F., has important meeting this evening.
The Pinetack Co., Ltd., has filed notice in the federal court of voluntary bankruptcy.

The grand jury Friday afternoon indicated three Japanese for conspiracy, one Hawaiian for burglary, and one Portuguese for assault with attempt to commit a statutory offense.

The case of John K. Notley et al. versus Charles K. Notley et al., an appeal from the circuit judge, first circuit, was argued and submitted in supreme court this morning.

Sunday morning John Ke, a resident of Kaula, was treated at the emergency hospital for a cut on his head in which several stitches were taken. He said he had been struck with a bottle.

A special meeting of members of the Outrigger Canoe Club interested in swimming and diving will be held at 8 o'clock tonight in the Library of Hawaii building. Everyone interested is asked to attend.

Miss Lizzie Moe of Moliili and William Watson of Kaneohe were one couple married Saturday night by Rev. S. K. Kamalopili and Miss Angelina K. Lee and John Rawlins of Waialae was another.

A number of letters are at the Promotion Committee rooms addressed to various persons in care of Thomas Cook & Son, as follows: R. Law, Mrs. Wyndham Tyndale, Miss Esther V. Hessel, Mrs. H. Handbury, Mr. Jacob Heinrichs and Charles E. Howie.

The annual meeting of the Associated Charities will be held at 4 o'clock this afternoon in the bungalow on the Capitol grounds. Officers are to be elected and reports will be read by President J. R. Galt, Manager E. E. Brooks, Treasurer Rudolf Buchly and Mrs. C. du Roi of the rehabilitation committee.

A Free Prescription You Can Have Filled and Use at Home.
PHILADELPHIA, Pa.—Do you wear glasses? Are you a victim of eye-strain or other eye weakness? If so, you will be glad to know that according to Dr. Lewis there is real hope for you. Many whose eyes were failing say they have had their eyes restored through the principle of this wonderful free prescription. One man says, after trying it: "I was almost blind; could not see to read at all. Now I can read anything without any glasses and my eyes do not water any more. At night they would pain dreadfully; now they feel fine all the time. It was like a miracle to me." A lady who used it says: "The atmosphere seemed hazy with or without glasses, but after using this prescription for fifteen days everything seems clear. I can even read the fine print without glasses." It is believed that thousands who wear glasses can now discard them in a reasonable time and multitudes more will be able to strengthen their eyes so as to be spared the trouble and expense of ever retting glasses. Eye troubles of

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HAWAII'S MILITIA SURE OF U. S. HELP, STATES MAY LOSE

Federal Training Bill Shows Hawaii and Porto Rico in Favorable Position

Hawaii's militia is assured of federal support whether or not the pending compulsory military training bill passes congress, according to a discovery made a few days ago by local militia heads who were looking over army legislation news.

The federal training bill would withdraw federal support from all militia organizations after five years, but there is a provision excepting Hawaii and Porto Rico. If the bill does not pass, the present provisions for support will continue.

The situation, it is held, justifies the national guard here in asking that the territory cooperate with the federal government in a definite scheme for building up the organization.

The bill proposes to form a strictly federal army making it compulsory for every man to undergo military training beginning when he is 19 years old. An article in the Army and Navy Journal is a resume of the bill, written by Geo. S. Kuhn, brigadier general of the general staff, chief of the war college division, to the chief of staff. The part relating to the state militia is as follows:

"The plan contemplates a strictly federal army for national defense but some provision must be made for the states until they have organized forces of constabulary or some other power to prevent domestic order. For this reason it is proposed to continue to the states for a period of five years the financial support provided by the so-called Dick Bill as amended prior to the passage of the national defense act of June 3, 1916.

"It is proposed to continue such support indefinitely to the Hawaiian militia and to that of Porto Rico."

Doctor Tells How To Strengthen Eyesight 50 per cent In One Week's Time In Many Instances

many descriptions may be wonderfully benefited by following the simple rules. Here is the prescription: Go to any active drug store and get a bottle of Optona tablets. Drop one Optona tablet in a fourth of a glass of water and allow to dissolve. With this liquid bathe the eyes two to four times daily. You should notice your eyes clear up perceptibly right from the start and inflammation will quickly disappear. If your eyes are bothering you, even a little, take steps to save them now before it is too late. Many hopelessly blind might have been saved if they had cared for their eyes in time.

Note: Another prominent Physician to whom the above article was submitted, said: "Optona is a very remarkable remedy. Its constituent ingredients are well known to eminent eye specialists and widely prescribed by them. The manufacturers guarantee it to strengthen eyesight 50 per cent in one week's time in many instances or refund the money. It can be obtained from any good druggist and is one of the very few preparations I feel should be kept on hand for regular use in almost every family."

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- 48-piece set, Gold and White per set \$6.50
- 50-piece set, Blue Border, per set \$8.50
- 53-piece set, Green Border, per set \$6.00
- 46-piece set, Pink Spray design, per set \$7.50
- 50-piece set, Pink Spray "Real China," set. . . \$12.50

W. W. Dimond & Co., Ltd. The House of Housewares King St. near Bethel.