

"The fellow who isn't fired with enthusiasm is apt to be fired."—B. C. Forbes.

Maui News

NEXT WEEK'S MAILS

From The Coast—Anyo Maru, July 24; Sonoma, July 26; Manon, July 28; Niagara, July 28.

For The Coast—Lurline, July 24; Matsonia, July 28.

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WAILUKU, MAUI COUNTY, HAWAII, FRIDAY, JULY 23, 1920.

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Tried For Capital Offense May Escape

Jury's Leniency May Result In Total Miscarriage Of Justice—Several Cases From Maui Now Up For Decision In Supreme Court.

County Attorney E. R. Bevins returned on Tuesday from Honolulu where he went to appear before the supreme court in connection with a number of cases appealed from the local circuit court. One of those was the case of the Territory vs. John Puana, appealed on points of law from the decision of the Makawao district magistrate. The case was one of alleged headless driving.

Another case was that of the territory vs. Nevenio Gamaya, charged in a grand jury indictment with rape, but who was convicted by the trial jury of indecent assault. It was taken to the supreme court on a habeas corpus petition by the defense. On the hearing of the writ on Monday the territory entered a confession of error and asked for a new trial. The higher court will decide whether the new trial may be granted or whether the accused shall be discharged.

The civil case of Mrs. Ella Rhoades vs. J. V. Marciel, was submitted. The plaintiff had been awarded judgment for \$112 in the lower court and the defendant had appealed. The case arose out of a dispute over a right of way through certain Wailuku property.

Orpheum Theater Being Rebuilt--Soon Be In Use

Work was begun this week on the reconstruction of the Orpheum theater in Wailuku, which was declared unsafe some months ago and closed by the management as soon as its condition was discovered. Although but three or four years old the mauka wall, near the foundations was found to be badly rotted, due to the water from the roof settling beneath the floor and lack of ventilation space beneath the floor.

H. B. Weller, lessee of the theater, came over from Honolulu last Saturday and spent the first part of this week seeing that the work was well started. This will occupy several weeks time, but the theater will be greatly improved in appearance and comfort when it is finished, besides being as safe as it is possible to make a frame structure. The ventilation in the building is to be greatly improved through cutting out nearly half of the upper section of the walls and screening this space against mosquitoes.

When completed the theater will be used nightly while the Hip theater is being reconstructed, after which it is the intention of the management to use it two or three times a week for the production of feature plays, and for miscellaneous attractions.

FORMER EMPRESS NOT TOLD OF TRAGEDY

DOORN, Holland, July 21.—Dr. Vandenburg, assistant court physician to the royal family of Holland called into consultation here, has decided that the condition of the former German empress is such that it is unsafe to inform her of the suicide of her young son, Prince Joachim.

The grief of the former empress is even and has been noticeably augmented by the necessity of keeping the truth from his wife.

None of the members of the former imperial family has gone to attend the funeral of the late prince and it is not expected that any will make the journey.

FOOD PRICES CLIMBING

WASHINGTON, July 21.—Retail food prices in the United States continue to show a steady increase according to the June report of the Department of Labor. These prices advanced two percent during the month of June and nine percent since the first of the present year.

IRISH DESTROY STORES

DUBLIN, July 20.—Armed men destroyed three railway cars filled with military stores at the King's Bridge terminus of the Great Southern railroad yesterday.

More Rain Relieves Maui Except In Wailuku District

Although Wailuku district has received practically no rain and is still in a condition of drought which grows more serious for the Wailuku Sugar Co., daily, most other parts of central Maui have largely been relieved of the critical conditions which had existed up to some 10 days ago. A number of good rains have fallen in the Makawao district, and in the "ditch country" of East Maui frequent rains have served to fill the ditches thus relieving the pumping strain on both the Maui Agricultural and Puunene plantations.

The rains have also included the "cane" of the Kula pipe line, and while Kula as a whole continues dry, there is now water from the pipe for domestic use and for livestock. The Pioneer plantation has also been greatly benefited from rains in the mountains which has replenished its ditch system.

Maui May Become Big Movie Center

Matson Mr. Done To Interest Mainland Men In Possibilities—Maliko Gulch Made For Pirate Staff He Thinks

Maui may come to be an important moving picture center, if G. F. Roberts late purser on the Matson liner Wilhelmina and now purser of the Matsonia is any thing of a prophet in movie matters. We have the goods in way of scenery, accessibility, climatic conditions, and other things that are causing the big picture producers a lot of worry now-days, according to Mr. Roberts.

Roberts spent last Sunday on a little automobile jaunt out along the windward coast of the island, through the pineapple district, and as far east as Kailua. The thing that made the big hit with him from the movies standpoint, however, was Maliko gulch. The fact that the picturesque little bay will accommodate vessels of considerable size, combined with its high surrounding cliffs, its reefs and boiling surf at its entrance; its grove of coconut trees back of its sandy beach all were created by nature as a setting for Robert Louis Stevenson's "Treasure Island" and other sorts of pirate and other water stuff.

"Southern California is getting pretty well exhausted as to movie settings," Roberts declares. "Directors are having a hard time these days to find suitable surroundings that have not been worked to death already, while here are all kinds of new back grounds that have never been touched and would not require a lot of faking to make them usable. Besides this they are easy to get to by good roads and are available practically any day in the year."

Roberts carefully made note of some of the names of the places that particularly impressed him, stating his intention to bring the matter to the attention of some of the mainland producers at an early date. He believes that they will be glad to look into the matter.

FORMER SOLDIER DENIED CITIZENSHIP

SACRAMENTO, July 21.—Ichize Sato, during the war a soldier in one of the Hawaiian infantry regiments, who abjured his allegiance to Japan and became naturalized under wartime legislation, lost one step in his battle to become a registered voter in California when the superior court of Sacramento county denied his petition for a writ to force the county clerk to register him as a voter in Sacramento. The court held that Sato was ineligible to become a citizen.

FRENCH CHAMBER VOTES CONFIDENCE

PARIS, July 21.—By a vote of 420 to 152, the Chamber of Deputies of the French parliament expressed its confidence yesterday in the government with reference to the results of the recent conference between representatives of the Allies and of Germany at Spa.

Fair Grounds Being Put In Good Shape

Ground Level Being Raised—Railroad Will Bring Visitors Right Into Grounds—Director Rice Supervising Much Activity.

Visitors to the county fair next October, from the Pain and Haiku sections, will be carried right into the fair grounds by the excursion trains of the Kahului railroad, instead of having to walk half a mile over a dusty, congested thoroughfare to reach the grounds as heretofore.

This innovation is an idea of Director Harold Rice's, and it has already been put into effect to the extent that the railroad track from the Puunene branch is already laid into the fair grounds. Of course this extension is put in at this time in order to be used in doing some of the necessary filling of low places in the grounds, and it is already being used for this purpose. But the track is to remain where it after the grading work is finished. The track enters the grounds between the race track and the racing stables, crosses the main driveway back of the grand-stand, and extends for some distance in the direction of Puunene.

Earth for the grading is being brought from a field some distance from the grounds. It is a good quality of loam and not sand, so that it will serve as a good top surface for growing grass and shrubbery. Good progress is being made in the filling, the leveling work being done by the gang of convicts and county prisoners which has been assigned to the job of getting ready for the fair.

More Prisoners Come

High Sheriff William Jarrett came up from Honolulu again on Tuesday bringing with him 15 more prisoners to work on the fair grounds and buildings. Director Rice is confident that the place will be ready in good time, including the new permanent livestock stable which is to be built.

The various committees which have the getting together of the various classes of exhibits are now busily at work and everything is reported to be moving smoothly. The experience of past years is making it much easier than before, though there is still plenty of hard work to be done, and room for everybody's active cooperation.

RAILROAD MEN HAVE FIST FIGHT

A dispute between W. R. Scott, yardmaster of the Kahului Railroad, at Kahului, and Antone Alexander, another employee of the company, last Monday, ended in a fistfight in which Scott got a black eye and Alexander a battered hand. The latter was arrested on a warrant charging assault and battery and put up \$25 for his appearance for trial on Wednesday morning before Magistrate McKay. He failed to appear, however, and his bail was declared forfeit.

A concert for the benefit of the Ida M. Pope memorial fund is to be given at the Huelo church on Saturday, August 14.

Child Runs In Front Of Auto Has Skull Crushed

Her skull fractured from being struck by an automobile, almost in front of her home, in lower Paia, the little 8 year old daughter of Kichi, the fish shop man of Paia, died last Sunday afternoon, a few hours after the accident. The car which struck the child was a rent service machine driven by a Japanese named Shimabuku, also a resident of Paia. The police say that the driver was not to blame for the accident.

According to eye witnesses, the little girl had been playing in front of the blacksmith shop near her home and suddenly, and without apparently looking, darted directly in front of the car which was proceeding towards Kahului at the time. The brakes on the car were found to be in excellent condition.

The annual meeting of the Alexander House Settlement Association and election of officers, is being held this afternoon in the kindergarten rooms of the organization.

Should County Pay To Defend Officials?

Five Question Brought Out In Bevins Contempt Case Which Supervisors Answered By Paying \$500 Attorneys Fees.

It is proper that the county should pay the costs of defending a county official who has been charged with an offense and is obliged to contest the matter through the courts? The question has been raised by various persons who have learned that the county supervisors at their last meeting approved for payment a claim of Peters & Smith, attorneys of Honolulu, for \$500 as a retainer for defending County Attorney E. R. Bevins in his alleged contempt of court pronounced against him by Judge L. L. Burr, a few weeks ago. The county attorney retained Peters & Smith to handle his case, and through a writ of habeas corpus in the supreme court upset the Judge's order of commitment and cleared himself of the charge.

The claim of the Honolulu law firm was approved by Bevins as the official incurring the expense, and upon this oke was passed by the board as stated, passed again by the county auditor, who issued the pay warrant, which of course was paid through the banks in the usual course of events.

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Bevins naturally takes the stand that the fight was forced upon him while he was acting as a county official in the conduct of public business before the court, and for this reason the costs incurred are as much a public expense as would be the defense of any other county official getting into difficulties while in the discharge of his duties.

The \$500 just paid is in connection with the contempt case only and it is logical to believe that a further claim will be made in connection with the expenses in the mandamus action in the supreme court by which Bevins last week again defeated Judge Burr's ruling barring him from practicing as county attorney, or in a private capacity, pending disbarment proceedings which the court had already ordered instituted. And if the disbarment action is really begun it will naturally mean that the county must pay the costs in this defense also, if the course in the first instance was well taken.

A good deal of sympathy has been expressed for Bevins by his friends on account of the heavy costs which it was presumed the attacks upon him would make it necessary for him to bear, but which now seem to have been founded upon a misconception of the true facts of the matter.

Young Thief Caught In Act Of Robbing House

Caught in the act of committing a second robbery in Camp 3, Puunene, early Thursday morning, Thomas Rodrigues, Porto Rican youth of about 19 is now in jail. He was recently released from the reform school in Oahu on parole and it is probable that he will be sent back there to serve out his sentence.

The boy has confessed to having entered the house of a Japanese on Wednesday and carrying away two pairs of trousers, \$29 in cash, a hat, and some other things. The following morning before 6 o'clock he opened the door of a house adjoining the one he had already robbed, but one of the occupants was awake and saw him and gave the alarm. An impromptu posse gave chase and he was soon in custody.

It has developed that the boy was arrested in Lahaina a few weeks ago for stealing a bicycle, and given a all sentence, and that he had broken jail there within the past week. He hails from Hilo where he was sentenced to the reform school for theft by Judge Quinn.

Chinese Arrested With Big Supply Of Okolehao

An unusual number of drunken Hawaiians on the streets last Friday excited the curiosity of Deputy Sheriff George Cummings with the result that within a short time he had located the source at Young Foon's, alias Wai Lum's place in the rear of Dutro's meat market on Market street.

The Chinaman was doing a land-office business, and apparently with little effort at concealment. When taken into custody the officers found about 16 gallons of okolehao on the premises which Foon had been disposing of at \$1.25 a soda water bottle full.

The Chinese served a term in the county jail about a year ago for chicken stealing. He has been taken to Honolulu for trial before the U. S. district court. The police state that Foon is not the maker of the booze, but they have not been able to learn where he had been getting his supply.

Judge To Come To Hear Foreclosure

Jurist From Honolulu Expected Soon To Try Island Electric Case And Dispose Of Other Pressing Court Work.

Chief Justice James L. Coke, of the supreme court, has advised County Attorney Bevins that it is his purpose to delegate a circuit court judge to come up to Maui, probably early in August, for the purpose of disposing of various probate and equity matters pressing for action and which are held up on account of the absence from the territory of Judge L. L. Burr, who is on his vacation. It is not known which judge will be sent, though the name of Judge Banks, of the first circuit court, has been mentioned.

It is understood that no term matters will be handled by the visiting judge, who will probably be able to dispose of the pressing matters in a week or 10 days.

Perhaps the most important matter to be handled is that of the foreclosure proceedings in Island Electric Company muddle. It is stated that Wade Warren Thayer, who as trustee for the bondholders has instituted the suit, is anxious to push it to a decision.

PHYSICIAN PERFORMS OPERATION AT SEA

On the last trip to the coast of the Matson liner Matsonia, Dr. F. E. Sawyer, of Puunene, a passenger on the vessel, assisted in performing an operation for appendicitis upon Fred Hughes, second steward of the ship; according to the San Francisco papers. The ship was stopped in mid-ocean during the operation, which is reported to have been fully successful.

CALIFORNIA TOURIST MECCA STILL SHIMMIES

LOS ANGELES, California, July 20.—An earthquake occurred at 6:48 o'clock last night, but did no damage, so far as reports from the city and surrounding territory show. Shocks have taken place on several occasions during the past month. Twice during that period damage has been done to buildings.

BOMBS OF DEADLY EFFECT

CORK, Ireland, July 20.—Between 60 and 70—British soldiers were injured early yesterday morning when civilians hurled 29 bombs at two military lorries in which the troops were being conveyed through the streets. The bombing followed a night of terror and street fighting, in which two persons were killed and 49 injured.

BRITAIN WARNS RUSSIA

LONDON, July 21.—All negotiations looking toward the resumption of trade between Great Britain and Russia will be broken off if the Russians advance further into Poland according to the clear intimations of the British reply to Foreign Minister Tchitcherina of the soviet government regarding the proposed armistice between that government and Poland. The reply was despatched last night.

Oahu Man Contracts For Much Maui Taro

Jonah Kumalae, Honolulu Supervisor, Buys All Crop At Keanae—Would Buy More—Scarcity On This Island Threatened.

Jonah Kumalae, Honolulu supervisor, curio merchant, taro planter and poi maker, spent some days on Maui during the past week in connection with his last named occupation—that of poi maker. To make it short, he was here to buy taro. According to reports he was fairly successful in this quest, but not satisfied. He went from here to Molokai this week and will probably return to Maui later.

Taro growers and poi men say that Kumalae's visit portends a poi scarcity in Honolulu, and likewise in Maui, about a year from now, in case he is successful in buying much of the growing crop of this island. It is reported that he succeeded in contracting for practically all of the growing taro in the Keanae valley, and a considerable amount in Waihee and Waiehu. The crop will be pulled between January and next April and shipped to Honolulu.

When he left here for Molokai it was in hopes of being able to buy up a lot of taro in the Halawa valley on that island. Kumalae is said to own or control some 60 acres of taro on Oahu, being one of the largest taro growers at present in the territory.

Chamber To Give Dinner For Prominent Visitors

Gilbert Grosvenor, of Washington, D. C., who with his wife is on Maui this week making a tour of the island for the purpose of gathering data for a Hawaii number of the National Geographic Magazine, of which he is the editor, will be the guest of honor at a dinner to be given at the Grand Hotel tomorrow evening. Members of the chamber and their ladies are to be present.

Mr. Grosvenor is the president of the National Geographic society, an organization holding a quasi official place in the national government. Its membership is something over three-quarters of a million, and it has very wide influence both at home and abroad.

Mr. and Mrs. Grosvenor arrived on Maui last Monday night from Hawaii where they ascended Mauna Loa and visited other places of interest. Since their arrival they have been in charge of W. O. Aiken, representing the chamber of commerce and the Hawaii Tourist Bureau, and have been through the crater and back by the Ditch Trail.

Word was received this morning from the party, which spent last night as the guests of Mr. and Mrs. John Chalmers, at Hana. They are coming over the Ditch Trail today and will arrive on this side this evening. Tomorrow it is planned to have the visitors see the beauties of Ulupalakua and the Kula district.

From telephone reports received it is evident that Mr. and Mrs. Grosvenor are thoroughly enjoying their Maui visit. Mr. Grosvenor is an expert amateur photographer, and is taking many views of his own along the way, besides collecting many other photographs.

The party is made up of Mr. and Mrs. Grosvenor, W. O. Aiken, and the latter's daughter, Miss Martha Aiken.

NEW EXCLUSION TREATY ISSUE, SAYS POINDEXTER

NEW YORK, July 20.—The League of Nations covenant, new Oriental exclusion treaties and other foreign affairs will be the vital issues in senatorial election contests in 14 or 15 states this fall, Senator Miles Poindexter of Washington announced here yesterday.

"In the Pacific states," said Senator Poindexter, "the vital economic issue will be the Japanese immigration question, involving a struggle for possession of land and for supremacy over the white race on the Pacific slope. The question can only be dealt with by treaty, of which the senate will be the final judge."