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There is never an instant's truce
between virtue and vice.—Thoreau.

Equality of opportunity, a square deal for every man, the protection of the citizen against the great concentrations of capital, the intelligent use of laws and institutions for the public good, and the conservation of our natural resources, not for the trusts, but for the people; these are the real issues and real problems. Upon such things as these the perpetuity of this country as a nation of homes really depends.—Gifford Pinchot.

Now, is this the basis of the secret correspondence in the Kapaa land deals?

JURY AND COMMISSION.

Now that it is announced and decided upon that there is to be a thorough and radical revision of the Territorial Jury lists this coming January, it is time for the editor of the Advertiser to get out his pen and dipping it in vitriol, prepare to strike from such lists the name of any Hawaiian that may appear thereon. Why not? It is just one step towards the cherished aim of that gentleman to see Hawaii run by a commission, it probably being in the mind of the said gentleman that he in turn, with a newspaper at his back, shall run the commission.

EDITOR SMITH AGAIN AND COPPERHEADISM.

The editor of the Advertiser clings desperately to the plea that his conduct of that paper in the matter of the strike agitation and trials is all squared to an overwhelming desire for a fair trial. He knows that the plea for a fair trial meets a response at once from every right-minded individual, and he has clung to that protest, and outside of that declines practically to talk, beyond displaying animus against the personnel of the prosecuting officers.

The editor of the Advertiser is a seasoned tactician and a clever artist, and no man who wishes to follow his trail and find it need look for a broad and open one, notwithstanding that that same gentleman often speaks vigorously to the point and open and above board.

But let us take his very issue of this morning and judge how much the gentleman in truth and in fact wants a fair trial.

CAN ANYONE READ THE ACCOUNT OF THE PROCEEDINGS OF YESTERDAY IN COURT AND NOT DETECT A SLUR UPON THE RULINGS OF THE JUDGE, AN INSINUATION AGAINST THEM?

Do not look for it broadly stated, but read the article, anticipating that whatever insinuation is sought to be imparted to the reader will be instilled into his mind in such a covert way that he will hardly be able to analyze or realize the effect on his own mind, after the editor's work has been done. The report in question, after referring to certain methods of framing questions, followed by the prosecution, adds the following:

"Lightfoot is apparently impatient to shut out this sort of cross-examination; he objects frequently to the questions asked, but it is extremely rare that his objections are sustained. In fact, so accustomed has he become to being overruled that on one occasion yesterday he spoke his usual formula 'SAVE AN EXCEPTION' before the Judge had ruled on the objection."

Again, in this same report, after insinuating or positively charging that the attorneys for the prosecution had acted double in quoting certain portions of an article in the Jiji, the report goes on as follows:

"Lightfoot renewed his objection and was in the middle of reading the sentence when the Judge interrupted him to declare a recess, leaving Lightfoot with his mouth open and his sentence half finished."

Again,

"Lightfoot claimed that Kinney's question to the witness was misleading—I deny that he can split up a question into

two and read the part that favors him and leave out the part that is unfavorable to him," said Lightfoot. But he was overruled by the Judge, and Kinney allowed to go ahead in HIS OWN WAY."

The foregoing insinuation against the rulings of the court are so covertly put that Editor Smith could, with a very fair face, open his eyes in wonder at the suggested motive in the foregoing statements. Nevertheless the good faith and the fairness of the rulings of the Judge of that Court were smudged, or attempted to be smudged, in the very issue of the paper where Editor Smith is declaiming again that trials must proceed fairly and must not be tried out in the newspapers.

Why should the prosecution in the riot case, for instance, have wanted to try its case outside of the courts?

It had a perfect case, universally so conceded. It had no occasion to go outside.

But after a three weeks' careful trial the prosecution finds that this case was not turning upon the evidence adduced in court, BUT WAS BEING TRIED ON THE CURBSTONES BY WHISPERINGS AND BY INSINUATIONS, and the declaration and shouting of the jurors at times in the jury room was so loud that it became manifest from the lips of the jurors themselves that the issue was being determined upon animus and bias against plantations.

The jurors forgot that if a man talks loud enough his voice can be heard even through closed doors, and they were known to have shouted "To hell with the plantations," etc., in an argument where, upon the law and the evidence, there was no escape from a verdict of guilty.

The prosecution, unquestionably, in the conspiracy case now on trial would be only too glad to be allowed to try that case strictly upon the law and the evidence, free from all newspaper interference, but is it going to be allowed to do so? IS NOT A STAB HERE AND AN INSINUATION THERE GOING TO BE KEPT UP BY MEN FIRING FROM COVER. If so there is no way left but to leave it out with these gentlemen, at least succinctly to drive them into the open so that it can be known who is who and where matters stand.

Let us quote again to Editor Smith the words in his editorial of August 4th:

"Perhaps it will be consolation to Editor Sheba, whatever the result of his wounds may be, to know that the crime has brought the people into a more serious mood about the possibilities of the Japanese labor agitation. A large number of citizens had thought that the strike leaders were being persecuted. Sympathy for them had grown up in quarters where a more impartial view might well have been looked for. There was a danger that the law would fare badly at the hands of those who have a soft side for the weak when they are at odds with the strong. All these things work for a longer strike and more violence and a delay in, if not a perversion of, the natural course of justice."

This is the confession of the editor of the Advertiser made on August 4, that for some time he knew that the law was likely to fare badly; that a large number of citizens thought that the strike leaders were being persecuted, and that this spirit, having its way and manifesting itself in the trials before the courts, would work for a longer strike, and more violence and a delay in, if not a perversion of, the natural course of justice.

What has the editor of the Advertiser done to check this dangerous and, as he admits, unwarranted condition of mind.

His single plea, repeated again and again, is "I wanted a fair trial."

Are we going to have fair trials with that spirit at large? ARE VERDICTS GOING TO BE RENDERED ACCORDING TO THE LAW AND THE EVIDENCE, BY CITIZENS, WHERE LARGE NUMBERS OF CITIZENS HAVE THESE

SPIRIT, ABSOLUTELY UNWARRANTED AND UNJUSTIFIED, as Editor Smith knows?

Is there no way that the Advertiser could have dealt with that question and lent its aid to cure such a feeling, and at the same time not interfere with the fair conduct of any trials that might have been pending?

What thinks the reader of the plea from this apostle of fair trials, who, in the conduct of his newspaper, has allowed these perverted views to go unchallenged where he knew that the law was likely to fare badly?

Evidently the position of the editor, confessed from his own mouth, is that he saw and cheerfully allowed this dangerous feeling, entertained by a large number of citizens, to lurk its way into the jury lists and into the jury boxes, and kept his mouth shut, all, forsooth, to procure fair trials! Out upon such hypocrisy!

If a sense of duty kept Editor Smith's mouth shut while he saw this dangerous spirit and foolish sentiment stalking at large, before the attempted assassination of Sheba, why, in the name of common sense, did he endanger fair trials by stepping in on August 4th, while the conspiracy case was proceeding, and the defense needed a fair trial, and when the court had prohibited any mention of the circumstance, and make the following editorial comment:

"But every thoughtful and honest man belongs on but one side when the red hand of murder is invoked, and that is on the side of law and order, the side which demands that, whatever becomes of the strike, the instigations of violence shall cease, and that the malefactors at bay, those who incite to crime as well as those who commit it, shall suffer the penalties they have earned."

This language would be sufficient to authorize the court to cite Mr. Smith to be punished for jeopardizing the fair and impartial trial of Negro and his co-patriots.

Why did Mr. Smith speak at all? Why speak August 5th if not before, and if you had a right to speak then, why not before?

It required red-handed murder to shock you into a more creditable frame of mind. If it was right on August 4th while the conspiracy trial was on to declare that "every thoughtful and honest man belongs on but one side when the red hand of murder is invoked," why was it not right earlier to declare in your paper that "Every thoughtful and honest man belongs on but one side, whether it be murder that is invoked or any other breach of law and order" and that anti-plantation animus cut no part in such an issue.

You claim that the Bulletin has misquoted you and has twisted your words away from their proper connection, etc. When and in what respect has this been done? That is mere declamation on your part.

Meanwhile, we ask the reader, where do you think the editor of the Advertiser is today in the matter of these trials?

Are the stabs, legends and insinuations made against the prosecution in the conspiracy case, contained in his paper of today, born merely of his spite against the Bulletin's attack, or is it merely bringing to the surface what is in his heart before?

With the individual Walter G. Smith we have no concern. But with that individual holding the helm of the one morning paper of this Territory we have every concern, AND THE PUBLIC HAS EVERY CONCERN. It is what he did at the helm of that paper that is being criticized.

It is the fact that slyly, smugly and with the utmost tact he watched the prosecution drifting on the reef of

among certain elements in this community, was and is in touch with it and at times actively interjected stumbling blocks in the way of that prosecution that has compelled the Bulletin, disagreeable as the task may be, to play the part of a peace officer and call down this disorderly interference with a fair trial, and to point out the neglect of public duty as a journalist conspicuous in the misconduct of that paper during the past critical months.

TRIAL FACTS.

The reader will note that the Advertiser announces that no headway was made by the prosecution yesterday in the examination of Soga, whom the editor characterizes as a "shrewd" witness, etc. We will make no comment on this but instead publish extensively, in another column, from the record the evidence in question, and leave the public to judge as to the character of the evidence, its interest to the public and its effect upon the defendants' plea of not guilty.

SMITH'S RESPECT FOR THE COURTS.

Editor Smith of the Advertiser loudly disclaims this morning that while he may never let up while following the trail of a man, until he gets to the door of the court, yet at that point he keeps his hands off; and one can see the deflection with which those words were penned.

The truth is that it is just what the man never does do when the time and occasion, or his own private feelings invite him to do otherwise.

On the 4th of August, when Sheba is stabbed and likely to die, as everyone then supposed, what does Editor Smith, the gentleman who never follows a criminal across the portals of a court room, do?

He demanded in his paper that "whatever becomes of the strike the instigations to violence shall cease, and that the malefactors at bay, those who incite to crime as well as those who commit it, shall suffer the penalties they have earned." To whom was the editor referring particularly, when reaching out for those who INCITE TO CRIME, but Negro and his associates, then on trial for conspiracy to incite violence. Who were "the malefactors at bay" but these defendants, of whose rights he is now so extremely tender that reference to a theater speech by one who happens to be their attorney makes him so indignant?

The truth is that both the Star and the Advertiser, as a result of the attempt on Sheba's life, deliberately and openly demanded of the court and jury then trying Negro and Makino, that they be convicted, a step not taken by the Bulletin.

It was at a time above all others when these same defendants needed "Hands off" and did not get it at the hands of the Advertiser. But when it comes to correcting a perverted sentiment in a community, having no reference to any particular trial but to all trials that may arise out of this strike, Smith virtually says—"I cannot mention the subject, my holy regard for a fair trial forbids it."

When Sheba was assaulted and the Advertiser editor became afraid he turned around and without changing a hair demanded point blank the conviction of men then on trial for conspiracy.

But it all depends on what the editor really wants to do. When he wanted to clear his own skirts, he was perfectly willing to do it by a direct demand for a conviction of these defendants. When he wanted to dump the plantations he would not even mention something that was a matter

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of absolutely legitimate discussion in the newspapers, one of the very things for which newspapers are created.

If a man is about to be tried and there is a spirit loose in a community that would lynch him, newspapers are doing but their simple duty to stamp it out, whether the trial is in progress or not.

It on the other hand there is a spirit loose in a community, through mistaken notions or otherwise that would garrot a case for the prosecution regardless of the proofs adduced, it is the part of true newspaper duty to point that out, not by way of interference with fair trials but to promote them.

HIS NEWSPAPER TRIAL.

Mr. Bittling yesterday moved for a directed verdict for his client on the ground that the prosecution had failed to show that the woman was a witness before the grand jury or that Morimoto knew her to be a witness. The Judge did not decide the matter yesterday, though it was indicated that his decision would probably be in favor of the defense.

Mr. Bittling has put up a good fight for his client, a fight worthy of a BETTER CAUSE, FOR THE EVIDENCE OFFERED BY THE STATE TO PROVE THAT THE PARASITES WHO LIVE OFF THE EARNINGS OF A WOMAN'S SHAME. But Mr. Bittling has made his defense chiefly on points of law, and has raised some new ones.

If Morimoto escapes by a directed verdict or otherwise, however, IT WILL DO HIM LITTLE GOOD, as the United States District Attorney has another warrant ready to serve on him.—Advertiser.

Here we have from this morning's issue to what extent comment is withheld from a case while it is on trial.

The jury had not yet acted on this case, and while the Advertiser declares the man guilty off hand, notice is served on the jurors that another jury will get him if they do not.

This is a sample of how the Advertiser follows a case to the court house door, and then before the majesty of law remains "silent."

REWARDING STRIKERS.

Some of the strike Japanese are heard to complain that when returning to the plantation fields they have not been given their old positions.

Why on earth should they be given those positions, especially when the work has been done and is being done by efficient citizen workmen who stood by the plantation and the community during a critical period?

Far from criticizing the plantation manager for not giving the

strikers their former places, the Bulletin would suggest that the manager is subject to justifiable criticism if he treats the returning Japanese "as if absolutely nothing had happened."

Something has happened, and nothing is gained by belittling it. These strikers voluntarily left their places. They were not abused. If they had grievances, it was not necessary for them to strike to wreck the plantation that they might be heard. They have been engaged in a definite movement to commit an injury.

And as a reward for that have they any good reason to expect special consideration from their former employers?

Have they any right to demand or is the plantation manager justified in the removal of a good substitute who has been faithful at a time when loyalty and reliability counted?

The question answers itself. Managements that follow an in-veterate policy will deserve all they get when they wake up some fine day and find themselves in the hands of their rejuvenated enemies. Men who left them in the lurch once will be ready to do it again when they discover that all it costs them is the loss of time.

On the other hand the returning striker, willing to go to work at what offers, so he be an industrious and right-minded man, should be given an opportunity to make a new start.

REASONS FOR PROSPERITY.

Outside conditions continue favorable. The trade outlook is promising. Interior merchants have been buying on a conservative basis, and the outlook is for a good consumptive demand for nearly all classes of merchandise. Building is active, and our railroads are free purchasers of materials for constructive purposes. Advances concerning wheat and corn continue favorable, the only discouraging reports being from the cotton districts, where continued drought and heat have caused further deterioration in the condition of cotton. Money continues in good supply at easy rates, but the westward currency movement has already begun, and both the interior and Canadian banks are drawing against their balances in this city. It is not generally thought, however, that the crop demands this season will cause any material advance in money rates. Western banks being abundantly able to meet a large part of the anticipated requirements. The condition of the national banks appears to be exceptionally strong. According to the last statement, the amount of loans issued by these institutions amounted to \$5,036,000,000, the highest on

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record, and an increase of \$420,000,000 over a year ago. It is also an increase of \$613,000,000 over the minimum following the panic. The total of deposits was \$4,898,000,000, or nearly double the amount of nine years ago. These figures show a tremendous growth in our financial strength.

This is from Henry Clewes' latest banking circular. Add to this the latest price of sugar, the splendid crop conditions, the protection given pineapples, the increased tourist travel, the great amount of work being done by the Federal government, and you have a few of the reasons why Hawaii, as well as the mainland, is sure to prosper and Honolulu is bound to grow.

PERHAPS THAT WAS IT.

In order to play "Rosemary" some years ago, John Drew shaved off his mustache, thereby greatly changing his appearance. Shortly afterward he met Max Beerholm in the lobby of a London theater, but could not just then recall who the latter was. Mr. Beerholm's memory was better. "Oh, Mr. Drew," he said, "I'm afraid you don't know me without your mustache."—Everybody's Magazine.

ONE WAY HE COULD HELP.

An Eastern college graduate applied for work in a Michigan lumber camp. He was told to get busy on one end of a cross-saw, the other end being in charge of an old and experienced lumberman. At first all went well, but at the end of the second day the young man's strength began to wane. Suddenly the old man stopped the saw and spat.

"Sonny," he said, not unkindly, "don't mind 'er ridin' on this saw, but if it's just the same to you I wish you'd keep yer feet off the ground."—Everybody's Magazine.

HER MISTAKE.

"I tell you I won't have this room rented the old lady to the bell boy who was conducting her. 'I ain't a-goin' to pay my good money for a pigsty with a measly little foin' bed in it. If you think that just because I'm from the country—'"

Profoundly disgusted, the boy cut her short.

"Get in, mum. Get in," he ordered. "This ain't yer room. This is the elevator."—Everybody's Magazine.



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