



LET GOVERNMENT DEAL WITH JAPS

Roosevelt's Appeal to California Solons.

HE SEEKS WHAT THEY DESIRE

But by Friendly Arrangement, Not With Insult.

NO MORE JAP SETTLERS

Telegram to Speaker Stanton Puts Argument Against State Action

WASHINGTON, Feb. 8.—"The policy of the administration to combine the maximum of efficiency in achieving the real object which the people of the Pacific Slope have at heart with the minimum of friction and trouble, while misguided men who advocate such action as this against which I protest are following a policy which combines the very minimum of efficiency with the maximum of insult, and which, while totally failing to achieve any real result for good, yet might accomplish an infinity of harm."

Just Cause for Irritation.

In this language, President Roosevelt, in a long telegram to Speaker Stanton, of the California Assembly, set forth today the Government's view of the Japanese school bill.

The President states that the bill gives just cause for irritation and that the Government would be obliged immediately to take action in the Federal Courts to test such legislation, because it is held to be clearly a violation of the treaty obligations of the United States.

Guards Interests of West.

"I trust there will be no misunderstanding of the Federal Government's attitude. We are zealously endeavoring to guard the interests of California and of the entire West in accordance with the desires of our Western people. By friendly agreement with Japan we are now carrying out a policy which, while meeting the interests and desires of the Pacific Slope, is yet compatible not merely with mutual self-respect, but with mutual esteem and admiration between the American and Japanese."

No Settlement in Mass.

"In accordance with it, the purpose is that the Japanese shall come here exactly as Americans go to Japan, which is in effect that travelers, students, persons engaged in international business, men who sojourn for pleasure or study and the like shall have the freest access from one country to the other and shall be sure of the best treatment, but there shall be no settlement in mass by the people of either country in the other."

School Bill Violates Treaty.

"But such a bill as this school bill accomplishes literally nothing whatever in the line of the object aimed at, and gives just and grave cause for irritation; while in addition the United States Government would be obliged immediately to take action in the Federal Courts to test such legislation, as we hold it to be clearly a violation of the treaty. On this point I refer you to the numerous decisions of the United States Supreme Court in regard to state laws which violate treaty obligations of the United States. The legislation would accomplish nothing beneficial and would certainly cause some mischief, and might cause very grave mischief."

May Do Infinite Harm.

"In short the policy of the Administration is to combine the maximum of efficiency in achieving the real object which the people of the Pacific Slope have at heart with the minimum of friction and trouble, while the misguided men who advocate such action as this against which I protest are following a policy which combines the very minimum of efficiency with the maximum of insult and which, while totally failing to achieve any real result for good, yet might accomplish an infinity of harm."

It is in the next year or two the action of the Federal Government fails to achieve what it is now achieving, then through the further action of the Pres-

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LITTLE HOPE SEEN BY GERMAN NATION

EXPECTS NO TANGIBLE RESULT FROM EDWARD'S VISIT.

Desires Understanding With Britain to Be Effected, but Has No Confidence.

BERLIN, Feb. 8.—The visit of King Edward tomorrow is regarded generally in itself as an event of the present moment of the greatest political significance, and with the feeling that it would be an excellent thing for both nations if the meeting of the two monarchs resulted in a mutual understanding tending to allay international tension. From no quarter, however, is the expectation voiced with any confidence that the visit of the English King will produce direct tangible effects.

King Edward is accompanied by Queen Alexandra, and official circles welcome the royal visitors in the most courteous tone, regarding their coming to Berlin as a return for the Emperor's visit to England, and are making no comment on the political importance of the event.

COLOGNE, Feb. 8.—King Edward and Queen Alexandra arrived here at 10:30 o'clock tonight and proceeded to Berlin.

MERCY FOR CRADLEBAUGH

Wallace Officials Send Appeal for Clemency to Denver Prosecutor.

WALLACE, Idaho, Feb. 8.—Asking that the court deal with mercy toward John H. Cradlebaugh, of Wallace, Idaho, who shot and killed Fred Walton, also of Wallace, on the streets of Denver last week, members of the City Council, the county officials and local business men have signed a lengthy petition which will be addressed to the prosecuting attorney at Denver.

After giving a history of the affairs leading up to the killing and speaking in terms of praise of Cradlebaugh's steady habits and devotion to his family, the petition declares that Cradlebaugh did only what "any other man would have done under the circumstances, in trying to right the wrongs done him in the breaking up of his home and family."

SALEM FRESHMEN HAZED

Three High School Lads Ducked in Icy Waters of Milirace.

SALEM, Or., Feb. 8.—(Special.)—As first-day welcome to the High School, Carl Hinges, J. May and a boy named Kaiser were given a drenching in the icy waters of South Milirace by upper classmen this morning, and the school is in a turmoil as a result.

At first the freshmen were ordered to carry wood into the High School building by upper classmen. They were driven away from the grounds by Principal E. T. Mariette. Several freshmen were then bound together with rope and marched through the main streets to the mill-race. Young Hinges was thrown into the water first. Kaiser was shoved from the bank a short time later, and May was given an option of fighting or being put into the stream.

He preferred the water. Another freshman resented this and put on the boxing gloves with an upper classman in Williams University athletic field, and the sparring contest finally ignominiously ended by the appearance of the University president, Dr. Fletcher Homan. It is predicted that assembly tomorrow morning will bring some developments.

OLD CITY EMPLOYE DIES

William Braden Succumbs to Stroke of Paralysis.

Death claimed William Braden, Sewer Inspector, and for the past 33 years in the employ of the city, at an early hour this morning. Mr. Braden had been ill for the past seven weeks at his home, 88 Clay street, suffering from a stroke of paralysis. He was 77 years old.

He leaves, beside his widow, three daughters, Mrs. William Howes and Mrs. M. R. Whitehead, of Portland, and Mrs. Minnie Matthews, who was the wife of "Jack" Matthews, United States Marshall; and a son, Frank C. Braden, of Portland. No arrangements for the funeral have been made.

RUSSIA BULLYING CHINA

Set Up New Municipality, Ignores Treaty Rights.

PEKIN, Feb. 8.—Foreign residents at Harbin are alarmed at the activity shown there by Russia during the past fortnight, in installing a municipal administration, hitherto held in abeyance, and in overweighing Chinese authority, collecting heavy taxes and exercising severe police measures.

It is further reported that the Russian authorities are ignoring the treaty rights of other nations, and that the Viceroyalty of Mukden is considerably excited over the situation.

CRIME TO SEE PRIZEFIGHT

Drastic Bill Against Pugilism Offered in California.

SACRAMENTO, Cal., Feb. 8.—Senator John P. Hare introduced in the Senate today a bill aimed at prizefighting that is much more drastic than the one presented by Senator Henry M. Willis a week ago. It not only prohibits public encounters, where admission fees are charged, but makes it a misdemeanor to witness a fight, the maximum penalty for this offense being \$500.

DIRECT CONFLICT IN CONSTITUTION

Hampers Action Toward Apportionment.

TWO AMENDMENTS OFFERED

But Cannot Become Effective at Next Election.

MULTNOMAH GETS WORST

Country Legislators Would Oppose Mahone's Scheme Because It Would Give County 20 Members—Way to Get Them.

STATE CAPITOL, Salem, Feb. 8.—(Special.)—Because of apparent direct conflict between different sections of the Oregon constitution, the Legislature faces an embarrassing problem regarding legislative apportionment.

At the general election last June the people adopted a constitutional amendment which declares, among other things, that a voter may vote for one person under the title for each office. But another section of the constitution provides that no county shall be divided in creating a Senatorial district, so that it is difficult to see how both provisions of the constitution can be complied with.

There are two resolutions before the Legislature for the purpose of submitting constitutional amendments permitting the division of a county and requiring that one Senator or Representative shall be elected in each district. But this amendment cannot be voted upon until 1910 and will not be effective until the election of 1912, so that the difficulty is to harmonize the constitutional provisions in the election of members of the Legislature in 1910.

How Difficulty Arises.

How the difficulty arises will readily be seen from an illustration. Multnomah County now has five Senators. Each party has a right to nominate five candidates, so that there are on the ballot at the general election the names of about 15 or 20 candidates. At the head of this portion of the ballot there is placed the instruction "Vote for five."

But the proportional representation amendment contains a clause which says: "Every qualified elector resident in his precinct and registered as one person under the title for each office." This sentence, thrown into the middle of the section providing for proportional representation, appears on its face to give no authority to vote for more than one person under the title for each office.

It is said by lawyers who have examined the subject that in order to vote for more than one under the title for an office, a strained construction must be given to this sentence—that is, that it is intended to apply only in case a system of proportional representation shall be adopted. The sentence was not necessary to the effectiveness of the proportional representation amendment and because it is inconsistent with prevailing methods of holding elections, may be ignored altogether.

Provisions of Constitution.

Section 11 of article 4 of the constitution provides that each house shall be

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FUNERAL DAY SET; MAN FOUND ALIVE

WIFE HAD IDENTIFIED CORPSE AT MORGUE.

Skeptical Detectives Make Still Hunt and Locate Missing Husband in Bath Parlors.

SAN FRANCISCO, Feb. 8.—Despite the fact that all arrangements had been completed for his funeral which was to have taken place Wednesday and that his wife and sister have shed many tears over his body, which lay in state in an Oakland undertaking parlor, Edward Rhodes, a ship's carpenter, insisted that he was far from being a dead one when interviewed at the Hammam bath establishment in this city tonight.

Rhodes has been missing from his home for some days, and when his wife called at the morgue today to look at the body of a man, she declared the body to be that of her husband. His sister joined in the identification, and the body was removed to Oakland to be prepared for burial, while the lodge to which Rhodes belongs expressed his readiness to foot the bill.

Two Police Department detectives, who knew Rhodes, were skeptical as to the identification and started on a search that ended in the discovery of Rhodes at the baths.

DIXEY LOVE LETTERS, TOO

Will Follow Lillian Russell and Publish Warm Epistles.

NEW YORK, Feb. 8.—(Special.)—Henry E. Dixey, who is still known as "Adonis" Dixey, says he has "love letters to burn" and will publish a book of these epistles. From the time of his appearance in "Adonis" a quarter of a century ago, Dixey has preserved the most interesting of the numerous missives sent him by admiring women in scores of cities and towns where he played. These now fill several trunks.

His volume is to bear the title "Unsollected MSS.," which was suggested by his friend, Oliver Herford. The idea of publishing the choicest of these letters was formed, Dixey said today, when Lillian Russell stated her purpose to print a book of love letters she had saved. He explains that he wishes to show the weakness for writing letters of this character is not confined to men.

MITCHELL FINE UP AGAIN

Government Appeal in Land-Fraud Case Heard at Bay City.

SAN FRANCISCO, Feb. 8.—Contesting the attitude of the defendant that a fine imposed against a man should not be enforced against his estate if he should die before collection were made, the Government attorneys appeared before the United States Circuit Court of Appeals today to argue the appeal filed by the Government against David M. Dunne, administrator of the estate of the late John H. Mitchell, formerly United States Senator from Oregon, who was convicted of land frauds and sentenced to pay a fine. The Circuit Court of Oregon held that the object of the fine had been removed by the death of Mitchell, and the Government appealed the case.

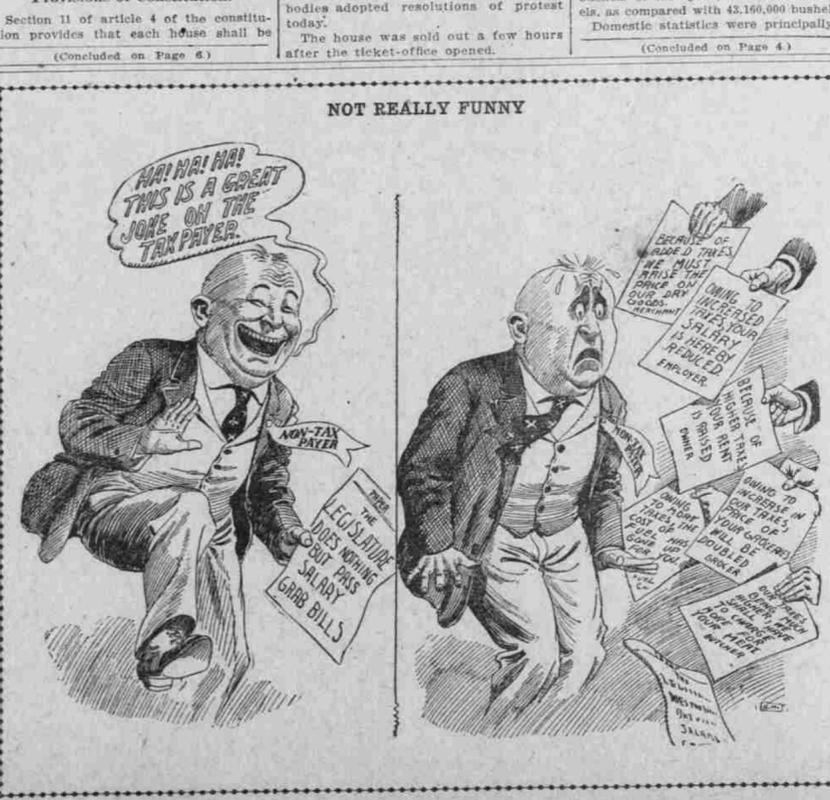
"SALOME" IS NOT WANTED

Philadelphia Preachers Protest, but All Seats Are Sold.

PHILADELPHIA, Feb. 8.—The forthcoming production of "Salome," at Oscar Hammerstein's Philadelphia Opera-House Thursday night, with Miss Mary Garden in the title role, has aroused the opposition of the clergy of Philadelphia. Several of the ministerial bodies adopted resolutions of protest today.

The house was sold out a few hours after the ticket-office opened.

NOT REALLY FUNNY



MAY WHEAT HITS NEW HIGH RECORD

Quotation at Close Is Above \$1.11 Bushel.

HEAVY SALES STOP SOARING

Record Price for Day Is Made When \$1.11 3-4 Reached.

HEAVY FOREIGN DEMAND

Leading Owners Sell Heavily to Stop Advances and Call on Friends to Follow Suit—Market Closes Steady.

CHICAGO, Feb. 8.—(Special.)—May wheat displayed a runaway tendency today and made a new high record.

The market opened with unusual excitement in the pit and early displayed such restive features that the leading owners not only sold heavily to check the advance, but advised all their followers to do likewise. This advice was followed so promptly that the position at the close showed the reverse of the early tendency. May closing with a gain of 3/4 cent, while other months gained 1/2 to 3/4 cents, as compared with Saturday's finals.

The range for the day was: Opening, \$1.10 1/2; high, \$1.11 3/4; low, \$1.10 1/2; closing, \$1.11 3/4.

Feel Foreign Influence.

Higher foreign markets, despite quite an array of bearish statistics, quipped a large number of shorts in the May delivery here. Shorts in July were also disconcerted by the official forecast of a cold wave in a good portion of the winter-wheat belt last night and today. The Patten sales were variously estimated at 1,000,000 to 2,000,000 bushels, made openly through his own firm, and there was, of course, a great deal of other selling by commission houses which might or might not have been for the leading owner of May wheat.

Some of the larger local traders, notably Champlin and Pringle, put a great deal of wheat on the market early. The Logan-Bryan sales were estimated at nearly 2,000,000 bushels. A large volume of business was done at practically one price during the first half hour of the session.

Many Commission Orders.

Commission houses evidently had large resting orders to buy and sell May wheat at 1 1/4. There was considerable miscellaneous buying of July wheat, principally for local account, and generally a larger volume of business. The latter, however, continued largely professional in character.

World's shipments of wheat last week were much larger than expected, and practically the same as those of a year ago at 12,948,000 bushels, as compared with 12,096,000 bushels. Larger shipments from Russia than expected were principally responsible for the overrunning of the week's total. Russian shipments were three times as large as those of the corresponding week last year, at 1,650,000 bushels, as against 536,000 bushels. Supplies on ocean passages made another remarkable increase—5,154,000 bushels—last week, thus bringing the total supplies afloat up to within 4,000,000 bushels of last year, or 39,064,000 bushels, as compared with 43,160,000 bushels. Domestic statistics were principally as

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PRESIDENT WRITES OF UNSTRUCK BLOW

SAYS RIDING STORY NOT WORTH DENIAL.

In Letter to Mrs. Rhoades, Executive Pays Respects to "Mall-cious Mischief-Makers."

LOS ANGELES, Feb. 8.—Mrs. A. W. Rhoades, of this city, whose daughter was mentioned in the Washington story which was widely circulated to the effect that President Roosevelt had struck the young lady's horse while riding past her on the road, has received the following letter from the President on the subject:

"My Dear Mrs. Rhoades—I thank you for your letter of the 29th ultimo and am glad to hear from you that your daughter denied the story that I struck her horse. Of course I never struck her horse or any other lady's horse. The whole story was so absurd as not to be worth denial. Numerous stories of this kind are started from time to time by foolish or malicious people. Occasionally I am obliged to deny them, but as a rule I find it best simply to ignore them, because denying them calls attention to them and gives a chance to mischief-makers to mislead well-meaning people by further repetitions of the stories. Sincerely yours, "THEODORE ROOSEVELT."

REDUCE PHEASANT SEASON

Hunters Allowed to Kill but Five Birds a Day for One Month.

STATE CAPITOL, Salem, Feb. 8.—(Special.)—As amended by the joint committee on game, the season for hunting pheasants has been shortened to one month—October 15 to November 15. The limit has been reduced from ten to five birds a day. One concession was made to the sportsmen in that hunting with dogs will continue to be allowed.

The season for duck-hunting on the Columbia River has been fixed from September 15 to January 15. This was a compromise by the committee to satisfy the conflicting interests that appeared before it. The limit will remain at 50 ducks, but the sale of this game will not be permitted in the market.

The committee tonight completed its examination of the revised game laws as compiled by Secretary Eberhard, of the Oregon Fish and Game Association, and with a few slight amendments will report the original draft back to the House favorably tomorrow.

W. L. Finley, representing the Audubon Society, succeeded in having the open season for ducks shortened 15 days.

HOME RULE FOR FILIPINOS

Petition to Abolish Commission and Substitute Elective Senate.

MANILA, Feb. 8.—A group of Philippine Assemblymen, headed by Felipe Agoncillo, has prepared a resolution for presentation to the Assembly, directing the three delegates sent to Washington from the Islands when the present Congress convened, to keep in touch with matters at the capital bearing on the Philippines, to petition Congress to abolish the Philippine Insular Commission and substitute therefor an elective Filipino Senate, composed of 20 members.

It is proposed by the framers of the measure to ask members of the Insular Commission to join in the petition, and should they refuse to do so, to send it to Washington as an Assembly resolution.

The local American press does not regard the matter seriously.

RULES ON TOURIST RATES

Commission Says Railroads Cannot Exchange for Tickets Unused.

CHICAGO, Feb. 8.—(Special.)—The Interstate Commerce Commission has decided that it is illegal for any road to take up the return portion of a tourist ticket, the limits of which have expired, and issue to the holder therefor a ticket at nine months' tourist rates, charging the difference between the two classes of tickets on account of the transaction.

In such case the holder of the unused portion should be required to pay the regular one-way rate for his return trip and then make a rebate claim for the unused portion of the round-trip ticket. The road reporting to the former method of squaring with the holder of the ticket has no right to require the connecting roads to make settlement on the original basis of divisions, but should be required to accept divisions on a regular one-way rate basis.

KING MENELIK IS NOT ILL

Ruler of Abyssinia Riding Auto, Not Taking Medicine.

ADDIS-ABEBA, Abyssinia, Feb. 8.—The local representative of the Reuters Telegram Company has been officially requested to deny the report in circulation recently of the serious illness of King Menelik. The King is now absent on an automobile tour.

RECALL PETITION SIGNED

Los Angeles Will Have Election on Harper's Successor.

LOS ANGELES, Feb. 8.—The canvass for names for the recall petition against Mayor Harper has been closed. The Municipal League has more than enough names to compel the City Council under the charter, to call a new election for the office of Mayor.

LEMP IS TUTOR IN VICE, SAYS WIFE

Smoking Taught Her by Millionaire.

HE BEAT AND SWORE AT HER

Photographs Show Her Smoking and Drinking Beer.

QUARREL ABOUT RELIGION

Wife of Millionaire Brewer Has a Long Story of Abuse to Relate in Divorce Trial—Threatened With Revolver.

ST. LOUIS, Mo., Feb. 8.—(Special.)—On the witness stand this afternoon at the trial of her suit for divorce against William J. Lemp, Jr., the millionaire St. Louis brewer, Mrs. Lillian Handlan Lemp, known as the Lavender Lady, identified as true a picture which showed her smoking a cigarette. The picture was taken before her marriage and was introduced as exhibit No. 1 for the defense. In connection with the introduction of a photograph, exhibit No. 2, showing her holding a goblet in her hand, she said she drank beer, but never whisky.

Objections to these photographs on the ground that they were taken in fun before her marriage were overruled by the court. Then she testified that she was first taught to smoke cigarettes and drink beer by her husband.

Wrote Decoy Letter.

The letter beginning "My Dear Pal," in which she expresses love for some one else and great antipathy to her husband, she said, was written with a view to trapping her husband in going through her private papers. It contains this sentence: "He is going hunting next week, and I wish to heaven he never would return."

On cross-examination in the afternoon Mrs. Lemp testified she was not permitted to read either of two antipathical contracts which she signed, regarding the religion training of the children. Although at the morning she testified her husband contributed nothing to her support after their separation, she acknowledged that he had sent a check for \$300 to her attorneys monthly. This (Concluded on Page 4.)

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