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# THE HONOLULU REPUBLICAN.

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HONOLULU, H. T., THURSDAY, JANUARY 16, 1902.

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## BOARD OF HEALTH HEARS MANY REPORTS

### Twenty-four Subjects Submitted

### Waging War Against Impure Foods--Wilder Company Wants to Carry Paiai. Sympathy for Dr. Pratt.

When the Board of Health arranged with the owners of a small sailing schooner to transport paiai from Maui producers to the leper settlement some months ago, they failed to count upon an objection that might be raised by the Wilder Steamship Company, which claims that they possess a contract, signed and entered into with the Board of Health, for transporting all supplies and persons destined for the settlements on Molokai.

The contention was raised by President Sloggett, at the regular meeting of the Board of Health yesterday afternoon, that the contract held by the Wilder Steamship Company did not apply to the transportation of paiai grown and shipped from Maui ports. It was with this understanding of the situation that an arrangement was entered into with Correa, owner of the schooner, which has at indifferent periods been taking small cargoes of the food supply to the leper settlement.

The matter was brought to the attention of the board by the receipt of the following letter from Manager Wight, of the Wilder Steamship Co.:

Honolulu, Jan. 15, 1902.  
Dear Sir--We are advised that paiai is being carried from accessible parts on the island of Molokai to Kaula, by vessels other than those belonging to this company. Under tender made for transportation for the Leper Settlement this service was included. We presume that we have not been given this business through an oversight, but we would respectfully request that we have an expression from the Board of Health in reference to this matter.

Yours truly,  
WILDER STEAMSHIP CO.,  
C. S. Wight, President.

### Gasoline Launches to the Rescue.

The original copy of the Wilder contract was secured and carefully examined. The board arrived at the conclusion that there was no provision in the document which covered the Maui paiai, consequently a committee consisting of Dr. Sloggett and Messrs. Mott-Smith and Fred Smith was appointed to make satisfactory arrangements for transporting a fair supply of paiai to the leper settlement.

Incidentally Dr. Sloggett called upon Mr. Young, the owner of the gasoline launches now plying in and about the harbor. Mr. Young stated he was prepared to transport the paiai at the same amount that it was costing the Board in employing the schooner. He stood ready to take up the work immediately. The report of the special committee will be considered before action is taken in the matter.

### Dr. Reed Has His Troubles.

In a letter to the Board of Health from Dr. R. H. Reed, of Hilo, he states, among other things: "Under another cover I send you my reports for the month of December. After I received my appointment to the Olaa district, I telephoned to Dr. Nicholas Russel and asked him where I could find the registration books, also what drugs were required. Dr. Russel told me that he had the registration books but declined to turn them over or receive a portion of the salary which went to me, claiming that the Board of Health had no business to appoint me while Dr. Blake held a commission for the district. I have taken regular trips to Olaa and have taken my drugs from Hilo. I find the district very easy to handle owing to the numerous telephones throughout. You will find my report for the balance of the month of December very incomplete, not having been in the district long enough to answer many of the questions."

### Kahunas Are Barred.

The reading of Dr. Reid's letter

was followed by one received from Dr. Russel, in which he explains his position in the matter of selecting a government physician for the Olaa district in Hawaii. The question is one which has occasioned much discussion among residents of the district, and from outward indications much feeling has been brought to the surface. The board will endeavor to adjust the matter satisfactorily. Dr. Russel passes out some very spicy language in treating his contemporary, and makes pointed reflections concerning faith healing and kindred practices, to which he insinuates Dr. Reid is committed. The letter, in part, reads as follows:

Mountain View, Dec. 29, 1901.

Sir--I beg to acknowledge the receipt of your communications of Dec. 16 and 17, together with a commission appointing me as agent for the Board.

Since, according to section 16 of the Organic Act, I have no right to hold any commissions, I beg to return yours for cancellation. At the same time I call your attention to Section 11 of the instruments to Government physicians according to which Dr. Charles Blake, having furnished a substitute, continues during his absence to remain the only commissioned agent of the Board of Health in this Olaa district. Therefore no other commissions can be issued as long as the term of his leave does not expire, and as long as he does not tender his resignation, or was not removed by your honorable Board for cause.

I believe that the commission issued to Dr. Reid, is not valid, he being unable to reside in two districts. I also beg to enclose a written authorization to me from Dr. Charles Blake to act in his stead, equivalent to a power of attorney. As a matter of fact neither Dr. Blake nor myself would object to pass the substitution to any regular practitioner residing in Olaa, should there be any. Unfortunately besides kahunas, Christian scientists and those practicing homeopathy there are no others.

We regret the liberality of the examining board issuing licenses to such persons, thus encouraging superstition and deceit at public expense, and preventing the coming and settling of a regular practitioner in the district. Such were Dr. Blake's grounds when he requested me to act in his stead and my reasons for accepting it.

As a representative I take this opportunity to express in the name of the people of this district my protest against such policy of the Board of Examiners as well as against any appointments by your honorable Board of persons who have their residences elsewhere.

### Kauluwa School Unsanitary.

A communication from Dr. Cofer, Superintendent of the United States Marine Hospital Service, announced to the Board of Health that one case of bubonic plague had been reported to him from New South Wales, and one from Hongkong.

A complaint from a number of scholars from Kauluwa School regarding the unsanitary condition of the closets in the building was substantiated by Sanitary Officer Tracy, who recommended that the obsolete plumbing be supplanted by that of more modern make. The recommendation of the sanitary officer together with the complaint were ordered to be submitted to the Educational department.

The request of Excelsior Lodge, I. O. O. F., No. 1, that the Order be exempted from connecting with the street sewer and, instead, drain their premises into a private cesspool, was denied.

The Board of Health took a decided stand in the matter of making figures and information of all bladders public after the prescribed time set for the opening of the same. The matter came up with a communication from Benson, Smith Drug Co.

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## SHOREMEN'S UNION FORMED

### BIG MEETING AT THE DRILL SHED

### LARGE AUDIENCE PRESENT AND LABORERS NEW LABOR ORGANIZATION ROLL.

Enthusiastic Union of All Nationalities to Fight Asiatic Laborers--Permanent Organization is Formed--Herbert Mossman Makes a Very Telling Address.

The Longshoremen's Labor Union was launched last night at an enthusiastic meeting of laborers held at the Drill Shed for the purpose of perfecting organization and electing officers.

Over two hundred men were present and 135 names were signed to the rolls.

Owing to several companies having business meetings or drill, the meeting was not called to order until 9 o'clock. In the meantime the leaders of the movement constituted themselves into individual committees of one each, and were kept busy explaining to the natives the privileges to be derived from the organization.

### Against Asiatic Labor.

The opinion of the audience seemed to be unanimous against the employment of Asiatics on the wharves of Honolulu. Here and there small groups of Japanese, Portuguese and Americans were earnestly discussing the situation and many strong opinions were expressed on the subject.

D. K. Kaeo called the meeting to order and Fred Kawaihi acted as secretary. The chairman, D. K. Kaeo, immediately announced that nominations for president of the Longshoremen's Labor Union were in order, and H. Mossman and D. K. Kaeo were nominated. A ballot was taken and resulted in a tie vote. There were 130 voters and both candidates received 65 votes each.

### Officers Elected.

When the result of the election was announced, Herbert Mossman advanced to the platform and withdrew his name in favor of D. K. Kaeo. The other nominations were made unanimously and the officers elected are as follows:

President, D. K. Kaeo; vice president, William Allpaun; secretary, Fred Kawaihi; assistant secretary, John Wise; treasurer, M. Nika.

Jack McVeigh and H. Mossman were nominated for treasurer but both declined the honor. Jack McVeigh was not eligible as he had not signed the roll. Mossman pleaded that he be allowed to decline on the ground that he would be able to do more good for the organization by being an individual member. He advised his audience to unite as, with union, they will be able to resist the encroachment of Oriental laborers on their own field.

### Mossman's Telling Remarks.

"The Japanese belong to the plantations," said the speaker, "and not to the wharves of our city. Now they work in the hold of the ships and also on the wharves. The only work which is left for you to do is the running of the donkeys and the handling of the tripping lines and hooks. In a few months they will also capture those places, and then the native Hawaiian will not be able to find work in his own country."

"Supposing that they work for the same wages that we do, of what interest are they to the community? They live on almost nothing, a sack of rice will be their means of existence for several weeks; the balance of their money they send to Japan. We work for higher wages, it is true, but with what we earn we support our families; and in a small way we are doing our share towards the support of our institutions and the welfare of the community."

Mr. Mossman's remarks called forth much applause. His words were translated into Hawaiian by John Wise.

### Committee on Constitution.

A committee composed of Herbert Mossman, chairman, John Wise, Fred Kawaihi, Wm. Allpaun, Captain Hoff, Paul K. Hipa and Captain Nahora Hipa was appointed by the president to draft a constitution and by-laws and report at the next meeting. The committee will meet on the Pacific Mail dock next Saturday at noon.

The next regular meeting of the union will be held on Wednesday, January 22, at 7:30 in the evening, at the Drill Shed.

### Y. M. C. A. Outing.

The Y. M. C. A. is making plans for a Saturday outing to Waikiki. Members who would like to participate are asked to communicate with Secretary Brown.

## NEW TRIAL WANTED BY UNCLE SAM

### In the Matter of the Suit Against Honolulu Plantation.

### JURY IRREGULARITIES ALLEGED

### NEWLY DISCOVERED EVIDENCE IS ALSO GIVEN AS A REASON.

### Misconduct of the Jury--Excessive Compensation Attempted to be Awarded by Verdict--Juror Kohn Did Not View Pearl Harbor Lands--Supreme Court Cases.

The United States Government, through United States District Attorney J. J. Danne, yesterday filed in the United States District Court a notice and motion for a new trial in the recently decided case of the Government against the Honolulu Plantation Company, in which a jury the other day awarded \$105,072 damages for the leasehold interest of the sugar company in certain lands at Pearl Harbor required by the Government for naval station purposes, and for alleged improvements on said lands.

The notice and motion for a new trial are accompanied by the affidavits of L. L. McCandless and Captain Charles F. Pond, U. S. N., and others.

### Reasons for New Trial.

The reasons for asking for a new trial are summed up as follows:

1. Irregularity in the proceedings of said court and the adverse parties by which said plaintiff and petitioner (the United States) was prevented from having a fair trial.
2. Accident and surprise, which ordinary prudence could not have guarded against.
3. Newly discovered evidence, material for said plaintiff and petitioner, which it could not with reasonable diligence have discovered and produced at the trial.
4. Insufficiency of the evidence to justify said verdict.
5. Errors in law occurring at the trial and excepted to by said plaintiff and petitioner.
6. Irregularities in the proceedings of the jury.
7. Misconduct of the jury.
8. Excessive and unreasonable and inconsistent compensation or damages, attempted to be awarded by said verdict.

### Sworn Officer Not in Charge.

The notice and motion for a new trial allege that the members of the trial jury sitting in the case of the Government against the Honolulu Plantation Company did not visit the lands sought to be condemned for naval station purposes in charge and under the direction of a sworn officer of the Government.

It is also alleged that there was an irregularity as far as the trial jury was concerned in that Juror M. M. Kohn who took the place of Juror L. F. Prescott in the middle of the proceedings, on account of the sickness of Juror Prescott, was not a member of the trial jury when the said jury visited the lands sought to be condemned by the Government for naval station purposes.

### Did Not View Lands.

Captain Charles F. Pond, of the United States Navy, makes affidavit to the effect that Juror M. M. Kohn was not a member of the jury when the jury visited the Pearl Harbor lands for the purpose of inspecting them and that the new juror did not visit the lands at any time afterward for the purpose of inspection. This alleged irregularity is dwelt upon to some extent.

It will be remembered that, on account of the illness of Juror Prescott, a new juror had to be drawn from a special venire and that M. M. Kohn was the man drawn. When the case proceeded with Kohn on the jury instead of Prescott, all the testimony taken before the coming of Kohn on the jury was read over for the benefit of the new juror. This was after the jury had visited Pearl Harbor and

Kohn had not been one of those to inspect the lands.

Kohn, therefore, although he had listened to all previous testimony, had not the advantage of the rest of the jury who had been over the lands involved in the case.

L. L. McCandless makes affidavit to the effect that he is a well borer and that he sunk an artesian well on the lands involved in the suit. He also declares that the attempts to grow rice on the lands in question proved a failure.

### Federal Court Notes.

In the matter of the objection of the Bishop Estate to the order of possession of Pearl Harbor lands, no further move was made in the United States District Court yesterday. Chief Clerk Maling, however, still holds a draft on the Secretary of the Navy, payable to Captain Merry and endorsed over by him to the Bishop Estate, trustees, for the amount of judgment on the verdict of \$52,737.50.

Attorney Thomas Fitch demanded and was refused a jury trial for the appeal of H. Hamano from the Board of General Appraisers in the matter of Oriental shoes. United States Judge Estee set the case for hearing at 10 o'clock this morning.

### Kamalo Sugar Case.

Counsel for plaintiffs in the case of the Kamalo Sugar Company equity suit have given notice that they will move today that the cause be forthwith set for hearing.

### In the Supreme Court.

The case of Jonathan Shaw against C. W. Booth, exceptions from First Circuit Court, was argued and submitted before the Supreme Court yesterday as was also the case of Asi Brown against Andrew Bannister. This morning the case of C. Brown, administrator, against the Equitable Life Assurance Society, exceptions from the First Circuit Court, will be taken up.

### Suit Against Tramways.

George W. Hayselden has filed a suit against the Hawaiian Tramways Company for \$5,000 damages, on account of an accident which occurred on Christmas Day. Hayselden alleges that he was thrown from his buggy and injured by reason of the Tramways Company's action in obstructing the roadway by a pile of dirt on King street, near Victoria.

### Suit in Ejectment.

The Enterprise Mill Company has brought suit in ejectment against Emmet May and W. H. G. Arneemann for real estate on the Waikiki side of Alakea, between Queen and Halekula streets, containing 1890 square feet. Damages for \$1,900 are also claimed.

### CHANGE OF PROGRAM.

### Orpheum Will Have Nearly a New Bill For Tonight.

There will be several complete changes in the program of the World's Entertainers to-night, not merely a step here and there with perhaps a new song, but a change that practically constitutes a new program.

Professor Powell has sent his attendants out fishing to Waikiki and the resultant gold carp will be utilized in his star mystification which consists in hooking two gold fish from the midst of the astonished audience.

Flatt and Sutherland completely change their musical comedy sketch, the DeLorellis trio, and the Three Castles will introduce entirely new business, the Ferraris will present new steps and dances. Hope Hadden has new songs and more dainty dresses. Mlle. Irma de Monza will vary her repertoire and Bunth and Ruddy will produce another series of casualties.

A "bargain" matinee on Saturday afternoon at popular half prices should give a banner afternoon house. There is much in the program that should prove irresistibly funny to the little ones.

The performance went as well as ever last night to a crowded house.

### Balzac Degenrating.

Yesterday noon, Mr. J. F. Morgan, while selling off some of Mr. P. A. Perry's collection of paintings and books knocked down a forty-two volume set of Balzac, full Persian Levant binding, with watercolor illustrations, valued at \$420 for \$85. This should make that ancient and honorable author turn in his grave. Today at 10 o'clock the remaining books and pictures will be sold, and from all indications some fine snags will be picked up. Mr. Perry has his salesroom in the ground floor of the Stangenwald building at present. He will leave for the Coast on the 20th inst.

## LONG DISCUSSION ON BANK ELECTION

### Proxies Need Not be Stamped

### Minority Stockholders Can Transact Business

### Cooper Sees Macfarlane at Waikiki. National Laws Quoted.

Colonel George Macfarlane was seen at the Hawaiian hotel last evening in regard to the First National Bank stockholders' meeting affair.

"The impression which seems to have been current to a great extent, that I was planning to have Mr. J. F. Morgan become the president of the First National Bank," said Colonel Macfarlane, "is a wrong one. I will tell you how it was that Mr. Morgan's name came to be mentioned for the presidency of the bank."

"When I was in San Francisco, Mr. Steinhart, the senior manager in the Anglo-California Bank of San Francisco and London, sent for me to say that Mr. Morgan had arrived and that he had brought with him a letter from Mr. Cooper, cashier of the First National Bank of Hawaii. The letter was full of praise for Mr. Morgan and referred to his standing in the community and his general knowledge of valuations in Hawaii. The letter also referred to the existence of strained relations, in the First National, between Mr. Cooper and Mr. Brown, the president."

### Friction of Bank Officers.

"Mr. Morgan simply confirmed the report of the strained relations in the Honolulu bank, saying that there had been considerable friction between President Brown and Cashier Cooper. This friction was well understood in Honolulu and had become almost a public scandal."

"Mr. Steinhart asked Mr. Morgan what suggestions he had to offer in regard to solving the friction problem."

"It was thought that either Mr. Cooper or Mr. Brown ought to resign. It was believed that, as Mr. Morgan was one of the board and had been introduced by a very friendly letter from Mr. Cooper and as Mr. Cooper was the business man of the bank, it would be best for all parties concerned for Mr. Brown to resign as president. This was practically the conclusion which was arrived at between Mr. Steinhart and Mr. Morgan."

"Just which one of these gentlemen the suggestion came from I don't know."

## MORGAN SEEMED LOGICAL CANDIDATE

"It appeared that Mr. Morgan was the logical candidate to take the place of Mr. Brown and was perfectly familiar with all bank matters and was friendly with Mr. Cooper, who was the business man of the institution."

"Mr. Steinhart informed Mr. Morgan that if Mr. Morgan thought it advisable, he would write a letter to President Brown. If Mr. Morgan would take the position of president himself, being friendly to both parties, Mr. Brown could resign in favor of Mr. Morgan."

"It was at about this stage of the discussion that Mr. Steinhart sent for me, and my recollection is that Mr. Morgan said that he was certain that on his return to Honolulu he could induce Mr. Brown to resign and allow him (Mr. Morgan) to succeed Mr. Brown."

### Matter Leaks Out.

"Mr. Morgan advised Mr. Steinhart not to write to Mr. Brown, intimating that such a change would not be objected to, and fearing that Mr. Brown would resist the idea if the suggestion should come from anyone but himself."

"All I had to do in the matter was simply to acquiesce in the proposal put forward, which I did."

"But, it appears that in some way the talk that Mr. Morgan was to return to Honolulu to try to secure for himself the position of president."

"However, Mr. Brown, having been

informed in some manner that Mr. Morgan was to become his successor, immediately accused the Anglo-California Bank of forming a conspiracy to throw him out of office. The Anglo-California Bank was entirely innocent of any such plot.

"I will state as an absolute fact, as far as I am concerned, that I have not seen Mr. Morgan since my arrival here, nor have I any instructions from the Anglo-California Bank to try to secure the presidency for Mr. Morgan."

## TRY TO UNDERMINE THE PARENT BANK

"It was rumored that Cashier Cooper and President Brown made up their differences and immediately commenced to undermine the parent bank, which had created the First National Bank here, with Mr. James Campbell, by securing for the corporation its charter from Washington."

"At the meeting of stockholders the other day I could not call to mind whether the tax on proxies to vote had been repealed or not. I knew that a sweeping change had been made since last July but did not remember if these changes applied to proxies."

"I rested perfectly at ease, however, after I got in my protest and was fully convinced that the Anglo-California Bank, which had sent me the proxies in a sealed envelope, would not have sent them to me in an imperfect condition, as such institutions are perfectly familiar with all such conditions of business and do not make mistakes."

### Tax on Proxies Repealed.

"This morning I immediately set to work to look up the Amended War Revenue Tax and learned that the tax on proxies, ten cents, had been repealed."

"I at once decided to commence mandamus proceedings in the Federal Court and saw Attorney J. J. Dunne who is now engaged in drawing up the necessary papers. The suit will be begun as soon as possible. Attorney J. A. Magoon is also engaged in the proceedings."

"The matter resolves itself into a case between the interests of the stockholders of the Mainland and the Territorial organization."

"The matter must of necessity be brought up in the United States District Court as it is a national bank affair and the interests of those who are not local people are at stake."

"Attorney J. A. Magoon represents interest in the Atong Estate whose proxies were ruled out by Mr. Brown."

## MORGAN NEED NOT BE NEXT PRESIDENT

"If the mandamus proceedings should result in the Federal Court declaring the stockholders' meeting of the First National Bank to be void, would a new meeting result in Mr. Morgan becoming president?" was asked.

"No! Not necessarily. I shall not force anyone on the local stockholders who is not an acceptable candidate, but I shall ask for an adjournment of thirty days out of respect to the wishes of Mrs. Campbell. I shall bring about a discussion among all the stockholders, that there may result a unity of feeling for some candidate for the position of president."

"If Mr. Brown should resign and no local gentleman should be available for the position of president, someone will be selected from New York who is thoroughly familiar with the national banking system."

### Persona Non Grata.

"Will Mr. Brown's action in the matter of the proxies cause a breach between himself and the Anglo-California Bank?" was asked.

"As the representative of the Anglo-California Bank, that is hardly

(Continued on Eighth Page.)