

From San Francisco:
 Manchuria Jan. 29
 For San Francisco:
 Mongolia Jan. 29
 From Vancouver:
 Aorangi Feb. 6
 For Vancouver:
 Moana Feb. 3

EVENING BULLETIN

3:30 EDITION

A Full Share of Business cannot be had without the BULLETIN'S help

With the advent of Spring, activities in business will come to each merchant, to each man who is conducting a business, the opportunity to say a long good-bye to hard times, or to cling to them a little longer. THE BULLETIN LEADS TO BUSINESS PROSPERITY.

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ORGANIC ACT AMENDMENTS ARE CONSIDERED GEO. W. SMITH RETIRES AS PRESIDENT

All Right Except On Land Law

The proposed amendments to the Organic Act were, in general, endorsed in the report of the Legislative Committee of the Chamber of Commerce read at the special meeting this afternoon. Each section of the bill drawn by Governor Frear was thoroughly covered by the report, the bill being discussed section by section.

The report was signed by J. P. Cooke, chairman of the committee.

After the reading of the report, a resolution embracing the ground covered by the report was then introduced by the committee.

The chief alteration in the bill presented by Governor Frear recommended by the committee are in relation to the land law procedure.

After the reading of the report, J. P. Cooke stated that the report was drawn by A. Lewis Jr.

A. Lewis Jr. carefully went over the grounds, explaining the amendments at length.

Swamy:—With the exception of that

Merchants Elect New Directors

The new members of the Board of Directors of the Merchants' Association to serve for the ensuing year are as follows: George W. Smith, C. DuRoi, Walter Dillingham, F. L. Waldron, C. von Hamm, E. H. Paris, T. H. Petrie, E. A. Berndt.

The above officers were elected at the annual meeting of the Merchants' Association, which was held this afternoon at 2 o'clock.

Treasurer Petrie reported that total receipts came up to \$2955.43. Secretary Paris also read a short report.

The Public Affairs Committee reported on the matter of the increase of the National Guard to full regimental strength, favoring that this be done

amendment applying to the land law, then, you believe that the Governor's amendments are entirely satisfactory?

Lewis:—I do. In fact the land laws are quite satisfactory, but it seems advisable to have it a little more explicit.

Governor Working On Big Forestry Scheme

The attention of the Governor was this morning mainly centered on a discussion of a proposed stumpage license for the ohia forest in Puna, not far from Pahoa, where the Mahogany Lumber Company has its saw mill. A petition for such a license has been made by the company, which wants the forest in order to fill its Santa Fe tie contract. The forest runs toward Kau, and contains an area of from 10,000 to 12,000 acres, the exact area being unknown. There are also a number of patches, or kipuikas, outside of the main forest, which it may pay to cut. An examination of the forest has been made by Forester Hosmer. There are no streams, and there is therefore no particular object in keeping the forest for water supply, says the Governor. How far it will affect the rainfall to cut it is a question, but there is no reason to believe that the cutting will affect it much.

The Governor further stated that the land might be found to be suitable for homestead purposes, but just

how far this would be the case was uncertain at present. If this is so it would be desirable to have the land cleared so as to save the homesteaders that expense. At present no homesteader would think of going there.

Governor Frear states that the license will be put up at auction, and it will be a source of revenue to the Government by getting the forest utilized, which otherwise would probably die. Even if the land should be found to be unsuitable for homestead purposes, it would probably be best to cut the forest and to allow it to grow up again.

So far the matter has been discussed only, and nothing has been agreed upon. The price will depend very much on the length of the license, the rapidity of cutting, and the length of the lease. If the land is available for homesteads, some clause may be included in regard to the location of the railroads to be constructed to carry the timber, as the roads might be utilized by the settlers.

WHAT MAUI WANTS OF LEGISLATURE

Its Delegation Will Soon Arrive In City To Confer

Wakefield reported for the Committee on Trade and Finance, on the work done by it during the past year.

Branch called attention to the fact that well-fargo rebilled goods sent from the East in San Francisco, causing extra charges, making the rate exorbitant. The Association should take up the matter. The matter was referred to the Trade and Finance Committee.

When the call for election of officers was made George W. Smith announced that he could not accept re-

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Atcherley Case Big Outrage

That the Atcherley case was the biggest outrage he had ever heard of in Hawaii was the contention of J. A. Magoon, when Atcherley was taken before Judge Robinson this afternoon upon a petition for a writ of habeas corpus.

Judge Robinson told Magoon that the City Attorney wished the hearing postponed until tomorrow.

"I will contest that unless an order is made releasing Dr. Atcherley on bail," said Magoon. "Dr. Atcherley is being held unlawfully and unjustifiably. This is the biggest outrage I have heard of in this Territory as long as I have practiced law. The fact that a man as sane as you (this to Judge Robinson) or I should be kept in a lunatic asylum is an outrage to our civilization. I did not believe it possible. I don't care how long this matter is continued, as long as Dr. Atcherley is released."

Milverson said he needed time to make a return to the petition, and in the mean time the Doctor should not be released.

"It is an absolute travesty on justice," retorted Magoon. "Do you ask for a continuance."

After considerable more argument it was finally decided to postpone the hearing until tomorrow at 2 p. m. The Court ordered that Atcherley must remain in the Asylum until that time.

MAKE SUGAR CO TAX APPEAL IS DENIED

Supreme Court Reviews Famous Kapaa Land Matter

The decision of the tax court in the matter of the assessment of the Makee Sugar Co. was today sustained by the Supreme Court. The decision reads as follows:

This is an appeal by the Makee Sugar Company from a decision of the tax appeal court of the fourth division fixing an assessment of the company's property for taxation at \$900,000 as of January 1, 1908, the return being \$686,180.90 and the assessor's valuation \$1,000,000. This taxpayer conducts a sugar plantation, its property consisting of real and personal property of several classes or kinds of each which are combined and made the basis of an enterprise for profit within the meaning of R. L. Sec. 1216. It was therefore properly assessed on the enterprise for profit theory. In re Wichman, 16 Haw. 793.

The plantation conducted by the taxpayer is situated on Kauai, is an irrigated one, its average annual crop for the eight years preceding 1908 being 8584 tons, the yield per acre varying from 4.04 tons in 1903 to 3.24 in 1907, the average yearly net profit from 1900 to 1907 having been a little over \$117,000. The yield for 1908 was estimated to be about 7600 tons, which would return a net profit for that year of about \$170,000. The plantation is a well managed one and run economically without having any agent. The capital stock is \$500,000. No sales of shares of stock are reported. About one-half of the available land of this company was leased from the government, which leases expired May 1, 1907, and were continued by mutual agreement up to May 1, 1908, during which time negotiations in regard to the continuation of the use of the land on new terms were being carried on by the taxpayer and the government. On January 1, 1908, the date of the assessment, it was uncertain how these negotiations would turn out. The testimony taken before the tax appeal court in August, 1908, showed that the negotiations between the government and the taxpayer had been broken off and the land had been returned to the lessor. It was the opinion of the manager of the plantation that with the reduced amount of land the annual crop hereafter would not exceed 3500 tons, which at the most and under extremely favorable circumstances would not return a net profit of more than \$50,000, it being also his opinion, however, that there would be no profit at all. He further testified that a plantation that did not pay ten per cent annually for five years running was not worth buying. The fee simple lands owned by the plantation are a little more valuable for cane than the leased lands of the government. The assessment as agreed to by the company was in 1905 \$1,400,000, the reductions since then, according to the assessor, having been partly on account of these expiring

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SENATOR COELHO RETURNS WITH LIST OF NECESSITIES

Public Works Appear To Be First on List—Other Things Suggested

"In addition to what I have already submitted to Superintendent of Public Works Marston Campbell re Maui needed public improvements a few weeks ago, including the Kula pipe line which the administration and all Maui legislators endorse, and which were included by Campbell in his estimates and report to the Legislature, the following are to be submitted to the Legislature and to the administration," said Senator W. J. Coelho, who returned from Maui this morning.

"For Molokai, aside from what is already submitted by Supt. McVeigh of the Settlement, needed repairs to the Pukoo court house and jail should be provided for. Secondly, the Government should acquire the fertile valley of Halawa from the Bishop Estate for the purpose of enabling the natives to acquire title to the holdings for which they are now paying exorbitant rental; and also in order to avoid any menace from an agent of the trustees who might use his position to coerce the natives during campaign times. Thirdly, as the natives are left to die without any medical assistance through the failure of the Government to provide physicians, not only for Molokai, but for all isolated districts, some relief measure should be provided by the coming Legislature to enable the indigent sick necessary treatment, etc."

"For Maui: From personal observation made during my recent trip for the purpose, the following landings require the following improvements:

"Keanae—The present derrick is almost out of commission. A new one should be installed.

"Nahiku—The old landing should be repaired and the high bank above the landing should be cut sloping to avoid future landslides. It is claimed by the kamaainas on shore and by the shipping men who are well acquainted with that shore, that the old landing place is the safest throughout the year and the best for the service. The rubber industry, I am informed, has not yet passed its ex-

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\$23,393 WILL BE RETURNED TO HAWAII

WASHINGTON, D. C., Jan. 28.—The bill to reimburse Hawaii for the \$23,393, expended on the maintenance of lighthouses in the islands, has passed the House and was today favorably reported to the Senate.

GOMEZ INAUGURAL

HAVANA, Cuba, Jan. 28.—President Gomez was today inaugurated as the head of the Government elected to conduct the Cuban Republic. The ceremony was an imposing affair in which the American representatives took a prominent part. The city is in gala attire.

Census of Japanese

SACRAMENTO, Calif., Jan. 28.—A bill was introduced in the Legislature today appropriating \$10,000, for taking a census of the Japanese resident in the State.

FIRE IN SUTRO TUNNEL

SAN FRANCISCO, Calif., Jan. 28.—There was a fire today in the Sutro tunnel of the Spring Valley system. It was soon under control but stocks took a slump.

ATTACKED HOME SECRETARY

SEOUL, Korea, Jan. 28.—An aide of the Korean Emperor attacked and wounded the Home Secretary while traveling on a train today. He used a sword.

PHILIPPINE COMMISSIONER

WASHINGTON, D. C., Jan. 28.—Juan Sunnulong was today nominated by the President as a member of the Philippine Commission.

REFINED SUGAR DROPS

NEW YORK, N. Y., Jan. 28.—Refined sugar, one to nine, was reduced five cents a hundred today.

PAY DEMANDS WAIT ON CITY ATTORNEY

Auditor Wants Advice Concerning Legal Status

Again the responsibility in the salary-demand matter has shifted. City Auditor Bicknell this morning loaded the whole thing upon the City and County Attorney's office, and upon the advice which he receives there his action will depend.

"As far as I am concerned there has not been a change in the status of affairs during the past twenty-four hours," said Bicknell this afternoon. "I am still waiting to hear what the City Attorney has to recommend."

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