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CALL A SESSION

Governor Is Urged by Fair Directors.

MAJORITY FAVOR ACTION

Object Is to Keep Exposition Out of Politics.

MORE STATES WOULD RESPOND

Importance of an Early Appropriation to the Success of the Fair Is Emphasized—Several Are Opposed or in Doubt.

The majority of the members of the Lewis and Clark board are in favor of an extra session of the Legislature. Their chief reason, in so far as the interests of the Fair are concerned, is that the appropriation would be freer from political entanglements in special than regular session.

If the Fair appropriation shall be disposed of before the Senatorial fight begins, say the advocates of an extra session, and before other appropriation questions come up, the needs of the Lewis and Clark Exposition will receive consideration more on their merits. Otherwise the Fair appropriation will get into a mix-up that may make its enactment difficult or result in pruning the measure down.

It is argued also that early action on the Fair appropriation is essential because the work of the Lewis and Clark board is now at a standstill and will have to stay that way until the directors know what the Oregon Legislature is going to set aside for the Fair. The plans of the directors will necessarily be built upon the size of the appropriation. Moreover, an early appropriation will show to Congress and other State Legislatures that the Lewis and Clark Fair is a "sure go." Again, if there are any obstacles to the appropriation presented by the initiative and referendum amendment to the constitution, these can best be overcome by an extra session.

The contrary argument is that an extra session will be expensive; that it will not save time worth while; that if the Legislature is disposed to make an appropriation, it will do so in regular session as readily as in special session; that a special session is really a political subterfuge; that the appropriation should go before the Legislature on its merits, and that the call for a special session will be looked upon by parts of the state outside of Multnomah County as emanating from Portland, in the interest of a local enterprise or a sectional raid on the State Treasury.

The Oregonian yesterday interviewed all the members of the board of directors except six. One of these six, President Corbett, had expressed himself in favor of an extra session in yesterday's Oregonian. Of the five others, four were residents of Portland, who could not be seen.

Of the 13 directors interviewed in Portland, eight advocated a special session, one openly opposed it, and four would not consent to be quoted in print. Six of the seven directors who live away from Portland responded, four of them in favor of the session, and two against it. The four were J. C. Cooper, of McMinnville; J. M. Church, of La Grande; O. L. Miller, of Baker City, and G. W. Riddle, of Riddle. B. Van Dusen, of Astoria, and A. Bush, of Salem, spoke aaginst the session.

In Portland, besides Mr. Corbett, those who were outspoken for an extra session were: A. H. Devers, Adolphe Wolfe, J. F. O'Shea, Leo Friede, J. C. Ainsworth, Samuel Connell, A. L. Mills and G. W. Bates. W. D. Fenton spoke strongly against the session. Rufus Mallory was not prepared to make an utterance on the subject. P. L. Willis declined to say anything for publication, and C. E. Ladd and W. D. Wheelright did not wish to be quoted in print. F. Dresser was sick, and H. W. Scott and I. N. Fleischner were out of the city. George W. Riddle, of Riddle, and J. H. Raley, of Pendleton, had not responded up to a late hour last night. The interviews follow:

William D. Fenton—I believe an extra session would be unwise. I do not regard it as at all necessary to secure the appropriation. I believe it will entail needless and unnecessary expense. The extra session, if held, cannot antedate the regular more than 60 days. So short a time is of no particular advantage. I do not anticipate any complications if the appropriation should wait until the regular session. In my opinion, the Legislature will act upon this subject upon its merits. If an extra session is to be called, the reasons for it should be placed upon the real grounds.

George W. Bates—I am heartily in favor of holding the proposed extra session of the Legislature, not only for the purpose of considering the Lewis and Clark appropriation, but several other matters that should be attended to before the regular session.

Leo Friede—Most assuredly I am in favor of an extra session. I think that legislators who advocate a Fair appropriation do so on the merits of that enterprise, and, therefore, I feel certain that they will support an appropriation bill in extra session as readily as in regular session. Besides, I think this matter should be put out of the way before the regular session, in order to free it from the danger to which it would be subjected in the rush of other legislation. Consideration of the appropriation in extra session will tend to keep it out of politics.

A. L. Mills—I think the appropriation would stand more show and be disposed of sooner at a special than at a regular session. No, I don't think the state at large would look upon an extra session as called for solely by Portland interests, nor do I think it would cause a revulsion of feeling against the Fair. The Fair appropriation concerns the whole state. Other matters of common interest would also be brought up. Besides, the Fair matter would stand a chance of being buried under the rush of regular session business. Everybody concedes that the appropriation should be made as soon as possible. An extra session would hasten the appropriation. Members of the Legislature opposed to the appropriation will be just as much so at one time as at another, and those who favor an appropriation would advocate it in extra as well as in regular session.

J. F. O'Shea—The sooner we get an appropriation and know definitely how much we are going to get, the sooner we can go ahead with our plans. The work of the Lewis and Clark Board cannot go on until we know what the stae is going to do for the fair. This is why I advocate an extra session. In an extra session the appropriation would not be handicapped by politics. Early enactment of the measure will enable us to go to other State Legislatures and say: "Look what we've done. Are not you going to do something, too?" This will cause them to respond, "Oregon does mean business, that's a fact," and they will be far more likely to aid the fair than they otherwise would be.

Samuel Connell—The sooner the Legislature gets at the appropriation and makes it, the better. That's my opinion. If any obstacles are presented by the initiative and referendum amendment to the constitution these may be met best by an extra session. An extra session would hasten the enactment of the appropriation and set an early example for Congress and other states to follow.

J. C. Ainsworth—I look upon an extra session as a good way of dealing with the fair appropriation. The extra session would put Oregon on record at an earlier date and would exhibit to other states the strong purpose behind the fair. It would also serve to avoid obstacles that might be encountered at a regular session. But there are other measures besides the fair appropriation that deserve attention in extra session.

A. H. Devers—In my judgment an extra session would keep the fair appropriation free from political impediments, would put that appropriation on its merits and would set an example to other states.

Adolphe Wolfe—An extra session would be well, not only for the Fair appropriation, but also for other matters which need prompt attention and which should be considered aside from political questions. We should not take any chances in obtaining the appropriation by letting it get into political entanglements. I believe an extra session would be a good thing for the consideration by the Legislature of other matters which should not get into a political mix-up.

GOVERNOR GEER STILL WAITING.

SALEM, Oct. 22.—(Special.)—Governor Geer has refused all requests for interviews on the question of an extra session, saying that it is for the people to decide whether the Legislature shall be called together before the second Monday in January. Whether a session shall be called, and the date upon which it shall begin, will be determined by the wishes of the people, as indicated by the petitions he may receive and the expressions of opinion through the press. So far as expense is concerned, it would cost no more to hold the two sessions a month apart than to hold them so that the special session will end just before the regular session begins. The members of the Legislature will draw the same mileage, the same number of clerks must be employed and the same amount of printing will be required.

Approved by J. M. Church.

LA GRANDE, Or., Oct. 22.—(To the Editor.)—A special session is advisable for the Lewis and Clark appropriation and for other needed legislation.

J. M. CHURCH.

O. L. Miller Favors Session.

BAKER CITY, Oct. 22.—(To the Editor.)—As a rule I am not favorable to the calling of special sessions of the Legislature, but I favor a special session to consider the Lewis and Clark appropriation, because it will save much valuable time, prevent the question of an appropriation from becoming complicated with the Senatorial contest, and keep it out of politics.

O. L. MILLER.

G. W. Riddle Also Approves.

RIDDLE, Or., Oct. 22.—(To the Editor.)—

(Concluded on Page 10.)

VOTE SALE DOWN

Danish West Indies Not to Change Hands.

TIE BALLOT ON TREATY

Proposition of United States Is Rejected.

MIGHTY SCRAMBLE FOR VOTES

Aged Legislators Who Are Ill Are Brought Some Distance Guarded and Prompted at Time to Go on Record.

COPENHAGEN, Oct. 22.—The Landsthing today rejected the second reading of the bill providing for the ratification of the treaty between Denmark and the United States in regard to the cession of the Danish West Indies to the latter country. The vote stood 32 to 32, a tie. The announcement caused great excitement in the House, and demonstrations on the part of the spectators. In the voting there was one absent. The Rightists and two Independent Conservatives opposed the bill. The Leftists and six Independent Conservatives supported it.

The ages of the men, Thygeson and Raben, who really decided the contest, are 97 and 87 years, respectively. Both had been expected to die for several weeks past. They were both bedridden at their homes, 150 miles from Copenhagen, but they were brought to the city. Prominent anti-sale political leaders were sent to transport them here. The sufferers, accompanied by physicians, were carried into a saloon-car, which was rolled on a ferryboat, on which it crossed from Jumand. After their arrival at Copenhagen they were met by leading anti-sale members, and were driven in carriages to a hotel. There the two old men were guarded and nursed over night, and were eventually carried to their chairs in the Landsthing hall an hour before the meeting. They had a prompter on hand to assist them in voting.

Long before the hour fixed for the meeting of the house, the streets were crowded with excited seekers for admission. Thousands were turned away. The hall and galleries were packed. The vote was taken amid suppressed excitement, and the announcement of the vote was greeted with a storm of cheers and hisses. The exhibitions of joy on the part of the anti-salemen was almost unbounded. The disorder was not suppressed for a considerable time.

Crown Prince Frederick, all the Ministers and many members of the diplomatic corps and members of the Folksthing were present. The public galleries were crowded.

The Cabinet held a meeting immediately after the rejection of the bill, and it was agreed that the action of the Landsthing did not necessitate their resignation.

AS VIEWED AT WASHINGTON.

Officials Believe Denmark Will Soon Want to Sell Islands.

WASHINGTON, Oct. 22.—The State Department was today advised of the action of the Landsthing in rejecting the treaty of cession. Assuming that today's action is final for the present session, the officials here are disposed to view the situation philosophically, resting in the belief that it will only be a short time before Denmark will tire of making good a deficit in the revenue of the islands, and let us have them.

It is probable, in view of the closeness of the vote in the Landsthing, that the Danish government will decide to make another attempt to secure the approval of the treaty at a more auspicious time. This may be accomplished by the simple device of negotiating with the United States an amendment to the treaty extending the time allowed for the exchange of ratification of the original treaty. This could be done by Denmark without reference to the Rigsdag. But as the treaty has been ratified by the United States Senate, the amendment in our case necessarily would take the shape of a separate treaty, and would require approval by the Senate, as in the case of the original convention. There is some reason to believe that a few Senators, how many cannot be told now, who were opposed to the cession last session, but made no attempt to prevent ratification because of reluctance to break up the order of business at a critical moment, may now feel at liberty to oppose the amendment in case one were presented. This contingency is now under consideration.

POLITICS PROMPTED THE VOTE.

Another Move to Bring About Resignation of the Ministry.

COPENHAGEN, Oct. 22.—The Finance Minister intends to send a commission to the Danish West Indies to investigate the situation with a view of assisting the islands in developing better economic conditions. The syndicate which recently promised to help the islands has been requested to submit its plans and prepare to carry them out as soon as possible.

The predominant sentiment throughout Denmark is undoubtedly pro-sale, and the rejection of the treaty is attributed chiefly to a domestic political effort to embarrass the government and bring about the resignation of the Ministry.

The question of the sale of the islands may not remain dead for any length of time. The inability of the Rigsdag to agree on a policy for bettering the conditions of the islands is expected to be a factor in agitation forcing the sale question to an issue.

The result of today's vote was doubtful until the last moment. One member had not taken a definite stand, and it was uncertain whether two sick members would be able to attend.

ST. THOMAS IS DOWNCAST.

People Believe Their Hopes of Good Times Have Been Shattered.

ST. THOMAS, D. W. I., Oct. 22.—The rejection today by the Danish Landsthing of the treaty providing for the sale of the Danish West Indies to the United States has been received in St. Thomas, and up to the present time there has been no popular expression of feeling or demonstration. The local press has not yet commented on the matter. A large section of the population of the islands is greatly disappointed at the receipt of the news, believing that its hopes of prosperity have been shattered. A smaller but strong section of the islanders is jubilant, and hopes for a renewal of prosperity under the old flag and with the aid of the motherland.

Some anxiety is felt as to what course the laborers of the Island of St. Croix will take, the feeling there being decidedly in favor of the sale.

Comment of London Press.

LONDON, Oct. 23.—In an editorial article the Daily Chronicle admits that the question of the Danish West Indies cannot rest where it is for long in the face of the importance of the United States securing a port on the Caribbean Sea which will command the Panama Canal, but does not regret the rejection of the treaty, which, it says, would always have been tainted by its connection with Captain Christmas and his unsavory allegations against American politicians.

The Times publishes a dispatch from its Copenhagen correspondent saying it is evident that the Danish government considers the rejection of the treaty providing for the sale of the islands to be final. The action will probably result in some Cabinet changes, says the correspondent, although the radicals will remain in power. The weakness of the position of the Cabinet is shown by the fact that it resolved on neither resignation nor dissolution.

ENGAGEMENT OF PRESIDENT'S DAUGHTER WILL SOON BE ANNOUNCED

MISS ALICE ROOSEVELT.

LITTLE ROCK, Ark., Oct. 22.—Information reached Little Rock today from reliable sources at Washington that the engagement of Miss Alice Roosevelt, daughter of President Roosevelt, to John Greenway, of Hot Springs, Ark., will be announced in a few days. Mr. Greenway is about 30 years of age, and is a son of Dr. Greenway, a leading physician of Hot Springs. He was a Lieutenant in the Rough Riders Regiment during the Spanish-American War, and has visited Washington several times during the past year. He comes from an old Southern family, and is a young man of high character. He left Hot Springs several days ago for Washington.

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"JAP" IS BARRED

Gates of Citizenship Not Open to Him.

LAWYER IS TURNED DOWN

Decision by Supreme Court of Washington.

LOWER TRIBUNAL REVERSED

Little Brown Man Passes Examination Entitling Him to Admission to Bar, but Nativity Will Not Permit.

OLYMPIA, Oct. 22.—(Special.)—The Supreme Court, in a decision handed down today, decides that a Japanese cannot become a citizen of the United States. The point came up directly in the matter of the admission of a young Japanese lawyer to the bar of this state. Takuji Yamashita, of Seattle, passed a very creditable examination for admission to the bar in the examinations last May, but the law making citizenship a qualification for admission to the bar of this state is very plain and is undisputed. The main point in the case which was presented to the Supreme Court in the form of briefs was whether a native of Japan could become a citizen of the United States, and whether the Superior Court of Pierce County acted within its jurisdiction in granting naturalization papers to Yamashita. The decision on this point covers a matter on which it is said there is no recent decision by any court, and it therefore becomes a matter of wide interest.

Opinion of the Court.

It is shown by the record in the case that Yamashita was admitted to citizenship in this country by the Superior Court of Pierce County on May 14, 1902. In its opinion the Supreme Court says:

"The question presented is whether one of the Japanese race is eligible, under the naturalization laws, for admission to citizenship. The Federal Constitution confers plenary power upon Congress to prescribe the qualifications and conditions for naturalization. All the acts of Congress relating to the naturalization of aliens, commencing with that of April 14, 1802, to the Revised Statutes, contain the provision that "any alien being a free white person may be admitted to be a citizen," etc. After the adoption of the thirteenth and fourteenth amendments to the Federal Constitution, and in the act of July 14, 1870, it was enacted by Congress "that the naturalization laws are hereby extended to aliens of African nativity and to persons of African descent." This was afterward revised and placed in the Revised Statutes, section 2169, so as to read:

"The provisions of this title shall apply to aliens being free white persons and to aliens of African nativity and to persons of African descent."

And this is the existing law. It is explained that the two races mentioned are now eligible to citizenship under the general naturalization laws, that is, white persons and persons of African (negro) descent and nativity. It is clear that within the meaning of these words the applicant is ineligible. When the naturalization law was enacted, the word "white" applied to the race commonly referred to as the Caucasian race."

The opinion then quotes from Webster's Dictionary, and the case in re Yup, 5 Saw. 155, showing that the classification of the white race does not include the Mongolian race. The opinion of the Supreme Court then continues:

"The courts, Federal and state, have uniformly determined that Chinese are not eligible to naturalization, because not white persons. In 1880, it was determined that a native of British Columbia, half-Indian and half-white, could not be naturalized. In re Camille, 6 Fed., 256; in re Po, 28 N. Y. Supp., 383, a native of British Burmah was denied admission. In re Kanaka Nian, a Hawaiian was denied naturalization, 6 Utah, 259; in re Saito, 62 Fed., 126, the Federal Circuit Court adjudged that a native of Japan was of the Mongolian race, and, therefore, not eligible to naturalization.

But the applicant earnestly urges that the act of Congress specially excluding the Chinese from naturalization implies, when considered with reference to our modern treaties with the Empire of Japan, that the Japanese were excepted from the general exclusion of the Mongolian races. He also commends the reasoning in the case of in re Rodriguez, 81 Fed., 337, as persuasive to a more liberal construction in favor of the Japanese. In that case a native of Mexico, of undefined blood and race, and whose ancestors had for centuries been inhabitants of Mexico, was naturalized. But such decision was largely controlled by the various treaties with Mexico, and the fact that thousands of Mexicans, without regard to race or color, had been collectively naturalized as citizens of the United States. It is true the learned Judge, in the course of his opinion, suggests other and different views of the meaning of the classification by color contained in the naturalization laws from those taken by the other authorities heretofore mentioned, but he also seems to concede that the Mongolian race is clearly excluded. It is likewise true that Congress has several times collectively conferred citizenship upon bodies of people without reference to race, but the reasons therefor, in each instance, were plainly special, and such acts cannot be extended beyond the particular instance. The general law, with the single extension made to the African or negro race, has been confined to free white aliens. The law seems to base the classification upon ethnological and racial considerations, rather than any national distinction. Whether the classification according to color is technically scientific or natural is not a proper subject of inquiry here. From its existence coextensively with the formation of the American Republic, it must be taken to express a settled National will.

The Supreme Court holds that the Superior Court of Pierce County acted without jurisdiction in the matter of admitting Yamashita, and that the Japanese cannot be admitted to the bar because he is not a citizen of the United States.

STOCKMEN TO BE OUSTED

Special Agent Finds Many of Them Occupying Government Land.

WASHINGTON, Oct. 22.—Colonel John S. Mosby, special agent of the Interior Department, called upon the President today, and laid before him the result of his investigation of the illegal occupation of public lands in Colorado and other Western States by stockraisers. Colonel Mosby told the President that millions of acres of public land that ought rightfully to be open to the homestead settler were occupied by stockraisers. After concluding the investigation it is making, the Interior Department will oust such stockraisers as are not occupying the public lands lawfully.