

HAWAIIAN GAZETTE

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CHARLES S. CRANE, Manager.

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ORGANIC ACT AMENDMENTS.

The matter of securing amendments to the Organic Act is now in the hands of the representatives of the people of Hawaii, it being fairly well established that congress will do nothing unless assured that what it does is what Hawaii wants. The special session of the legislature is, therefore, a most important one. Practically everyone realizes that some amendments to our land laws are necessary. Under the laws as they stand there has not been that development of the country desired. Homesteading has been practically ended; landseekers from the mainland have come, looked over the field, inquired into the laws, and gone, taking with them the money they brought for investment, and depriving the Territory of their presence as settlers and residents.

Concerning the necessity of amending the laws, there is unanimity of opinion in both Democratic and Republican ranks. Concerning the amendments to be recommended, there is much divergence of views, not only between the parties, but also between the members of each party. The Republicans are agreed on a general policy, but it is possible that attempts will be made to place in the resolution for congress things that may jeopardize the whole bill in Washington. Attempts may also be made to introduce amendments into the resolution here that will prevent its passage in the legislature.

Members must consider these things most carefully. The whole effort of the session must be bent toward securing the passage of a resolution that can be acted upon favorably in Washington. Such a resolution may not contain all that every member wants, but there should be no dog-in-the-manger policy. The interests of the Territory demand some amendments. The proposed bill, as it stands, contains the essential ones, for the present at least. It has been carefully drawn with a twofold object, one to meet the majority of the defects of the laws as they stand, the other to have it drafted in such shape as will practically insure its favorable reception in congress.

Too many amendments may defeat the whole object aimed at.

CONGRESS AND PROHIBITION.

If congress should be prevailed upon to pass a prohibition law for this Territory, the responsibility will rest in a large way on those officials who have failed to enforce the law the local legislature has placed on the statute book. It is very probable that Mr. Woolley, who is now in Washington to lobby for such a law, will point out the striking difference between the number of territorial and federal licenses taken out, using this as an argument to show that federal officers can locate offenders more easily than territorial officers on the same ground. He will probably point to the figures to show that the local authorities are either careless, indifferent, or incompetent. This will be one of his strong points.

Another point which will doubtless be urged with effect will be the fact that the death rate among the Hawaiians is abnormal in comparison with that of the other races here. That this is due to a large extent to the use of the worst kinds of intoxicants among the Hawaiians is probably true, and a prohibition law may be advanced as a measure of protection for the aboriginal race.

Woolley has a strong case to present, and the majority of his points have been supplied him by the very ones here most opposed to any prohibitory law.

The possibility of congress legislating for Hawaii on the liquor question is much stronger than most people here realize. To many congressmen, the opportunity of voting for a prohibition bill for a Territory so remote as Hawaii would not be overlooked. Such a vote would help them with the prohibition party in their constituency and would not hurt them with their antiprohibition constituents. What Hawaii may or may not want would influence them little in such a matter.

IS IT POSSIBLE?

Is it possible that the county attorney's department does not know of the violation of the automobile speed ordinance by Chief of Detectives Leal, out of which arises a case of damages to be filed if the chief ever comes back?

Is it possible that a sworn statement made by a resident that he had to pay Leal twenty dollars to have a case prosecuted is not regarded as worthy of investigation?

Can it be that the county attorney, with all his staff of detectives, messengers, deputies and assistants, has never heard the more or less direct charges of protection granted to gamblers that have been in circulation for the past three or four months?

When the county attorney was "investigating" the charges against Willie Crawford—by the way, what ever resulted from that investigation—is it possible that he never heard any rumors about Leal's connection with the opium business?

Is it possible that the county attorney does not know that one of his deputies went to the sheriff concerning the alleged consent given to Ayau to conduct a gambling game, even though the Star notes that "it is declared in the office of the city attorney that no one in that office ever gave such intimation or information * * * that no one in that office ever in any way intimated that Jarrett was approached"?

Is it possible? If so, we suggest that the supervisors allow him one or two more "detectives" for his department. He is missing a whole lot of interesting things.

ANOTHER POOL LAW.

Another fool law has been added to the long list of those which clutter the federal statute books. In pure, unadulterated ridiculousness one of the laws enacted by congress at the last session takes the cake. It makes it a penal offense to make, issue or circulate any note, check, memorandum, token or other obligation for a sum less than one dollar. A penalty of a fine not to exceed \$500, or imprisonment for a period not longer than six months, is provided for violation of the weird statute. If one owes his butcher ninety-five cents and sends him a check for the amount, it renders the man who thus pays his bill liable to be sent to jail for half a year. It would be cheaper all around not to pay the bill.

The ridiculous provision was sneaked through as an unnoticed rider tacked onto a bill with which it had nothing to do, and was so carefully buried that even the President, it is said, did not know of its existence until after he had signed the measure.

The provision was intended to limit the business of the mail-order houses, but it also limits the rights and privileges of every person in the country who has a bank account.

THE CASE OF LO SUN.

There seems to be something coldblooded in asking for the deportation of Lo Sun, the Chinese revolutionary editor, who will doubtless have a short shrift if he falls into the hands of the Chinese authorities. The time has come, in this Territory, however, when the writers in the oriental press have to have a lesson. We have had altogether too much anarchy preached here under the cloak of liberty. Unfortunately, the worst offender, the editor of the Nippo Jiji, can not be brought under the provisions of the federal law, and the territorial laws have proved, so far, powerless to stop him in his wild-eyed career.

Glancing over the details of an assassination is something that has to be stopped, else the effect on the oriental reader's mind may be to induce further crime here.

Henceforth a great measure of leniency has been shown toward these oriental writers, with the result that some of them put no limit at all to their incendiary utterances. Even a conviction in court fails to stop them pending an appeal. Thus, for the general good of the community and regardless of what may happen to him, Lo Sun should be made to go.

Once more the nefarious plans of heartless Man against defenseless Women have been foiled. The hapless law of Oregon, which limits the length of hairpins to ten inches, is said to be a failure. It's a good law—from Man's standpoint—but it won't work, for the simple reason that no policeman has yet been found who is brave enough to make an arrest under the provisions of the law.

JAPAN'S SIDE OF THE CASE.

Japan's side of the controversy concerning the terms made with China in Manchuria, much discussed at present because of the spectacular recall of Minister Crane, is given in the following from the Japan Advertiser, which says:

The agreement between China and Japan was signed somewhat over one month ago. Prior to that time the Powers concerned were, we have reason to believe, notified and the contents of the agreement were communicated to the United States state department prior to the appending of the signatures in Mukden and Peking. The full texts of the agreements were made public in all countries, and from that time until the present no word of protest or objection has been heard in any official source.

The proposed action with regard to the Antung-Mukden railroad was communicated to the United States of America several days before the final step was taken on August 7. By the signing of the convention in Mukden on August 19, China saved her face and secured more than she would have done had she preferred to permit the independent action of Japan to continue. China, acting, we have no doubt, on the advice of her foreign advisers, and after full conference with the representatives of the Powers, signed an agreement, by which, so far as we are able to see, Japan got no more than the rights granted to her by a treaty signed in Peking some four years ago. The attitude of the foreign press of the Far East was one of approval of Japan's action and methods, and prior to the step being taken the United States of America did not express disapproval. Ambassador Takahira was at the elbow of Mr. Knox, and Mr. Knox knew just as much about the situation and the agreement then as he does now. But no protest was made, and we much prefer to think that none will be made.

In the first place, it would be a mistake if the Washington people should attempt to bring about the cancellation of or change in an agreement entered into between Japan and China. It would be an unfriendly act, if done for the reasons given in the dispatches from London and San Francisco. Interested as we all are in the future of China, there is one thing above all that China must be brought to understand, which is that an agreement must be kept. The United States is not now coming forward to say that she is the protector of China, and, therefore, China must not break her agreements and violate her treaties.

Strange to say, the dispatches tell us that America protests against the agreement with regard to the Fakumen railway. The subject is almost too hackneyed to go into again, but it is worthy of note that for over a year Great Britain stood as the objector to Japan's determined stand on this question and that British capitalists were tremendously interested in securing the concession. But official England always recognized Japan's political right to object under the treaties of Portsmouth and Peking, but unofficial England and a highly-paid propaganda brought much pressure on the ally of England to yield. Finally, Great Britain formally withdrew all, even unofficial support of the syndicate and the treaty signed at Peking in 1905, which was explicit enough, was fortified by a supplementary undertaking on the part of China in Peking September 4.

The correspondents tell us that the main objections on which the protest is based are the Antung-Mukden railway and the concessions it carried with it, the mining rights in Manchuria, and the Fakumen railway. We are told that these are considered a violation of the open door. The state department in Washington will not file a protest, and even if it did file a protest, the protest would not be based upon the grounds above mentioned, because the state department at Washington is not controlled by would-be concessionaries.

As a result of the war with Russia, in which Japan was victorious, at a cost for which her grandsons and great-grandsons will pay, certain concessions were granted to Japan. Control of Korea was one. We were informed shortly afterward that America was sending her fleet to the Far East as a protest against Japan in Korea. In South Manchuria Japan secured a railway, a zone and control of certain territory for a certain term of years. The treaty of Peking followed, and under that Japan secured certain rights, among which was the right of reconstruction of the Antung-Mukden railway. At the end of four years, after much delay and dallying, Japan has been confirmed in those rights. The time for protest is past.

If America had seen her opportunity for trade in Manchuria in time, she might have secured some change in the treaty of Portsmouth and the treaty of Peking. Under those treaties Japan got tremendous advantages. It is not to be believed for a moment, however, that the United States of America is now going to help China to get back what she lost, and lost with the approval of the United States. Nor is it possible to believe that the United States propose to use their great power and influence with Japan to secure the annulment of these agreements and treaties at this late day.

If it can be plainly shown that these agreements supplementary to the treaties are in violation of the open-door principle, we will be the first to object. Are they in violation of the principle of "equal opportunity" as understood by sensible business men? If so, where is the proof that the business of the United States is going to suffer, as compared with the business of the state of Japan? Purely and simply because of these agreements explanatory of and supplementary to treaties made four years ago, we will support the United States or any other country in a protest against any unfair advantage Japan is taking of a weaker nation, but we do not think the business of the United States is going to suffer by reason of these agreements.

We can readily understand how it is to the interest of certain individual American firms or financiers to assist China in her "rights-recovery" movement. We have no doubt that rich concessions await the individual or individuals who will assist successfully in securing for China any restoration of rights she previously conceded in Manchuria, but we can not think that any official of the state department in Washington, or elsewhere, can be duped into alleging, in an official protest, that Japan is violating the principle of the open door because China has confirmed her in the rights secured by Japan under the treaties of Portsmouth and Peking.

CHANCE FOR THE SUPERVISORS.

The members of the Honolulu board of supervisors have the opportunity today of reestablishing themselves in the eyes of the community. This afternoon there is to be a conference in connection with the telephone agreement, the results to be taken up this evening. At tonight's meeting will come up the question of letting the contract for the Kehana section of the belt road. The community is interested in both matters and is watching the actions of the supervisors in both. This community desires that nothing be done needlessly to prevent the early completion of the new telephone system. This community wants to see the belt road around the island completed at as early a date as possible, consistent with good work and proper economy. In neither matter does the community desire to see politics injected, for neither question has any connection with politics. Both are business propositions, and should be so regarded.

No credit is to be gained by any supervisor in persisting in his opposition to the telephone company. No supervisor will add to his credit by blocking work on the Kehana road. In the first matter, the supervisors have gained their original point, of securing the acknowledgment of the telephone company of the city's rights over the roads. In the second matter, it has been shown that the municipality has the money necessary to go ahead with the roadwork.

If the supervisors are considering the expressed wishes of their constituents, they will proceed differently in both these matters than they have been doing. If they care nothing about the good will of the general public, the majority will continue on the course they have heretofore adopted, a course that is leading them toward political extinction.

COW AND CHICKEN FUND.

The Advertiser has been asked to take charge of contributions to be made for the use of the Salvation Army home, the little inmates of which are, as described in this paper, "paying for a cow and some chickens," and who are wishing also for some "real toys." Yesterday two contributions of ten dollars each were offered, the one desiring of contributing not knowing to whom to send the money. If these contributors will wish it, they may leave the money in The Advertiser business office, which same depository is open to any other contributors. A cow and some chickens ought to be forthcoming, not to mention the toys. An odd \$17.25, which has been floating about the country without a claimant, has already gone into toys for the little waifs of the city.

The supervisors we have always with us. Annual sessions of the legislature would be jolting Pelton on Oahu.

CADET'S DEATH MEANS END OF GAME

Football Is to Be Prohibited at West Point and at the Naval Academy.

NO ARMY AND NAVY CONTEST

Player Who Was Killed Was Son of the Chief of Police of Buffalo.

(By Associated Press.)

WASHINGTON, November 1.—Unofficial expressions here indicate that as a result of the fatal accident yesterday in the football game between the West Point and Harvard teams, by which Cadet E. A. Byrne lost his life, football at the West Point military school and the Annapolis Naval Academy will be prohibited. Byrne's death has aroused a strong sentiment against allowing the lives of the cadets to be endangered any longer by the game, and official action will very probably be taken.

The idea of the government in training young men in the two schools is to provide officers for the Army and Navy. But before a graduate of either institution is granted a commission, he must pass an examination showing him to be physically perfect. Even a comparatively slight but permanent injury is enough to disqualify a student and render it impossible for him to enter the service. Hence it is felt in official circles that a game which is liable at any time to deprive the country of the services of a man who has been educated at the expense of the government should not be permitted any longer in the two government schools.

WEST POINT, November 1.—Cadet E. A. Byrne, who was injured last Saturday in the football game between West Point and Harvard, is dead. He was the son of Chief of Police Byrne of Buffalo, New York.

As the result of the fatal accident, it is predicted that football at the West Point Military Academy and at the Annapolis Naval Academy will be prohibited by the government. All the other games of the season which the West Point and Annapolis teams were scheduled to play have been abandoned, including the game between the Army and the Navy.

HAKALAU EXTENSION BEING PUSHED AHEAD AT A RAPID RATE

The Hakalau extension of the Hilo railroad will be completed by January 1, 1911, according to a statement made yesterday morning by B. F. Dillingham, who had just returned from a tour of inspection on the Big Island. The material for two steel bridges has been ordered and is on the way. The Honolulu bridge will be 512 feet long, and the Kapae bridge about 400.

The company will not, however, have to put in so many steel bridges as was at first figured, concrete culverts being used wherever possible.

The Wailuku steel bridge is well along now. Eighteen of the twenty-six or twenty-eight piers have been put in and work on the placing of the others will be pushed along as fast as possible. The profiles for the rest of the bridges will be sent forward in a short time.

Several of the concrete culverts have been completed and the fills are being made above.

Mr. Dillingham expresses the belief that the road should be carried on up the nine miles to the Volcano House, and says he is willing to do his part toward completing the road in that direction.

THOUSANDS OF TREES AWAIT APPLICANTS

Forestry Bureau Will Forward Them to All Who Ask.

A hundred thousand trees for planting on Arbor Day are available at the government nursery in Honolulu and substations on other islands. The bureau of agriculture and forestry recently sent out notices that all homesteaders and kuleana owners who wished trees could have them merely by making application to the government bureau and trees would be sent to some central locality free of charge.

So far the applications for trees have not been numerous and only 20,000 trees have been asked for. However, many more applications are expected early in November and no doubt many applications have been filed at the substations. R. S. Hooper, superintendent of the forestry division of the bureau, states that any one making application for trees will receive the number they ask for. Each landowner is entitled to twenty-four. Arbor Day comes on November 12, and the bureau has already begun to send out trees so that the steamers will not be congested with the shipments.

A large number are being sent out to various schools for school grounds and roads leading to the schools. The bureau has eucalyptus, ironwood and silk oak, and for flowering trees the golden shower and Poincianas.

SERIOUS CHARGE AGAINST WELCH

Detective Appointed by Leal Is Under Suspicion of a Grave Crime.

IS SUSPENDED BY SHERIFF

Thorough Investigation Will Be Made by Jarrett and Deputy Rose.

Special Officer William Welch of the detective bureau of the police department was suspended on Saturday by Sheriff Jarrett, pending a full investigation of irregularities alleged to have been committed by him since his appointment as a special several weeks ago by Chief Leal. Welch is one of the newest appointees on the force, having been put in by Leal to fill the vacancy caused by the resignation of Vickery.

Sheriff Jarrett has the statements of a young Hawaiian matron and a friend of hers, the former alleging that Welch, in his capacity of a police officer, engaged to ferret out a domestic trouble in her family, and while allegedly so doing committed a breach of the law, in which a revolver used by the officer figured. She claims that Welch, after accompanying her from the Waverley dance hall one night, threatened her with the revolver after they had reached Kukui lane, just off Nuuanu avenue, in the vicinity of the Hirano hotel, and that under threats she was compelled to enter a room with him in the hotel. This alleged reckless and heinous misconduct on the part of Welch forms the basis of charges which the girl presented to Sheriff Jarrett. The sheriff took her statement, which is corroborated in part by her friend, and promptly suspended Welch.

The suspension is for an indefinite period. A thorough investigation of the whole affair will be made by the sheriff and the deputy sheriff, the latter being at present the head of the detective bureau in the absence of the chief on the mainland.

MUTINEER TIBALDOS NOT YET CAPTURED

Greek Press Insists Upon the Punishment of the Revolutionists.

(By Associated Press.)

ATHENS, November 1.—Lieutenant Tibaldos, the leader of the revolutionists who captured the eight torpedo boats and were later forced to surrender them, has not yet been captured. The situation here today is quiet and it is evident that the revolt is over. The Greek press condemns the mutiny in severe terms and insists upon the punishment of those who participated in it.

ROOSEVELT FAMILY AT ROME.

(By Associated Press.)

ROME, November 1.—Mrs. Roosevelt, wife of the ex-President, and her family arrived here yesterday from Paris.

YOU WILL NOT

be deceived. That there are cheats and frauds in plenty everybody knows; but it is seldom or never that any large business house is guilty of them, no matter what line of trade it follows. There can be no permanent success of any kind based on dishonesty or deception. There never was, and never will be. The men who try that are simply fools and soon come to grief, as they deserve. Now many persons are, nevertheless, afraid to buy certain advertised articles lest they be humbugged and deluded; especially are they slow to place confidence in published statements of the merits of medicines. The effective modern remedy known as

WAMPOLE'S PREPARATION

is as safe and genuine an article to purchase as flour, silk or cotton goods from the mills of manufacturers with a world-wide reputation. We could not afford to exaggerate its qualities or misrepresent it in the least; and it is not necessary. It is palatable as honey and contains all the curative properties of pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry; and how valuable such a blending of these important medicinal agents must be plain to everybody. It is beyond price in Debility, Lung Troubles and Blood Impurities. Science can furnish nothing better—perhaps nothing so good. Dr. W. B. Dail, of Canada, says: "I have used it in my practice and take pleasure in recommending it as a valuable tonic and reconstructive." It is a remedy that can afford to appeal to its record and represents the science and knowledge of bright and aggressive medical investigation. "One bottle convinces." At chemists.