

WAILUKU TEMPERATURES

	Max.	Min.
November 12	80°	62°
" 13	80°	60°
" 14	80°	60°
" 15	82°	62°
" 16	82°	62°
" 17	83°	64°
" 18	83°	66°

Rainfall 0.02 inches.

Maui News

NEXT WEEK'S MAILS

From the Coast—Columbia, tomorrow; Maui, Tuesday; Siberia, Thursday.
To the Coast—Nanking, tomorrow; Venezuela, Tuesday; Manila, Wednesday; Nile, Thursday.

21st YEAR—NO. 1079.

WAILUKU, MAUI COUNTY, HAWAII, FRIDAY, NOVEMBER 19, 1920.

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Chief Legislation for Which Session Was Called Found to be Unnecessary

Revenues Will be Sufficient Since Corporations Will Probably Pay Two and a Half Times as Much Taxes as This Year; Teachers Salaries to Wait and Foreign Language School Legislation May Not be Reported Upon Until Regular Session.

Little of the legislation for which the special session of the legislature was chiefly caused will be enacted as the indication in the reports coming from Honolulu. After the legislature had assembled information the Governor had not previously had was secured to the effect that the income taxes would be more than \$1,000,000 more next year than it has been this. The finance committee of the house has reported against the passage of the bill to increase the revenues, which was to permit taxing of amounts paid on income taxes to the federal government.

Other legislation which promises to go over includes increases in pay to the teachers and the foreign language school measures. The house committee has decided to delete the appropriation in the school bill by \$157,000 and allow the \$224,000 required to meet this year's deficit. The senate favors a full investigation of the foreign language school situation and the various bills looking toward their control or elimination and a report on the bills at the regular session.

Governor is Quoted

Relative to the sufficiency of revenue next year Governor McCarthy is quoted as saying:

"On the day the special session opened, I was given certain figures which came from one sugar agency which showed the amount of money that agency's plantations has paid during 1920 to the territory as income tax, and which also gave an estimate of what they expected to pay as income tax in 1921. These figures showed that in 1921 they would pay approximately two and one-half times as much as in 1920. If these figures had been given to me earlier, it is just possible that there may not have been a special session of the legislature.

"In April," the governor continued, "I received a statement from the auditing department showing that the expenditures of the territory amounted to about \$750,000 more than the revenues. This amount being only for nine months, it showed that we would be short about a million dollars for the calendar year, or approximately \$2,000,000 for the biennial period.

1920 Income Tax

"The tax assessor at my request furnished me with an estimate of the income tax for the calendar year of 1920, which amounted to approximately \$857,000. When these figures were shown to the treasurer, he stated he believed they were too conservative, and desired to go into the matter himself. After he had taken up the mat-

ter, he made a report that the receipts would be more than a million dollars. The actual receipts for the fiscal year ending June 30 amounted to \$1,050,000.

"As I stated in my message to the special session, the estimates made and presented to the last legislature were on the basis of \$2,900,000 in income taxes for the two years, or \$1,450,000 for a single year. As shown above, the actual cash receipts for one year were \$400,000 below the estimate.

"The treasurer of the territory has no means of knowing what the prospective revenue of the territory will be until the month of February, when most of the corporations hold their annual meetings, and when reports are made as to their financial standing.

"In the meantime, any estimate that the treasurer should make is merely guesswork, and in making these guesses he necessarily must be very conservative.

Shortage in April

"In April of this year I gave for publication a statement that the territory was experiencing a shortage in revenues and suggested as a method of raising the necessary funds that we amend the income tax law so as not to allow deductions of taxes paid to the United States.

"This was no new thing at the time. One of the newspapers objected editorially to the plan on the ground of its legality. I took this matter up and found that there was no question as to its legality.

"Up to the time of the opening of the special session, no statement had been made to me or other officer of the government that the revenues of the territory were likely to be improved. On the day the session opened I was given certain figures coming from one sugar agency. These showed the amounts the agency's plantations had paid during 1920 to the territory as income tax; and gave an estimate of what they expected to pay in 1921. It was shown that for 1921 they would pay approximately two and one-third times as much in 1920. If these figures had been given me earlier, it is just possible that there may not have been a special session.

"Then, again, it is probable that what applies to the one sugar agency in question may not apply all along the line, taking into consideration the fact that I have the estimates of only one agency covering five plantations. Up to the present we are in the dark as to what increase, if any, in income taxes will be paid by the other corporations."

Teachers Disappointed In Hopes for More Pay

Teachers on Maui, as in other parts of the islands, are outspoken in their disappointment over the action of a house committee in eliminating from the school appropriation bill \$157,000 for salary increases. In some instances Superintendent MacCauley is being blamed for putting into the budget from which the bill was drafted appropriations for school buildings, equipment, and play ground equipment, which the teachers complain, could have been left to the regular session for action.

Reports from Hilo say that some of the teachers on the Big Island are threatening a walkout or strike as an expression of their dissatisfaction but nothing of the kind is talked of on this island. Another Hilo report is that numbers of the teachers will give up their positions the first of the year unless they secure assurance of salary increases at the regular session which will open in February.

Honolulu reports which quote the Territorial Treasurer as saying that warrants for the teachers pay will have to be discounted by the banks has been another source of alarm, some of the teachers wondering if they would lose the amount of the discount the banks would be expected to charge.

Japanese Save Bonus—Many Japanese of this island are going into the pineapple business on their own account instead of working on plantation. Y. Sato, director of the Oahu Japanese labor union told Nippon Jiji after a visit here. He said the high bonus had enabled some of the Japanese to save as much as \$150 a month which they purposed using by growing pines on their own account.

Shows Puunene Mill—Taken from an army airplane by the United States Air Service photographer an interesting picture of Puunene mill was printed on the business and financial page of the Pacific Commercial Advertiser last Monday.

Expert on Mentality Of Children Coming

Dr. E. B. Hoag, whose studies of juvenile delinquencies and mental deficiency have attracted wide attention in Honolulu and Kauai and who is now on the Big Island, will be on Maui during the week from December 3 to December 10, according to advices received this week. He will conduct studies and investigation on those subjects here in the larger schools of the island, arrangements for which will be made by a committee prior to and at the time of his arrival and it is hoped he will address the Teachers' Association which will be timed to be held during his visit.

Dr. Hoag is a mainland student of and expert on child mentality and has conducted wide and searching investigations into abnormality an subnormality and the best methods of handling such pupils. In the course of such investigations juvenile delinquency has come in for wide study and suggestions from him will be opportune when Maui is seeking to secure detention homes and salaried probation officers here.

Forty Per Cent Saved By County for Bridge

Between \$3000 and \$4000 has been saved to Maui County by having Hoalua Bridge in Makawao built under the direction of the county engineer instead of by contract. The saving has been approximately 40 per cent of the figures given by the bidders whose offers were turned down.

Two tenders for the construction of Hoalua bridge were rejected. The lower tender was for \$8697 and the higher for \$9338. The sworn statement of A. P. Low, county engineer, shows the work has been satisfactorily completed and at a cost of \$5321.81, a clear saving of more than \$3300 over the lowest offer to do the work by contract.

Funds for Sanitarium and Hospitals Provided; Bill Passed by Senate

For the purpose of providing sufficient funds for the proper upkeep, maintenance and improvement of Kula Sanitarium and Maui's county hospitals without diminishing county funds so that road upkeep and improvements would suffer, Senator Harold W. Rice introduced Senate Bill 13 at the special session of the legislature and it is one of the first senate bills to pass third reading and go to the house. It provides that the tax assessor of the second taxation division shall, commencing with the year 1921 and each year thereafter, increase the tax rate on real and personal property in said taxation division over that provided in any other law to an extent sufficient to provide the annual sum of Two Hundred Thousand Dollars (\$200,000.00) which shall, when collected, be paid to the treasurer of the County of Maui and be held by him in a special fund for the use with other moneys made available by the Board of Supervisors and by the Legislature of the Territory of Hawaii for permanent improvement, maintenance and equipment of the Kula Sanitarium and the County Hospitals of the County of Maui.

If the bill pass the house and meet the approval of the governor it will add .42 to the tax rate of the county provided valuation of real and personal taxes is unchanged. The measure is the one Senator Rice mentioned to the members of the Chamber of Commerce at the last meeting of that body. Until now the county has been able to care for the sanitarium and the hospitals from the general funds but to make the necessary improvement and the increasing costs of maintenance would deplete the county's general fund and cause cessation of other work unless a remedy were found such as is offered in the bill.

Trial Term Is Delayed Court Fund Too Meager

Owing to lack of funds the jury term of the Circuit Court has been postponed to the tentative date of November 29 awaiting passage of a bill at the special term of the legislature and subsequent appropriation of money for court expenses by the board of supervisors.

At Saturday's meeting of the supervisors the county attorney rendered the opinion that the board is without authority to make the appropriation for the costs of the proposed term of court asked by Judge Burr because such appropriation would bring the total appropriation for the court for the year in excess of \$6000. He cited decisions in support of his opinion. It was then determined to secure the necessary authority from the legislature and the county attorney has drafted and sent to Honolulu a bill which covers the situation. As it is emergency legislation speedy passage is expected. When advised of the passage of the act Chairman Kalama will call the board into session and pass the appropriation.

When court was convened on Monday Judge Burr announced the jurors were relieved from duty until the tentative date of November 29.

Money for High School Building Provided for in Bill in Legislature

Maui's new high school building is providing for in Senate Bill No. 12 introduced by Senator Harold W. Rice. The measure provides for the raising of \$60,000 by taxation and reads:

Section 1. In addition to all moneys heretofore set aside or appropriated for new buildings, additions, improvements and equipment of schools in the County of Maui, the Tax Assessor of the second taxation division is hereby authorized, empowered and directed to increase the rate for the taxation of real and personal property within the County of Maui, so as to raise during 1921, the sum of Sixty Dollars (\$60,000.00) which said additional sum shall be added to all moneys otherwise available for the same or similar purposes and be set aside in the special school fund for the following purposes: Building a new high school at Hamakua, Maui, and equipping the same.

Section 2. The board of supervisors of the County of Maui is hereby empowered immediately to contract against, appropriate and expend for the purpose hereinabove provided, the full sum thereof with all other funds heretofore appropriated for similar items, and for the purpose of meeting any obligations arising out of any such immediate contract or expenditure, the board of supervisors is hereby empowered when the necessity arises to transfer a sufficient sum to said special school fund by way of advancement from the general fund of said county, which advancement shall be repaid into such general fund from the said special school fund from moneys derived from the special tax provided for by Section 1 of this Act.

Foreign Language School Bills May Produce Prolonged Session

Foreign language schools are subject for legislation in several bills introduced in both houses at the special session of the legislature. In the senate the first sentiment was for investigation only at this session with reporting of bills out at the regular session in February. In that body there appeared to be some unwillingness for action at this time as expressed by Senator Tavares who was quoted as saying:

"In the first place, it is going to precipitate a lengthy debate that may keep this special session going indefinitely, and in the second place, while the Japanese on the islands know very well what is going to happen, I believe it is hardly fair to cut off the language schools suddenly. Let's give them a show. There's no need to rush the thing through."

The bills introduced by Senator Baldwin as chairman of the committee selected to introduce administration measures in the senate went to committee with a clear expression of sentiment for full investigation and against an early report. Such sentiment appears to have changed with the introduction by Senator Baldwin, not as special committee chairman, of the measure finally approved by the Honolulu Chamber of Commerce. It is now considered possible that action may come at the present session in which event the session may be somewhat prolonged.

Last Measure Presented

The text of the last bill introduced follows:

"Section 1. The term 'foreign language school' as used in this act shall be construed to mean any school which is conducted in any language other than the English language, except Sabbath schools. The word 'department' shall mean the department of public instruction of the Territory of Hawaii.

Teachers Must Obtain Permits

"Section 2. No person shall conduct a foreign language school in the Territory of Hawaii unless and until he shall have first applied to and obtained a permit so to do from the department of public instruction of the Territory.

"Section 3. No person shall teach in a foreign language unless and until he shall first have applied to and obtained a permit so to do from the department.

Qualification to Teach

"Section 4. No permit to teach in a foreign language school shall be granted unless and until the department is satisfied that the applicant for the same is possessed of a reasonable knowledge of the ideas of democracy, knowledge of America history and institutions, and knows how to read, write and speak the English language.

Provisions Liberally Construed

"Provided, however, that the provision concerning knowledge of the English language shall be liberally construed during the two years after this act goes into effect; it being understood that it would be difficult within that time to secure teachers fully qualified under this section and at the same time qualified to teach a foreign language. And providing further, and it is hereby declared that the object of this act is to reasonably regulate and not to prohibit the con-

ducting of foreign language schools and the teaching of foreign languages, but to regulate the same so that the Americanism of the pupils may be promoted and the department is hereby directed to carry this act into effect in accordance with the spirit of this declaration.

Pledges Must Be Made

"Section 5. Before issuing a permit to conduct foreign language schools or to teach in such a school the department shall require the applicant for such a permit to sign a pledge that he, the applicant, will if granted, a permit to conduct or teach in such a school, abide by and observe the terms of this law and the regulations and orders of the department and will, to the best of his ability, so direct the minds and studies of pupils in said school as will tend to make them good and loyal American citizens, and will not instruct or permit said pupils to receive instruction in said school in any way inconsistent therewith.

Language School Hours

"Section 6. No foreign language school shall be conducted in the morning before the school hours of the public schools or during the hours which the public schools are in session. Nor shall any foreign language school be in session excepting one hour each day, nor exceeding six hours in any one week.

"Provided, however, that the department may, in its discretion modify the terms of this section, if it deems that it can do so consistently with the declared object of this act.

Department to Prescribe the Courses

"Section 7. The department shall have full power from time to time to prescribe the course and courses of study and the textbooks to be used in any foreign language school, and no other course of instruction or textbooks shall be used in such schools, except the ones prescribed by the said department. No books used in any foreign language school shall be furnished at the expense of the department.

Permits May Be Revoked

"Section 8. If the department shall at any time become satisfied that any holder of a permit to conduct a foreign language school or to teach, therein does not possess the qualifications here in required, or shall have violated or failed to observe any of the provisions of this act, or of the regulations or orders of the department the department may then and thereupon revoke the permit theretofore granted, and the same shall thereupon be and become null and void.

"Provided, however, that before so doing the department shall first notify the holder of said permit to show cause, why such action should not be taken and shall give such holder full opportunity to be heard in defense.

The Penalty

"Section 9. Any person who shall conduct a foreign language school, or who shall teach in a foreign language school, contrary to the provisions of this act, or who shall violate any of the terms hereof, or of the regulations or orders of the department, shall be guilty of a misdemeanor, and upon conviction thereof punished by fine not to exceed \$25.

"Section 10. This act shall take effect on the first day of July, 1922."

Indictments Returned By Grand Jury Held to Be Valid as to Form

Motion to quash the indictments against Ned Nicholas recently handed down by the grand jury, which would have had the same effect on all other of the recent indictments by that body, was denied by Circuit Judge L. L. Burr in an opinion which he handed down on Thursday. The indictments were endorsed by "E. R. Bevins, County Attorney" and not by "E. R. Bevins, Deputy Attorney General," the words "deputy attorney general" having been stricken out and by the words "county attorney" written in by Mr. Bevins.

Eugene Murphy, as attorney for Nicholas, raised the point that the statutes provide for prosecution by the attorney general and though the county attorney is by statute made a deputy attorney general, that when Mr. Bevins declined to act as deputy attorney general he made the indictments null.

Judge Burr in his written opinion cites section 71 of the Organic Act which states who shall prosecute, the rule prior to the adoption of such act, the provisions of the laws of 1915 as to who shall prepare indictments, and quotes from the case of Castle vs. Atchison. Judge Burr reaches the conclusion that it must be the attorney general or a deputy who is the prosecuting officer, that the county attorney is by law a deputy attorney general, cannot waive so being when acting and willy nilly is for all purposes of the indictments such deputy under the provisions of the law. Hence he denies the motion.

Body of Engineer is Found Floating Below Bridge Across Stream

Floating in a pool in the Naillbail stream, about 150 feet below the wire suspension bridge, the body of Robert A. Remington was seen by an employee of the ditch company early Sunday morning. It was not mangled and was in a good state of preservation. Sheriff Crowell went and secured it and attended to its shipment to Honolulu in the Mauna Kea Monday night. Remington's watch had stopped at seven minutes after five o'clock, thus determining the time of his death.

Before leaving for Honolulu last Friday, Engineer James E. Stewart of the hydrographic survey told of the events that immediately preceded Remington's death. The two had come to the stream, which was running very swiftly but was not deep at the ford. He recognized the danger in attempting to wade the stream. He believed his horse could make it but feared the mule could not, being a lighter and smaller animal. He told Remington to remain with the animals until he, Stewart, had crossed over the foot bridge, then to turn the horse loose and if that animal made it safely to send the mule across.

"Then you do not think the mule can make it?" inquired Remington and Stewart replied that he did not think it could. He did not specifically tell Remington not to attempt to ride across, thinking he had made it clear he was to follow over the foot bridge.

There are three theories as to how Remington met his death. One is that he attempted to ride across. The second is that he waded into the stream to force the mule to make the attempt and was himself swept away.

Bids for School Buildings too High

Board of Supervisors Determines to Let Only One Contract Where Accommodations are Most Needed at Present Time.

Only one of the proposed four new school buildings for which bids were opened by the supervisors last Saturday will be built at this time. The Makawao school building was considered so important that it could not wait, irrespective of the matter of costs, that the bid for it was accepted. New chairs for the Maui High School will also be purchased. Other school building will wait until more funds are available and the subject will be up again probably early in the year.

For a one room school building at Waihee there were two bids, E. C. Mellor \$3000 and D. I. Kalakaua, \$2900.

Next to be opened was the bid for Makawao two room building, there being only one, D. I. Kalakaua \$5000, the work to be completed in 30 days. The third set of bids was for a two room addition to the six room building at Paila for which there were two bids, D. I. Kalakaua \$4800 and E. C. Mellor \$5250.

Mellor was the only bidder on the High School gymnasium and commercial building, his offer being \$3200.

For the arm or tablet chairs for the High School, Kahului bid \$925 for a hundred chairs, Maui Dry Goods and Grocery Co., being \$25 higher.

Following a vote on the acceptance of the two bids and the rejection of all others a motion for the return of checks to unsuccessful bidders was adopted.

The meeting was held at the hospital owing to illness of the chairman, only the most pressing business was transacted and an adjournment taken to the call of the chair.

Luther D. Timmons One Time Editor of Maui News Taken by Death

Luther D. Timmons, at one time editor of Maui News and one of the oldest newspaper men in Hawaii in point of service died in Queen's Hospital in Honolulu early Saturday morning following a hemorrhage of the lungs. Though not in the best of health recently his illness was of only a day or two. Funeral services were held in Honolulu, Monday afternoon. He is survived by a widow, who was Miss Anna Streubeck of Wailuku, and an 18 months old child.

Mrs. Streubeck received word last Saturday morning that Mr. Timmons was ill but was expected out in a few days and a short time later came the wireless announcing his death.

Mr. Timmons, who was born at Timmonsville, North Carolina, 46 years ago, came to the islands in 1893 with the commission sent by President Cleveland to investigate the revolution that resulted in the deposition of Queen Liliuokalani. Before his arrival in Hawaii he had some newspaper experience and he remained after securing a position on the Star. Since then he had been connected with most of the English language papers at different times and for short intervals had been engaged in mercantile pursuits.

Several years ago Mr. Timmons left Honolulu for Kauai where he was connected with the Eleese store and later left it to take editorship of the Garden Island. While there he was secretary of the Kauai Chamber of Commerce, secretary of the Kauai Industrial Accident Board and deputy assessor of taxes. About that time he declined the Libue postmastership.

Leaving Kauai he came to Maui and was editor of Maui News while Will J. Cooper was in the officers' training camp. From Maui he went back to Honolulu where he was on the Advertiser's staff for a time, leaving it for the Star-Bulletin. On the latter paper he edited the financial and real estate sections and the sugar news besides covering the business beat. In 1919 he covered the senate proceedings for his paper and was doing the same work at the special session when he was stricken with his final illness.

About three years ago Mr. Timmons married Miss Anna Streubeck. While on Maui, as in Honolulu and Kauai, he made large numbers of friends and his conscientious and painstaking newspaper work was recognized by those who came in contact with him.

The third is that he fell from the bridge, which is quite probable.

The bridge runs across the stream to a narrow rock where one must turn at an angle as the rock projects into the stream. It is possible that Remington was hurrying across the bridge in the dusk, did not know of the turn and so fell into the stream below.

The dead engineer left a mother and other relatives on the mainland. He was a native of Watertown, New York.