

The Pacific Commercial Advertiser

VOL. LI., NO. 8703.

HONOLULU, HAWAII TERRITORY, THURSDAY, JUNE 30, 1910.

PRICE FIVE CENTS.

CATHCART IS BARRED OUT

Calls Grand Jurymen Bockus a Liar and Fight Is Barely Prevented.

MILVERTON TOLD TO SKIDOO

Investigators Displease Legal Department and General Row Results.

Open warfare has broken out between John Cathcart, city and county attorney, and his deputy, Fred Milverton, on one side and the territorial grand jury on the other. Cathcart yesterday almost came to blows in the grand jury room with C. G. Bockus, one of the members of the grand jury, and in the end both Cathcart and Milverton were ejected from the room where the session was being held, the grand jury announcing that it preferred to conduct its own investigations without the doubtful assistance of the city attorney's office.

"I don't care to associate with bar-room loafers," declared Bockus during the heat of the engagement. "And I am accustomed to being addressed as a gentleman."

"You're a liar!" yelled Cathcart thickly, red in the face and convulsed with anger, and thereby he proved conclusively that he is a gentleman.

(Continued on Page Four.)

WILL ACCEPT NUUANU DAM

Structure to Be Formally Turned Over to Territory Today by Contractor.

Nuuanu dam will be formally accepted by Superintendent Marston Campbell today.

This formal acceptance marks the entire completion of the dam, all the little ends having been gathered up and the contractor having finished his work and withdrawn his men.

The dam has taken a long time to build, but it is an actual fact at last and it is holding back a great lake of water which is now available for use by the city. In fact, the dam has been in actual use for some considerable time, the water having been allowed to rise as the riprapping was completed toward the top.

There was yesterday in the dam no less than thirty eight feet eight inches of water. This covers several acres and the total volume now in the reservoir is in excess of 250,000,000 gallons.

The Nuuanu dam is one of the big engineering successes of the Territory and both Superintendent Campbell and Contractor Whitehouse are rubbing their hands and congratulating themselves that the job is completed.

In the early stages of the construction of the dam there was much trouble. The dam was not started right in the first place and it was necessary to tear down part of the work and start over. But during the present administration there has been no friction and the work has gone ahead steadily to its completion. It has been considerably delayed at various times on account of unfavorable weather conditions, but otherwise there has been no trouble.

PAROLES FOR THE JAPANESE CHIEFS

Makino, Negoro, Soga and Tasaka Will Be Liberated on Parole This Week.

THREE WILL BE BANISHED

Makino Alone Allowed to Remain in Hawaii—Fines Have Been Paid Up.

Before the end of the week, possibly today, the leaders in the late Japanese strike now serving jail sentences for conspiracy will be released on parole, on condition that they immediately leave the Territory.

Makino will be the only one of the four to be allowed to stay in Hawaii and this permission is given him because he has promised to be very, very good hereafter and stick to his business as an apothecary. He has had all the leadership and martyrdom that he desires.

Negoro, the leading agitator of the quartet, will sail for the East on the Siberia, on July 5. He will be out in time to celebrate the glorious Fourth.

Tasaka and Soga will be given ten days to close out their businesses, pack their kimonos, give their farewells and fade away towards the Orient.

Mori, who carried out the teachings of the agitators to what appeared to him to be the logical conclusion and who stuck a knife in Editor Sheba's neck, will not join his countrymen in their exodus, but will continue to tarry as a guest of the penitentiary warden for some several long months yet. He is not included in the parole list.

The repentant four have concluded that being martyrs is not what it is cracked up to be. Without sake pulls on their palates and there is not (Continued on Page Four.)

ANOTHER COUNTY PRISONER GONE

This One Drives Off in a Buggy by Way of Variety and Is Seen No More.

Another county prisoner escaped yesterday morning, making the only one at present at large, but by no means the first to perform the act.

He is Tin Soon, his last act before entering prison being the theft of a buggy and his last act before escaping from it being the theft of a second one. The police officials found both buggies, but the second incident differed from the first to the extent that whereas they found the man with the first vehicle, the second one was alone and solitary in the mad.

The boy is supposed to bring the "grub" daily to the prisoners on the chabang, and left for Makiki Field yesterday morning about seven from the prison. About three o'clock in the afternoon the officials began to get suspicious, having been told that he had failed to put in an appearance at the field and that the prisoners were getting hungry.

A still hunt was commenced at once, which resulted in the discovery of the buggy with a very much exhausted horse attached, in a duck pond at the foot of Sheridan lane.

This makes at the present time three prisoners who are at large. Anderson Grace and Chin Buck Soon, the others, are territorial prisoners.

More Escapes.

Tin Soon, however, is not the only one whom the police are hunting for just at present. In Chief McDuffie's office is an inconspicuous notice supplying the information that several boys (Continued on Page Two.)



Prosit!

LIQUOR QUESTION IN HAWAII-- THE PROBLEM TO BE SOLVED

Why Prohibition Is the Best Method of Reducing the Consumption of Liquor to a Minimum.

(BY LORRIN A. THURSTON.)

[At the request of the executive committee of the Hawaiian Prohibition League, Mr. Thurston has prepared a series of articles setting forth the arguments for and against "Prohibition" on the one hand, and "Regulation and High License" on the other. The following is the third article:]

ARGUMENTS AGAINST PROHIBITION.

The following are the principal points and arguments against the policy of prohibiting the sale of liquor, which have come to my attention. Several of the points have been incidentally discussed in previous articles on the liquor question; but they are summarized here, for the purpose of getting all of the points together, for more comprehensive analysis and consideration:

FIRST POINT AGAINST PROHIBITION.

"IT IS WRONG, 'UNMORAL,' TO TRY, BY MAJORITY VOTE, TO FORCE PROHIBITION UPON THE MINORITY OF THE CITIZENS OF THE TERRITORY, AGAINST THEIR WILL, EVEN IF THE MAJORITY ARE IN FAVOR OF PROHIBITION.

"IF PROHIBITION IS TO BE TRIED AT ALL, IT SHOULD BE VOTED ON BY DISTRICTS OR PRECINCTS. LOCAL OPTION, NOT TERRITORIAL PROHIBITION, SHOULD BE THE COURSE PURSUED."

REPLY TO POINT ONE.

The "rule of the majority" is the fundamental principle of a republican form of government. More particularly is it the fundamental principle of the United States government, for, in the United States only, of all the republics of the world, has the doctrine of "majority rule" become so well established that minorities, no matter how strong, no longer think of resisting by force the decision of the majority.

A majority vote in the party primaries selects candidates for election. It elects every legislative member of every municipality and state, and of the national house of representatives. It elects the President of the United States; the Governor of every State and the mayor of every city and village in the Union.

These elected legislative officers in turn enact the laws which control the lives, liberties and property of every man, woman and child in the nation—minority as well as majority.

The executive officers, elected by the majority, have the entire charge and control of the execution of the laws, with vast discretionary powers, which are capable of being most oppressively enforced in favor of, or against, given individuals or classes in society.

From no responsible source has any suggestion been made, however, that the principle of "majority rule" should be abandoned because sometimes it works hardship or injustice on individuals or minorities.

On the other hand, although it is manifest that frequently the majority are wrong, and the minority right; and further that majority rule is sometimes correctly characterized as the "rule of the incompetent," and that it by no means produces an ideal government; still, in the long run, it has been found to furnish the freest, fairest and least oppressive of any form of government (Continued on Page Two.)

GRAND JURY TO BE DISCHARGED

Efficient Inquisitors Are Too Inquisitive—Legality Now Questioned.

It is probable that the territorial grand jury, the best that Hawaii ever had, will be discharged today by Judge Cooper.

The excuse under which the grand jury will be discharged, if it is discharged at all, will be, it is stated, that the body is illegally constituted and has no right to act.

This excuse is a new one and has only just recently been thought worthy of being advanced. It arises, so it is stated, out of the Holt embezzlement case. Holt's attorney raised the point that the grand jury had no right to indict him because its members had been added to by a second drawing after the body had begun its labors.

But the Holt case has gone to the supreme court on this point and the supreme court has as yet rendered no decision in the matter. In the meantime, the grand jury has gone ahead investigating other matters and has returned a number of indictments. Several of those indicted have pleaded guilty and have received their sentences. It is not contended that the indictment of any of these others is illegal—just the indictment of James L. Holt.

The discharge of this grand jury at the present juncture would be little less than a public calamity, for the inquisitors now have under investigation several cases of much more than ordinary importance and the results of their labors are eagerly awaited by the entire community.

But it seems to be the intention that the grand jury shall not be allowed to continue the investigations now under way. It is intended to have them discharged and a new grand jury sworn in. The term of court, it may be noted, does not end until the last of the year and under the law the same grand jury may sit throughout the term.

It may be stated that Supervisor Aylett is not the supervisor whose indictment has been expected. One of the supervisors, however, will probably be indicted, according to an authoritative statement, unless the grand jury is discharged before it can get at him.

It is reported that the grand jury was yesterday instructed by Judge Cooper that it had no authority to go outside the city attorney's office for legal advice or description.

MONEY, BRAINS AND BRAVERY RECOGNIZED

ANNAPOLIS, Md., June 29.—(Special Telegrams.)—The arrival of the British steamship *Hendy* at Annapolis, British Columbia, is reported. The vessel recently brought a shipment of coal to Honolulu. The steamer sailed from this port on June 16.

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ROOSEVELT IS NOW IN LINE

Makes Break Into Political Game in New York to Support Governor Hughes.

URGES A DIRECT PRIMARY

Aligns Himself Once More Against the Machine in Favor of Progressive Bill.

NEW YORK, June 30.—All doubt as to the intention of former President Roosevelt to actively engage in New York State politics was removed yesterday when he made his first political move since returning from abroad, sending a telegram to Floyd Grissom, chairman of the Republican county committee, urging the enactment of the Cobb Direct Nomination Bill.

With this intimation that he intends to come to the support of Governor Hughes in his effort to secure the passage of the direct primary legislation, Mr. Roosevelt places himself solidly in the ranks of the reform section of the New York Republican party, the direct primary bill being opposed by the machine and having been defeated by the machine in the regular session of the legislature.

JEFFRIES SLIGHT FAVORITE IN BETTING

RENO, Nevada, June 30.—Charlie White of New York has been selected as the second referee for the Jeffries-Johnson battle on Monday next.

Jeffries is a favorite in the betting, the odds quoted being ten to seven and a half that he will win and even that he will win before the eighteenth round.

SENATOR DANIEL STRICKEN BY DEATH

LYNCHBURG, Virginia, June 30.—Senator John W. Daniel, the senior senator from this State, is dead. He was stricken yesterday with cerebral hemorrhage, resulting in total paralysis, preceding death.

JOE GANS' END IS NOW VERY NEAR

PRESCOTT, Arizona, June 30.—Joe Gans, the negro pugilist, once the light-weight champion of the world, who was brought here suffering with tuberculosis, is rapidly growing weaker. It is not expected that his death will be long in coming.

MOUNTAIN WILL GO TO MAHOMET

BEVERLY, Massachusetts, June 29.—President Taft, who came here in the interest of his son Robert, who accidentally ran his auto over a laborer, will depart tomorrow to meet Colonel Roosevelt.

SCIENTIFIC POISONER MUST SERVE TERM

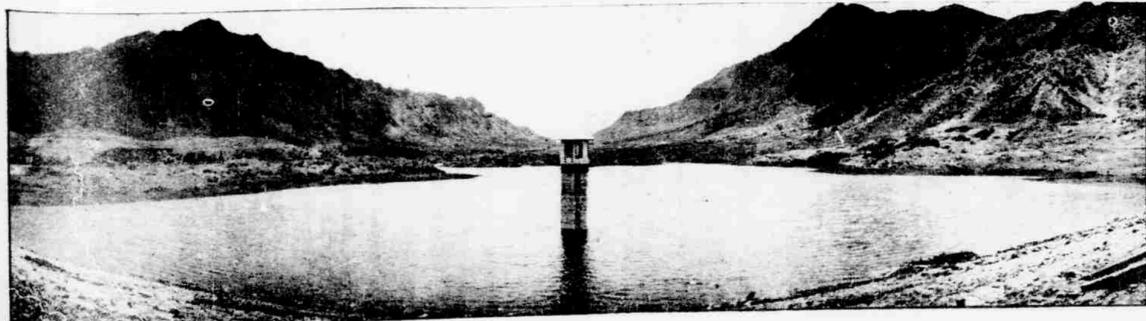
KANSAS CITY, Missouri, June 29.—Dr. Hyde, who was convicted of causing the death of Millonaire Thomas Swapp by injecting typhoid germs into his system and was given life imprisonment for his crime, has been denied a new trial.

TRIPLE DROWNING AT ANNAPOLIS

ANNAPOLIS, Md., June 29.—M. Shipman Morse and Thomas and Mrs. Joseph Boyer were drowned here today while fishing.

BRIBE JURY DISAGREES.

PHILADELPHIA, June 29.—The jury which has had the case of James' "Red" Bronger, who was charged with bribery in connection with the Senator's election, was today discharged for failure to agree. At the time of its discharge the vote stood eight to four in favor of conviction.



VIEW OF THE NEW NUUANU RESERVOIR.

This photograph was taken on Tuesday from the top of the dam, looking toward the Fall, showing the valve tower in the center. When full the water will reach the platform of the valve tower house.