

SUPREME COURT WILL CONSIDER WEBB-KENYON LAW AT ONCE

Hawaii interested in This Test Case Because of Probability That Prohibition Will Be in Force Before Many Months

SUCCESSOR TO HUGHES TO MAKE APPEARANCE

Century-old Precedents to Be Followed Today When Mr. Clarke Will Be Received and Given His Exalted Seat

(By The Associated Press.) WASHINGTON, October 9.—Reception of a new Associate Justice, John H. Clarke, of Cleveland, Ohio, adds an unusual ceremony, observing century-old precedent in the opening today of the 1916-17 term of the Supreme Court.

A full bench for the first time in almost a year will sit to hear an array of cases of national and international importance. Justice Clarke was appointed last summer to succeed former Justice Hughes. The new Associate Justice, the third appointed by President Wilson, was formerly federal district judge in Ohio and will take his oath of office tomorrow. He will be seated at the extreme left of Chief Justice White.

No opinions are to be given today by the court. The first decisions are expected next Monday. In the absence of President Wilson, from Washington, the Justices will forego their usual visit to the White House to notify the chief executive that the court has reassembled. Motions, however, will be received tomorrow and arguments will be received for immediate hearing.

Lengthy Calendar. More than seven hundred cases await disposition. About two hundred have been filed since court adjourned last June. Many government anti-trust dissolution suits under the Sherman Law, entailing probable new interpretations of that act, are to be argued during the coming term. Of first importance among them are the government's suits against the so-called Harvester, Steel, Coal, Moving Picture, Kodak, Bill-Posters, Shoe Machinery, and Great Lakes Tobacco trusts.

Argument is expected during the week on the first of these—the federal attack against the alleged anthracite monopoly of the Reading, Lehigh Valley, Central of New Jersey and other railroads. The government lost the cases in the lower courts, as it did the dissolution suit against the United States Steel Corporation, which will be reviewed later.

Webb-Kenyon Law Up. The anti-trust suit against the International Harvester Company, is to be re-argued. Other important cases set for re-argument are to test constitutionality of the Webb-Kenyon liquor law, the Migratory Bird Act; the Underwood Tariff Act's clause giving five per cent discount on merchandise imported in American vessels under the "most favored nation" clause, involving the refunding of claims of \$26,000,000; Oregon laws providing for a minimum wage for women and a 10-hour day for men; a Louisville, Kentucky ordinance segregating blacks and whites, and the Mann "White Slave" Act as to its application to cases having no element of commercialized vice. This latter question is raised in the celebrated Diggs-Cambridge case.

Europe's war also has brought new questions before the court. The first is over possession of the British liner Appam, brought into Norfolk by a German prize crew and ordered by Federal Judge Waddill returned to the British owners.

Other important questions to be passed upon are suits from West Virginia and Utah challenging legality of the United Mine Workers' organization; Blue Sky laws of Ohio, Michigan and South Dakota designed to protect investors from "wild cat" securities; interpretations of the income tax law; validity of the North Carolina liquor and Alabama domestic corporation tax laws; prosecution of the United States District Attorney H. Snowden Marshall of New York for alleged contempt of a congressional investigating committee; federal water power rights on public lands; railroad land grants in Oregon and California; and numerous railroad cases entailing further application of the Hepburn, commodity clause, employers' liability and other acts affecting common carriers as well as intrastate and interstate rate regulation.

A case of special interest to railroads, to be re-argued, is over the so-called "railway mail pay adviser" suits, to determine a basis for computing compensation for transportation of mails. Workers' Compensation. The court now has under advisement, with decisions expected shortly, cases testing constitutionality, for the first time, of workmen's compensation laws, and their application, of Washington, New York, Iowa and New Jersey.

Other cases in which opinions are pending involve validity of Missouri's "short haul" clause, prohibiting railroads from charging higher freight rates for a short than longer haul; application of Massachusetts and Texas

SCANDINAVIA PLANS BATTLE ON BOOZE

Neutral States Join With Warring Nations in Their Liquor Fight

STOCKHOLM, September 24.—(Correspondence of The Associated Press.)—In company with the nations at war, the neutral states of Scandinavia have made some effort recently to restrict the liquor traffic. It may be added, however, that the regulations so far in effect cannot be classed as in any sense oppressive.

The greatest restriction enforced in Norway where spirits may be bought only on Tuesdays, Wednesdays, Thursdays and Fridays and then only within specified hours, which vary slightly in different sections of the country. Beer and light wines, including champagne, may be bought at almost any time. The consumption of the latter has materially increased since Norway's war-time prosperity set in.

In Denmark the effort to restrict drinking has not progressed very far. It has been decreed, however, that in rural districts all drinking places must close at eleven in the evening while in Copenhagen the closing hour has been placed at one in the morning. Here in Sweden there is quite a strict control over bottled spirits with more or less complicated regulations as to restaurants and cafes, the saloons in the American sense being unknown. Between the hours of noon and three, no liquors can be sold except with food.

In Finland, however, the government has not been so strict. The drink cannot exceed a certain percentage of the price paid for food. On Sundays no one is admitted to the cafes between the hours of eleven in the forenoon and one o'clock and between six and seven in the evening, these hours being set aside for churchgoing. All cafes are supposed to stop the sale of liquors at midnight, but there are a great many which seem to have a dispensation at this particular rate.

The sale of whiskey, gin and other spirits in bottles is under government regulation. Each adult wishing to buy spirits must provide himself with a book. In this all purchases are entered and no one is allowed more than one quart a week. As in other European countries a strict line is drawn between spirits on the one hand and beer and wine on the other, no limit whatever being placed on the amount of the latter to be bought at any time.

The favorite drinks with the workmen are beer and "brannin," a distillation which looks and tastes like pure alcohol. Among the students and frequenters of the city cafes the Swedish "punsch," a sweet, liquor-like preparation with a very high percentage of alcohol, is exceedingly popular and is consumed in great quantities.

Scottish whiskey, although expensive, is coming into greater popularity every day among the drinking classes. Scotch and soda costs anywhere from thirty to forty-five cents, but Sweden and her sister states of the north are exceedingly prosperous just now.

The Swedish government does not see it is called upon to look after the well fare of foreigners so far as drink is concerned. Upon the production of a foreign passport the visitor can get any amount of spirit he desires, bottled or otherwise.

BOOTLEGGING SOLDIERS CAUGHT BY INSPECTOR

Sgt. Charles W. Collier, Quartermaster Corps, Fort Shafter, and Private Robert Hamilton, Company B, Second Infantry, were arrested last evening by License Inspector Fennel for bootlegging. They rented Room 108, second floor, Majestic Hotel, Friday, and had been doing a good business selling beer at fifty cents a bottle and whisky and gin at twenty-five cents a drink. They also had been peddling on the street, Mr. Fennel said. Collier admitted, Mr. Fennel said, that he had been selling Saturday and yesterday at Lwile and at the room at twenty-five cents a drink.

SMALL HOME BURNED

Four hundred dollars' damage was done by fire to a small cottage in the grounds of the Moillili Japanese school last night. The cottage, owned by T. Nagata, practically was destroyed. It was valued at \$400. Insurance was \$200. The Nagata family was at the schoolhouse when the fire broke out, and its cause is unknown, Fire Chief Thurston said.

foreign corporations excise tax laws; power of federal judges to suspend sentences in criminal cases, and Pennsylvania suits against railroads for heavy damages for failure to deliver cars to shippers.

While the court opens its new term with more than seven hundred cases upon its docket, and approximately one year behind in its work, much greater speed in disposing of cases is expected. A new law enacted just before Congress adjourned, it is believed, will reduce the number of cases heard by the court by from twenty-five to thirty per cent. This law will cut off appeals in bankruptcy, employers' liability and cases from the Philippines together with many from state courts, except with consent of the higher court in lieu of the option of the lower courts or litigants as at present. It does not, however, curb the court's power to order review of any case. The new law also adds another week to the supreme court term, requiring that it convene the first instead of the second Monday in October, and limits filing of appeals to the high court to three months instead of allowing two years, as at present.

BRITISH AVIATOR FALLS 3000 FEET

Describes His Feelings During Perilous Drop Over the City of London

LONDON, September 23.—A young Liverpool member of the Royal Flying Corps, who is now in training some where in England, came unseathed except for a brace or two from a thrilling experience. Through a mishap his machine he fell from a height of 3,000 feet on a house in a populous part of London. In a letter to a relative he describes his feelings during the descent at the rate of 1,000 feet a minute.

"Day before yesterday, I had a bad accident," he writes. "I was leading a reconnaissance flight and had to go up to 3,000 feet, when I signaled to the others following by firing a pistol. The pistol exploded instead of going off and hit me on the head and broke my propeller, and the back of the engine caught fire. Both controls were cut away, so I only had the elevator control left, and could not guide her.

"The broken propeller tore a large hole in the plane. It was very windy and damp and the wind carried me up toward London, dropping me about a thousand feet every minute. Of course, there were no other buildings and houses under me—London, if you please. Well, on the outskirts I missed a factory chimney, which was about 150 feet high, by a few feet; then I shut my eyes and dropped and landed half on a house and half in a little alley. You know how close these little houses are. I was covered with petrol and got a awful knock on the head and was down when I hit the ground. My right wing went through a window and the whole machine was smashed. I can tell you I am lucky to be able to tell the tale, but don't let it frighten you in any way, as it is awfully bad luck cutting both control wires, so I could not guide the machine. The propeller was picked up about five miles from where I fell.

"When I crawled out with my head in my hands, the first thing that struck me was the sound of a 'What on earth are you doing here?' fearfully announced. So I said, 'I've come for tea. She said, 'You've killed one of my chickens.' The machine was a wreck.

"Then three policemen walked in and took my name and address. The commanding officer and the flight commander came rushing out in cars afterwards and were very glad to see me all right.

"It was a nasty feeling, as I had no control, and it was just luck that I did not land on a church steeple."

REVENGE DEMANDED BY A MAORI SOLON

New Zealander Insists Upon 'Victorious Conclusion'

(By The Associated Press.) WELLINGTON, New Zealand, September 15.—A striking speech was made just before the end of the recent session of the house of representatives of the Dominion parliament by Dr. D. Pomare, a member of the cabinet and a Maori—one of the aboriginals of New Zealand. A resolution was before the house expressing parliament's "inflexible determination to continue the war 'a successful issue' until Doctor Pomare rose and said:

"Today Aegvan breezes stir the grasses over the graves of mine and yours and wherever a Maori hears the moan of the wind, whenever he hears the boom of guns it reminds him that away beyond the seas (Uta) (revenge) has got to be brought about for the dead. For that reason the Maori's determination to end the war victoriously is just as inflexible as that of the pukeha (white man). One result of the war will be the cohesion of the Empire and the understanding between the different races under the British flag. The spirit of Rowi and other big fighters live in the Maori today and he cries in the same spirit of defiance, 'Ake! Ake! Ake!' (for ever and for ever)."

In calling for vengeance for the Maori dead Dr. Pomare had particular reference to the handful of soldiers of his race who with a few white New Zealanders reached after desperate fighting and held for a few minutes during the Suvla Bay operations a position from which they could see the central Dardanelles. This, it is said, was the utmost point reached by any of the Allied troops in the Gallipoli campaign.

ASIATIC CHOLERA IS STILL RAMPANT

One Hundred and Twenty-three Cases Reported At Manila Within Week

Manila, September 23.—(Associated Press.)—The Asiatic cholera continues to be severely epidemic in the Philippines. A despatch to the Japanese foreign office, received September 13, said that there had been 123 cases with sixty-eight deaths at Manila during the week, and the total number of cases in the fifteen provinces of the Philippines during the same time had been 480. Of these, 323 resulted in death.

Twenty cases, three of which were reported from the provinces, were recorded in the city of Manila during the twenty-four hours ended at eight o'clock September 14.

Eighteen carriers of the germs of the disease also were found during the same time, eleven of them in Bilidid prison.

For July and August. During July there were a total of seventy-two cases of cholera in the city of Manila, and during the month of August this had risen to 276 cases. Of these forty-one recovered in the hospital during July and 129 during August; fifteen died in the hospital in July and seventy-five in August, and eighty-two in July and August.

A quarantine against passengers and cargo from the Philippines has been decreed by the port authorities of Tsing-tai, the former German possession in China now in the hands of Japan, according to advices received in Manila. Prevention of the spread of cholera is believed to have been the reason for the measure.

Press reports from Iloilo state that from August 1 up to September 3 there have been officially reported 202 cases of cholera and 135 deaths in the municipalities of Iloilo, Jaro, Mandurao, Molo and La Paz, all in Iloilo province. In addition to these figures, there have been a large number of cases in the provinces of Negros Occidental, Antique and Capiz.

The entire crew of the sailing Torcha Galicia, belonging to Senor Reguera of Iloilo, was stricken while lying at Bacolod, the capital of Negros Occidental.

The epidemic is rapidly spreading throughout the province, outbreaks already being reported from some of the northern municipalities.

Difficulty in Burying Dead. Difficulty of securing men to bury a number of those who had died from the disease was reported from Iloilo. The provincial authorities refused finally to detail prisoners to aid in burying cholera victims. Offers were made of three pesos a day to men volunteering to work on the burial squad but this money failed to secure a sufficient number.

As no cases of cholera were reported from Macao from August 28 to September 9, since August 28, the Hongkong government revoked the proclamation calling it a cholera-infested port.

A despatch from Shefoo, a port in Chihli, China, that a quarantine will be enforced on all vessels from Tokio, Yokohama, Osaka, Nagasaki, Kobe, Hishijima and Moji.

JAPAN CAPTURING THE TOY TRADE

According to the figures of the toy exports of Japan to America, Australia and that part of Europe still doing business with one of the Allies, the value of the business for the year will amount to nearly three million dollars. For the first eight months of 1916, according to an official report from Tokio, the toys exported are valued at \$1,670,000, while huge orders are being filled for the Christmas trade that will nearly double this total before December 1.

The United States has already taken half a million dollars worth of toys, the German export market being closed by the British blockade. Hawaii has received a big share already.

The war impetus given the Japanese toy trade is responsible for the opening of numerous factories, no fewer than a dozen running at full blast in Osaka alone.

William Hardy, assistant of the territorial hydrographic survey department, and Mrs. Hardy, who have been visiting in the city, will return in the Kinau on Tuesday to their home in Waimea, Kauai.

SPORTS ERRORS PROVE COSTLY FOR CHINESE AND THEY LOSE TO WRECKING CREW

Rogan Pitches No-Run, No-Hit Game Up To Ninth Inning, When Celestials Find Him For Two Safe Ones

(From Monday Advertiser.) A little thing like impending rain did not deter a crowd from journeying to Athletic Park yesterday afternoon to see the Twenty-fifth Infantry and the Chinese indulge in the national pastime. The only thing that kept the grandstand and bleachers from being packed was a miserable little shower that set in about two o'clock and drizzled along for an hour. The field was a trifle damp, but not serious enough to harm the play.

If you have heard that small word before—if Rogan had not been bumped in the last frame for a couple of safe ones, he could have retired with a no-hit, no-run game to his credit. He had the Chinese batemen fooled at every stage of the game, and at no time did the losers threaten, except in the very last inning, when they remembered something about a Brooklyn finish, and tried to repeat. They did succeed in getting a couple of men on base, but the peerless Rogan tightened, and the game ended with the infantry winners, six to nothing. Rogan struck out twelve men and was invincible for eight innings. His men backed him up without error.

And again, if. If Kan Yen had not made three errors the Infantry might not have scored. Every one of his fumbles were costly and good for nothing. His scores on three errors tells the story of the game. Naturally, the Schofield clamps laid on the ball, but the hits did not make the runs.

Johnson, doing the backstop work for the infantry, experienced considerable heavy weather in his district and floundered frequently.

The Chinese came near that, all, to scoring in the ninth. Two hits had advanced Akans to third. When Kan Yen hit to short Akans made a valiant effort to steal home, but got stuck in the mire two feet from the coveted plate. With disgust on his face as well as surprise at his sudden terminus, the fast right fielder extricated his mudhooks from the saturated terra firma and ambled to the cooler.

Brush Holds Indicator. Captain Strayton was unable to be present, so Sergeant Brush was given the job of referee behind the bat. He did well, although once or twice got the exact position of the horseshoe confused.

Cullum walloped the first ball over to center, but En Sue was there with a basket. Swinton, the mighty slugger, got a hit. No other than Rogan barged himself in the batter's box next and did the Danbert by fanning the breeze three times.

The Twenty-fifth drew their first score in the third inning, on hits by Cullum and Rogan.

Rogan evidently did not like the ball he was using, for when the Infantry took the field in the third he proceeded to throw the sphere high over the grandstand. The men from the hills scored another tally in the fifth. A hit and an error tell the story of this score.

In the sixth Moore and Fagan counted for the Infantry. An error by Hawkins, a free pass to Cullum and Moore, with Fagan reaching first on an error, filled the bases. Rogan picked a choice willow from the pile and sent the horseshoe to the center garden safely.

Yet during these innings the Chinese were trying vainly to answer a score, but Rogan had them mystified and was not at all liberal with passes.

More Scores. Hoon Ki received another bumping.

Did Not Learn of Punahou Victory Until Next Morning; Hit On Head At Opening of Game

When "Sleepy" Baldwin, left tackle on the Punahou team in the Kamehameha-Punahou game Saturday, awoke yesterday morning, his first question was: "How did the game come out?" Great was his joy, when he found that his team had won.

All this may sound foolish to anyone, who saw the star tackle in action Saturday, but it is nevertheless true. Early in the game, before Hawkins had recovered the fumble and scored, "Sleepy" was hit on the head. Time was called on him, at the end of which he got up and resumed play.

It was not until after the game that friends learned that he had been playing mechanically, without knowing what he was doing.

All Saturday evening his mind was a blank. He went about in a dazed sort of way, without being able to comprehend anything that was said to him. In the morning, however, his mind had cleared, and it was with a smile that he learned of the victory by Punahou.

MATSONIA IS DUE TUESDAY EVENING

Liner Will Be Off Port From San Francisco At Nine O'clock

The Matsun steamship Matsonia, which sailed from San Francisco at noon Wednesday, one day late, is due off port at nine o'clock tomorrow evening, according to a radiogram to Castle & Cooke, agents. She is expected to berth at Pier 15 about ten o'clock. To be off port at nine o'clock she must make a voyage of about five days and ten hours, eight hours less than her usual time. This will be a fast run, especially in view of her heavy cargo.

She has 214 cabin and forty stowage passengers, 656 sacks of mail, 170 cases of express matter, 7001 tons of cargo for Honolulu and 771 tons for Hilo.

Honolulu cargo includes the following principal items: Five hundred and thirty-eight bags of cement, 52,000 bricks, 648 bags of fertilizer, 49,900 bundles of shooks for the pineapple packers, 480 tons army, 694 tons of feed, 2300 tons railroad delivery, 1029 bales of hay, forty-seven automobiles, six of which are for passengers, and Hilo cargo includes four automobiles and nine cases of express.

Capt. Charles Peterson is master.

Football Results

Punahou 7, Kamehameha 0. McKinley 0, Mills School 0. MAINLAND. Harvard 3, Tufts 7. Army 14, Washington and Lee 7. Navy 3, Georgetown 7. Yale 61, Virginia 3. Princeton 29, Virginia 6.

ORCHARD KNOCKS OUT WHITE IN THIRTY-SECOND ROUND

(Associated Press by Federal Wireless.) SAN DIEGO, October 9.—Heinie Orchard, former feather-weight champion of the navy, knocked out Jack White, of Chicago, in the thirty-second round of a forty-five round contest at Tia Juana, last night.

Just think of it, one youngster has found out a way to see the big games, and earn money at the same time. A new occupation in gathering up the hundreds of empty pop bottles scattered about the grandstand and field.

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