

The Hawaiian Star

DAILY AND SEMI-WEEKLY.

Published every afternoon (except Sunday) by the HAWAIIAN STAR NEWSPAPER ASSOCIATION.

THE STAR ACCEPTS NO LIQUOR ADVERTISEMENTS.

SUBSCRIPTION RATES:

Local, per annum\$ 8.00
 Foreign, per annum 12.00
 Payable in Advance.

Entered at Post Office at Honolulu, Hawaii, as second class mail matter.

Subscribers who do not get their papers regularly will confer a favor by notifying the Star Office; Telephone 365.

The Supreme Court of the Territory of Hawaii has declared both THE HAWAIIAN STAR (Daily) and THE SEMI-WEEKLY STAR newspapers of general circulation throughout the Territory of Hawaii, (suitable for advertising proceedings, orders, judgments and decrees entered or rendered in the Courts of the Territory of Hawaii.)

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GEORGE F. HENSHALL.....EDITOR.

THURSDAY.....DECEMBER 16, 1909

KUHIO'S UNFORTUNATE "BREAKS."

Kuhio having made a declaration of war, it is up to the Republican party to make a declaration of independence. About two years ago he came to the conclusion that he was greater than his party, and cost the Republicans the office of mayor of Honolulu. This time, reaching a similar decision, he has probably cost himself his office.

It is time for self respecting Republicans to stop trucking to tactics of this sort. It recalls the utterly disgraceful surrender made at the time of the first nomination of Kuhio, when he accepted a Republican nomination on the very same day on which he had told Democratic leaders he was a Democrat and bargained for their support as an Independent. Within a few days the delegate has said that the governor was not acting in good faith and that the governor lied; that he (Kuhio) was mistaken when he accused the governor of bad faith; that he said the governor lied and that he didn't say the governor lied without an "if"; and now finally, that "there has been nothing done on the land question," though he himself took part in exactly what the governor and the party are doing.

It is a cause for deep regret that the delegate should have endangered the continuation of a career of which he had much reason to be proud, by politics of a kind which, even if swallowed by the party organization, will probably not be tolerated by the voters.

UGHT TO HAVE SAID IT.

Chief Justice Hartwell may or may not have said that few jury verdicts would stand if juries were required to understand the charges given by the courts. In a legal sense he didn't say it, but his words mean just that to the lay reader,—which fact exactly illustrates the legal point he was making if a mere lay commentator may be allowed to say so. Whether he said it or not, it is said here and now. We beg to go farther and say that no verdicts at all would stand, for no layman ever understood a lengthy charge yet and half the time the judge delivering it is in the same condition of mind.

Take the commonest of legal instructions given by judges to juries. This is that before returning a verdict they must be convinced "beyond a reasonable doubt." It is very simple indeed. Any ordinary man understands "reasonable doubt" at a glance. But, especially if the case be an important one, the judge proceeds to get all the jurors thoroughly mixed,—if they pay close attention to him. A reasonable doubt, he tells them, is a state of mind in which there exists "such a doubt arising from the evidence, as leaves your mind in such a condition that, after reviewing all the evidence, you cannot say that you have an abiding conviction to a moral certainty." This calls for two more definitions to be framed by the juror,—the meanings of "abiding conviction" and "moral certainty." The simple phrase "reasonable doubt" is about as plain as English can be. Some courts often throw a magnificent light upon it by solemnly telling jurors it means a doubt for which they can give a reason.

Really, it is too bad that the chief justice only said in a legal sense, what hits the nail on the head so nicely as ordinary English,—that jurors do not understand the charges given them by judges.

A RATHER LONELY LEADER.

We do not think many intelligent Republicans can follow Delegate Kuhio in his latest, presumably final, expression of attitude towards the Governor. His conduct gives the impression of a desperate effort to steal some Link McCandless thunder. Personally he is at liberty to do so,—he may tour the land promising every native 100 acres of land if he wishes, just as McCandless is said to have done in some sections, but not in the name of the Republican party of the Territory. That party, with Kuhio himself actively participating, has just sent to Washington the best land law it could frame, with the aid of the Democrats. No committee or convention of self-respecting Republicans is going to allow one member of the party, even though he be Delegate to Congress, to lead them blindly off on another tangent. Kuhio helped to make the land law which Governor Frear is urging in Washington. Kuhio urged it in the extra session and actually secured Democratic votes for it. It is consistent as well as unfair for him to declare war on the executive on account of administration of the land laws before this law is even tried.

Dr. Cook furnishes a somewhat remarkable example of the exhausting power of mental strain. He stood the rigors of several arctic winters and whether he reached the Pole or not, came through in good condition after a period of terrible hardship, almost starvation. But a few weeks of the Peary controversy sent him to a sanatorium.

It begins to seem to make all the difference who sees Kuhio last.

PORTO RICO'S GOVERNOR ADDRESSES NEWSPAPERMEN.

Governor Colton of Porto Rico on taking office had a meeting with newspapermen at which he outlined his ideas with regard to policies and news. His remarks are well worth repeating:

"There is no body of men who have so great an opportunity to advance the welfare of their country or to promote good feeling among the people as the men who control the press.

"The newspapers of a country have much to do with creating public opinion. They cannot prevent its ultimate correctness, but they can hasten its development along lines that will promote contentment and happiness. If conditions are wrong or the people are oppressed, it is their patriotic function to support the latter in correcting the former. Any newspaper which attempts agitation solely for political effect or to cause dissension among the people, or to prejudice any portion of them against those who are in good faith trying to serve their best interests, is certainly deficient in patriotic sentiments and appreciation of its ethical purposes.

"Certain it is that there will be no secrets from the people with respect to my own official acts. I shall always tell you the simple truth in that respect and discountenance any atmosphere of mystery on the part of the government. I have no objection to being questioned in good faith upon any subject. If I can reply I shall do so frankly. If I cannot I will say so, and you will trust

me sufficiently to know from the nature of things, that an answer would be unwise.

"In return I shall only ask that you treat what I say to you in the good faith it is said and with the opportunity I propose to make available to you that you verify any piece of news concerning the government that you may receive before publishing it. You will not blame me if I do not receive with favor different treatment at your hands."

Commercial News

BY L. D. TIMMONS.

The usual spell of inactivity which comes upon stocks at Christmas time was felt upon the markets and on "Change" today. All the week there has been a disposition on the part of small holders to sell, a situation due directly to Christmas and adjustments for the new year. Today there has been more stock in sight than in weeks before, while the demand has been decidedly weak.

In bonds there was a little doing at good figures. For instance, \$5,000 Hawaiian Irrigation sixes changed hands at \$99, which looked healthy. Two sales of McBryde sixes were made one of \$4,000 at \$99 and the other of \$1,000 at \$99.25. At the close of today's session \$99 was still bid for McBryde bonds, with \$100 asked.

Between boards 10 shares Hawaiian Sugar sold at \$53 and on the boards five Hutchinson changed hands at \$17.

McBryde stock showed a heavy touch of Christmas depression, 15, 5 and 5 shares selling at \$5.75. More was offered at the same, but only \$5 was bid. Olan the companion stock of McBryde, was offered at \$6, but there were no bids.

On the boards today 5 shares Oahu Railway sold at \$146 and 50 Onomea at \$50. The latter, it will be noted, is a big drop. For Onomea \$59 is now bid and \$52 asked.

Waialua took a further tumble, 10 shares selling at \$120. For the stock \$119 was bid and \$120.50 asked.

Other quotations of interest were Ewa, \$32.25 bid and \$32.50 asked; Oahu, \$32 and \$32.375; Hawaiian Commercial, \$37 asked; Pioneer \$186 bid and \$192.50 asked. The severe cut in Pioneer was one of the surprises of the day, although that stock has done some queer things in the past year.

SYSTEMATIZE GIVING.

The Merchants' Association has taken up the matter of the numerous subscription lists passed around to them during the year, upon which they are asked to give money. As every charity seems to look first to the merchants for help, these lists are frequent and the total sums in a year become quite large. But that is not so much the kick. It is believed that the merchants, having no system of investigating these petitions, some-

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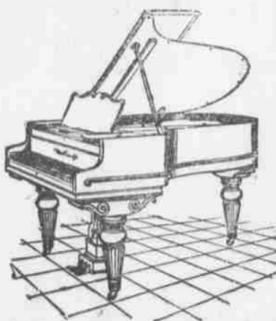
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