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## MAKINO ET AL. NOT GUILTY

Judge Robinson Finds Them Not in Contempt of Court.

Makino, Negoro and the large number of other strike leaders who were haled before Judge Robinson for alleged violation of the temporary injunction are not in contempt of court. Judge Robinson so decided yesterday morning, dismissing the order to show cause and discharging the respondents.

The decision in favor of the Japanese was because of the absolute failure of the prosecution to make out any case. As Judge Robinson stated after court had adjourned, the complainants had only one witness whose testimony amounted to anything, and he was very evidently lying. Manager Bull of the Oahu Sugar Company and E. M. Scoville, chief engineer of the pumping plant, did not bear out the statements made in the affidavits upon which the order to show cause was issued.

The ruling of Judge Robinson is a decided victory for Attorney Lightfoot and his Japanese clients, but as Judge Robinson stated, it was not made because the respondents were Japanese or strike leaders, but because they were individuals the same as anybody else and must be accorded the same treatment by the court.

"It was the only thing I could do," said Judge Robinson later. "There was absolutely no evidence to warrant my finding the respondents guilty of contempt of court, and I had to discharge them. It makes no difference to me whether they are Japanese or white men. All are alike in the eyes of the court, which must see that justice is done to everybody. The Japanese may possibly have violated the injunction in some ways, but there was no evidence to prove it. The only witness whose testimony amounted to anything was Oyama, and it was plain to be seen that he was not telling the truth. He took the stand and swore that the pickets told him he would be ostracized if he went to work. He repeated that statement several times; then, when Mr. Prosser made a statement to the court that Oyama had been threatened with physical violence, the Japanese changed his testimony and swore that the pickets had threatened to hurt him. And he understands English.

"Mr. Bull and Mr. Scoville in their testimony failed to bear out the statements made in the affidavits, so there was no testimony worth anything to show that the respondents had in any way violated the injunction restraining them from using threats, force or intimidation. Perhaps they did use intimidation. If the prosecution can come into court and prove that, I will find the respondents guilty of contempt of court. But it has not been shown, and all I could do was to discharge the respondents. Every man who comes before this court is entitled to justice, no matter what his nationality.

"It may be well, as Mr. Lightfoot claimed, that the whole affair was a put-up job between Oyama and Manager Bull. I don't know. But it does look strange that the Japanese should go down that road the very day after the injunction was issued and be followed by a man in an automobile to see whether any violence were offered him. And I can't understand how such

### 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 is 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. H. Dalfe, 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.



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No one needs to suffer from headache when

### Stearns' Headache Wafers

are at hand. It is well to keep a box in the house all the time, for headaches always come without warning. This will drive them away as quickly as they came.

Stearns' Headache Wafers are so much better than others that it will pay to insist on having STEARNS' and no other.

a mass of documents as was prepared by July 10 could have been prepared after the injunction was issued when it was issued only the day before. Perhaps some of them were, as is claimed, prepared even before the injunction was granted. I don't know.

As soon as the order dismissing the order to show cause was made, the court rose. Lightfoot at once rushed over and shook hands with Negoro and Mitsu, two of his clients, and there was a general handshaking among all the Japanese who were present.

Lightfoot concluded his argument early in the morning, and the reply was made by Attorney Prosser. His contention was that it is possible to use intimidation without a single word or overt act. Intimidation might consist of mere force of numbers. If a Japanese trying to return to work were stopped on the road by one picket and questioned, that would not constitute intimidation, but if he were stopped and surrounded by twenty men, it would be intimidation, even though not a word were said or an overt act committed, and so would be a violation of the injunction.

"Your Honor is trying to be flimflammed by Mr. Lightfoot," proclaimed Prosser.

"What?" exclaimed Lightfoot, in seeming astonishment.

"I say Your Honor is trying to be flimflammed," repeated Prosser.

"I repudiate the insinuation against the court," said Lightfoot.

Prosser again repeated the astonishing charge. Judge Robinson smiled, perceiving that what the attorney for the prosecution really meant was that Lightfoot was trying to flimflam the Judge, not that the Judge was trying to be flimflammed.

## OAHU MUST BE AN IMPREGNABLE OUTPOST

Hon. Olin Young, Congressman from Michigan, a member of the House Military Committee, after inspecting the cavalry cantonment at Leilehua yesterday, pronounced it to be located in an ideal location, and one which possesses many advantages for the purpose for which the post was established.

He was also impressed with the fact that there appears to be need of additional fortifications on this island, and stated that Barber's Point may be selected as the site for a battery to repel landings. He agreed that as long as the United States holds the Philippines, Oahu should be a strongly fortified base, and even in the event the Philippines were not retained, there would still be necessity for making Oahu impregnable.

### HOW TO PREVENT BLOOD POISON.

Carelessness and neglect are the chief causes of blood poisoning. A cut or bruise, however slight, should have immediate attention. A good liniment and one that not only gives prompt relief from pain, but being antiseptic, heals the wound without maturation, is Chamberlain's Pain Balm. When this remedy is applied all danger from blood poisoning is avoided. For sale at all Dealers, Benson Smith & Co., Agents for Hawaii.



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