

BEEF COMBINE AS CHARGED IS A TRUST, SAYS DOLE

TWENTY-EIGHT DEMURRERS TO THE SUIT BROUGHT AGAINST THE METROPOLITAN MEAT COMPANY AND MANY ISLAND CATTLE DEALERS ARE OVERRULED BY JUDGE DOLE—THE ALLEGATIONS WHICH SHOW CHARGE OF AN UNLAWFUL COMBINE.

Basing his decision largely upon the famous Northern Securities case and also quoting the decision but recently given by the Supreme Court of Hawaii in the Hawaiian-Schuman Carriage Company case, United States Judge Dole this afternoon overruled all the twenty-eight demurrers in the beef trust case. The court, in a lengthy decision, sustained the government's bill at all points. Dole held that the complaint filed set forth sufficient facts to show a violation of the Sherman anti-trust law, and the defendants are therefore called upon to make answer and prepare for defense. Twenty days were given by the court, for the filing of answers.

The case is one which probably engaged more counsel than any other case ever tried here. As far as the demurrers were concerned, the attorneys opposed to J. J. Dunne, Assistant United States Attorney, who appeared for the government, were Holmes & Stanley, Ballou & Marx, Kinney, McClanahan & Cooper, Castle & Withington, C. F. Peterson, H. E. Highton. The complaint charged that the Metropolitan Meat Company and the cattle dealers of the Territory generally, were in a combination whereby they absolutely controlled the marketing of meat, fixed prices and the amount of meat to be sent to Honolulu according to a regular mutual agreement, and were generally engaged in carrying on a combine which prevented any competition in the meat business. Twenty-eight of the defendants filed demurrers and twenty-five filed answers. With the overruling of the demurrers, the case is now ready to be tried on the issue of facts. The government asks for an injunction to restrain the many defendants from continuing to carry on the alleged trust agreement.

Judge Dole's decision is in part as follows: "In this case, however, the bill alleges that the combination, trust and conspiracy charged was to be effected by means of an agreement between the Metropolitan and the remaining

defendants and each of them, whereby the latter agreed not to engage in the retail trade in beef cattle and fresh beef in the Territory as competitors of the Metropolitan, nor produce, deal in or deliver beef cattle and fresh beef to or for any competitor of the Metropolitan, and would prevent and discourage by every possible means and manner within their power all importations of beef cattle and fresh beef into the Territory by anyone else, to or for any competitor in the Territory of the defendants or any of them; and whereby the Metropolitan agreed with the remaining defendants and each of them to purchase its entire demands for beef cattle and fresh beef from them at an agreed price, which should be the same to each of them, and to apportion the quantities so purchased among them, and that it would not produce, deal in, purchase or import into the Territory any beef cattle and fresh beef other than such beef cattle and fresh beef as it purchased or should purchase from them, and would prevent and discourage by every possible means and manner in its power, all importations into the Territory of beef cattle and fresh beef by anyone else other than the remaining defendants or any of them, and that it was further agreed that the price so fixed to be paid to each of the remaining defendants should not be changed in any manner by the demand for fresh beef in the localities supplied by the Metropolitan, nor by the supply of beef cattle available for such localities, save by the consent of the remaining defendants.

IN AN AGREEMENT. "Here is an agreement to do definite things and to refrain from doing definite things in order to effectuate the alleged combination.

"In the case before the court the remaining defendants cannot be compelled to engage in the retail trade of beef cattle and fresh beef in the Territory, but they may be enjoined against

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POLITICIANS IN THE AIR

CUPID AND THE REPUBLICAN ORGANIZATION REPORTED TO BE NOT IN HARMONY AND A McCLANAHAN BOOM IS GIVING SOMETHING OF A SCARE—WARM FIGHT IN PROSPECT WITH MIXED RESULT PROBABLE.

There are some sensational rumors abroad regarding the political situation and Republican leaders are considerably disturbed over indications of a party bolt that is endangering the local ticket. To add to the feeling of consternation

it is now the talk that even Cupid is in some danger, a sudden movement having developed with unexpected McClanahan strength. On top of all this is

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DISARMAMENT PROCEEDING PEACEFULLY

(Associated Press Cable to The Star.)

HAVANA, October 2.—President Palma has gone to Matanzas. The disarmament of the insurgents and government forces is proceeding peacefully in Havana province. Some friction over the disarmament is possible at Cienfuegos but the United States has a force of 450 marines at that place.

SUMNER TAKES MANY TROOPS

NEW YORK, October 2.—The battleship Texas and the transport Sumner with a force of 900 troops, sailed today for Cuba.

RUSSIANS CAPTURE JAP SEAL POACHERS

VICTORIA, B. C., October 2.—A Russian warship has captured the Japanese sealing schooners Taifuku, Daisan and Taiyo off Copper Island.

MORE MARINES FOR CUBA.

PHILADELPHIA, October 2.—The cruiser Brooklyn departed today for Cuba with a force of 400 marines aboard.

HURRICANE DEMOLISHES LIGHTHOUSES.

NEW ORLEANS, La., October 2.—The recent hurricane destroyed or damaged 44 lighthouses throughout this section. Four of the lighthouse keepers were drowned.

WANT FLEET TO GREET JAP WARSHIPS

EXCELLENT OPPORTUNITY OF PAYING NEAT LITTLE COMPLIMENT TO JAPANESE FLEET.

The announcement made yesterday by the Star that Japan would send a flying squadron to Honolulu in February was read with a great deal of interest by Japanese as well as by other residents of the islands. The visiting fleet from Japan would, it was stated, consist of at least three warships and possibly more.

The evidence of increased interest that is now being taken in the Hawaiian Islands by Japan, or rather in the Japanese residents in these islands or which ever it may be, will, no doubt cause much pleasure to American residents of the islands. As to the citizens who lived here before annexation the news may recall some of the conditions that prevailed in Hawaii before the American flag was raised.

Local residents are now discussing the advisability of asking the United States government to send a fleet of warships to Honolulu during the visit of the Japanese flying squadron next February. It would be a neat little compliment to pay to a friendly power, to send about one warship more here than the friendly power had sent. It would be an object lesson to the Japanese, as it were, in courtesy and friendly spirit.

Lying as Hawaii does all but midway between the United States and Japan, nothing could be more fit than that one country should go to meet the other country, and let their fleets, both on friendly missions of courtesy, meet at the outpost of America. That historical saying of the Governor of North Carolina to the Governor of South Carolina about it being a long time between drinks could not be uttered by the Governor of Hawaii. If the Japanese fleet were to visit Honolulu and the American fleet were to remain at home about 2,000 miles away, the Governor of Hawaii could well paraphrase the speech of the Southern Governor into "It is a long time between fleets" but if the fleets paid a visit jointly it would be a case of hess and hoss, as it were.

Honolulu has always been urging the United States to send a fleet here on a visit and now is the best time to agitate the subject. This is a chance for an exchange of courtesy. If Japan extends a flying squadron of courtesy to Hawaii, the United States could well do the same.

BAD PANIC ABOARD THE SHERIDAN

WHEN TRANSPORT HEELED OVER TO PORT THE CREW BEGAN TO CLIMB INTO THE RIGGING.

A panic occurred aboard the transport Sheridan yesterday morning just before she was beached. The crew are reported to have become terror stricken over the impending danger that she would capsize and according to one report brought to the city some of the men began to climb into the rigging.

After the Sheridan worked herself off of the reef at Barber's Point yesterday the U. S. S. Iroquois started to tow her to Honolulu. The Sheridan had a heavy list to starboard at that time as the donkey engines which were used in connection with pumping the water out of her, had been placed on the starboard side of the hurricane deck. This made the vessel top heavy to the danger point.

After clearing Barber's Point the vessel began to encounter heavy swells. There has been a heavy swell prevailing for some days and this condition of the sea endangered the Sheridan. The vessel is said to have suddenly heeled over to port, with a very dangerous list. Then the crew got into a panic and jumped for the rigging. Captain Carter of the U. S. S. Iroquois shouted to Captain Peabody of the Sheridan, that the only course was to beach the latter vessel. The Iroquois took a short tow and then headed inshore with the topheavy transport behind her. The Iroquois suddenly dropped the tow line and Captain Carter brought his craft about in beautiful style, when she was near the shallow water, just in time to avoid grounding. The Iroquois stood to sea again. The Sheridan then went forward and grounded, bow on. The Iroquois promptly stood in and got a line on to the stern of the Sheridan, to hold her steady pointing out to sea. The Manning also put a line on the Sheridan for the same purpose.

The work of shifting the donkey engines and righting the vessel so that she can be brought in safely to Honolulu has been in progress. After she is pulled off she will be towed to Honolulu Shew as grounded on a soft sand patch several miles west of Pearl Harbor and it is not thought she is in much danger. She is said however, to have gone further inshore.

Try some of the coffee they serve with whipped cream at the Star Oyster House.

Garnishee Law And Anxious Victims

MEN WHO ARE COMPELLED TO PAY THEIR DEBTS AGAINST THEIR WILL.

The attack on the garnishee law met with a very quick disaster yesterday afternoon in the Supreme Court. A couple of hundred government employees had their ears to the ground, so to speak, waiting for the report of the judge Weaver was to fire at the objectionable law. A list of over 500 garnishee suits in the Territorial auditor's office alone testifies to how much the local merchants appreciate the chance to hold up salaries of persons who are serving some of the people and standing off others. It was expected at least that there would be an argument, but the court didn't want any. The justices didn't seem to have any more sympathy for the indignant victims of garnishees than the late Republican convention had for the Sunday school class. They unanimously sustained the law without asking the Attorney General to defend it.

The law was worked in a new way a few days ago. One of the local bill collectors garnisheed the twenty-five per cent of an employee's salary that had been garnisheed by another. Then the audit office threw up its hands, and the case was kicked out. The case was one in which a bill collector employed an attorney to garnishee a salaried man. In the usual course of events the garnishee caused 25 per cent of the victim's salary to be held up, but the ungrateful collector forgot to pay the attorney. The latter brought a suit to garnishee the collector and hold up twenty-five per cent of the twenty-five per cent.

The government employees on the garnishee list are in all departments. Some of the men whose salaries have been garnisheed will be paying off their debts for many months to come. The men who work in the Road Department

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AN ANTISEPTIC LINIMENT.

For wounds, bruises, burns and like injuries there is nothing better than Chamberlain's Pain Balm. It acts as an antiseptic, forming a thin, imperceptible film over the injured parts, which excludes the air and causes the injury to heal without matter being formed, and in much less time than by the usual treatment. In cases of burns it allays the pain almost instantly. Sold by all dealers. Benson, Smith & Co., agents for Hawaii.

EACH ARRIVING VESSEL

now brings us new goods all of which were carefully selected on the ground by our buyer, who reports having bought the largest and most varied stock ever brought to Honolulu, which consists of general stationery, musical goods, novelties and toys. Your money savers. Wall, Nichols Co., Ltd.,

On and after Thursday, October 4th registration open from 7 to 9 a. m.; 11 a. m. to 2 p. m. and 4 to 8 p. m.

A MATTER OF HEALTH



ROYAL BAKING POWDER CO., NEW YORK.

Makapuu Light to Burn in a Few Days

CAPTAIN SLATTERY WILL ERECT TEMPORARY LIGHT WITHIN TWO WEEKS TIME.

There will be a light carrying its warning to mariners from Makapuu Point within two weeks from the present time.

The light will be placed there only temporarily until such time that the regular light can be built which will be anywhere from six months to a year from now.

The Light-House Board in Washington owing to the urgent demand for a light on that point have ordered Captain Slattery to go ahead with the construction of the temporary light known as a beacon light which can be seen for a distance of eight miles. The light will be placed about 600 feet above the sea level.

In the meanwhile the plans for the regular light to be placed on that point will go ahead and as soon as possible will be completed and the regular light will take its place.

The new temporary light will simply be a lens lantern and will not be as far seen as the permanent light to be placed there. However it can send its warning eight miles seawards, far enough to prevent another disaster similar to that of the Manchuria.

Drink Coca Cola. 5c. at all soda fountains. Delicious refreshing.

SACHS' NEW GOODS.

An immense shipment of new goods direct from the east has just been received by the Sachs' Dry Goods Co. These are being opened up as rapidly as possible and every department will be complete with an entire new showing. Specials for Monday, Tuesday and Wednesday in Printed Batistes, Sheets, Pillow Cases and White Lawn Shirts—waists are at big money saving prices. The millinery opening will be of especial interest as the Gage new fall hats will be on display. Panama canal contest now on.

Delicious pies and cakes. Candy fresh every day, New England Bakery.

HOT LUNCH, COLD DRINK. You get the best hot lunch in the city at the Criterion served with a cold drink for 25c.

The best cup of Hawaiian coffee in the city. New England Bakery and Cafe.

Classified Advertising

Boy Wanted

Strong boy with bicycle to carry papers. Apply immediately to Star Office.

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is the greatest shoe for school children ever made. In style they have eye-catching value that attracts the mother who spends her shoe money carefully.

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Slippers, Oxfords and Boots

A few choice styles in the (1/2) one-half price sale still remain. \$3.50 values at \$1.75; \$2.50 values at \$1.25. Children's School Shoes 6/8 \$1.00. Lace or Button. 8/11 \$1.25, Lace or Button. 11/12 \$1.50, Lace only. Large stock of Bare-foot Sandals, 6/8, \$1.00; 8/11, \$1.25; 11/12, \$1.50. Sorosis for Women, \$2.50 to \$5.00. Walk-Over for Men, \$3.50 and \$4.00. A. E. Nettle on for Men, \$5 and \$6.

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