

GOVERNOR GEER HAS DECLINED

To Issue Call for a Special Session of the Legislature, Believing There Is No Urgent Need For It at This Time.

To Bring Up Lewis and Clark Appropriation at Present Means Defeat—No Absolute Necessity of Portland Charter—Initiative and Referendum Already in Operation—Flat Salary Question Not Urgent—No "Extraordinary Occasion" Exists.

(From Wednesday's Daily.)

After two weeks' deliberation and careful consideration of the numerous petitions presented to him and the weighing of all of the issues urged upon him, as being of sufficient importance to warrant the calling of the legislature together to enact special legislation, Governor Geer, at 11 o'clock yesterday morning, announced to the public that he would decline to call an extra session of the legislature, assigning, as his reason, after entering into a detailed review of all of the questions involved, that he does not conceive of the existence of an "extraordinary occasion."

In reviewing the four specified reasons for calling a special session—the Lewis and Clark Fair, Flat Salary Law, Charter of Portland and the Initiative and Referendum—Governor Geer states that, in his opinion, to call an extra session to make an appropriation for the Lewis and Clark Fair would, at this time, be at the risk of defeating the measure; that the adoption of a new charter for Portland is not absolutely essential to that city's immediate relief, but it would be cheaper to enact a special tax levy law for Portland than to call an extra session; the Initiative and Referendum amendment to the Constitution was operative without legislation, and that the passing of the "flat salary law" was in the hands of the members of the legislature all of whom were elected upon platforms containing that plank as an issue. He does not feel constrained to think that legislation during the regular session will be complicated with the senatorial contest in that the legislature enacted a law which placed the election of a Senator primarily in the hands of the people. Governor Geer's letter, setting forth his reasons for declining to call a special session, is given therein in full:

When the Governor of a state has been asked to call an extra session of the legislature, and decides to deny the request, it is but fair that he should inform the public of his reasons, although it is not particularly his duty. I have been requested by the Taxpayers' League and the city officials of Portland, as well as some other citizens, to convene the legislature in extraordinary session for reasons, some of which are purely local to the city of Portland, and for others, which, if valid, would be of importance to the state at large.

Four reasons have been urged for calling a special session, to-wit: To provide state assistance for the Lewis and Clark Fair; to enact a law providing specific salaries for state officers; to formally pass the city charter of Portland which was adopted by the people of that city last June, and to make provision for the enforcement of the Initiative and Referendum Amendment to the State Constitution.

Lewis and Clark Fair.
The proposed Lewis and Clark Fair has no warmer friend and supporter anywhere than I am. A liberal appropriation for its support should be made by the legislature. Its benefits will be felt by the remotest settler in the most distant county, and the honor he is the greater will be the benefit to him in proportion to the part of its expenses he will be called upon to bear. But he belongs to that class of our people who look with the least favor upon the proposition at this time and would have as much to say about it under the referendum feature of our Constitution as the most enthusiastic Director of the Exposition.

This will be the largest single appropriation to be made by the legislature, and will be the one most likely to be subjected to the operation of the referendum. The demand for the referendum has grown up from the desire of the people to vote upon large appropriations. I trust that it will not be invoked upon this one, but from what I know of the temper of the people, I am convinced that to even seem to guarantee an exemption of the Fair appropriation from its operation, will require a campaign of education, not only among the people, but among their representatives as well. Three months ago the proposition to appropriate \$500,000 would have been overwhelmingly defeated if submitted to a vote of the people, but the opposition is evidently rapidly disappearing. Many members of the legislature would now vote for it, no doubt, who would not have done so three months ago.

To force this question upon the legislature at this time would be at the risk of defeating a measure that has unquestionable merit, and that more time employed in the discussion of which and its importance to the state will certainly result in its popular approval. I may be pardoned, I hope, for stating that perhaps I am more familiar with the feeling of the people over the state on this question than is possible for those living in Multnomah county, where everybody is in favor of the Fair and enthusiastic in its support. While this is a most important matter to the state, it will require some "engineering" and time to insure its success. It is an instance where too much haste will surely result in an unnecessary, and perhaps, a fatal delay.

And it is not necessary to run this risk for any reason yet urged. We want help from neighboring states, and it is necessary that they know in advance what we intend to do, but, fortunately, our legislature is the only one. I am sure, of those from whom we expect assistance, whose regular sessions are limited to forty days. If there is that sentiment in favor of a liberal appropriation which alone would guar-

antee it from the unfavorable action of the people afterward, it will so far find expression among the members of the legislature, that it can easily be made a law during the first two weeks, at least, of the session. But even if for any reason, which is not at all likely, it should not be enacted until the last day of the regular session, the other states will yet have from two to three weeks in which to pass their appropriations, which would be ample time. A proper spirit shown by the legislature will insure its passage before the first of February, which would give adjoining states at least six weeks to act in the matter. More time than this would be likely to be a hindrance as a help.

So far as Congress is concerned, we had better take more time and make a proper presentation to the National Legislature than to make an unsatisfactory one earlier.

At its meeting to consider matters of legislation, the Multnomah delegation had a proper conception of existing conditions when it resolved that it is not expedient at this time to openly declare in favor of \$500,000 "inasmuch as it would incite hostility which delay might obviate." That it rescinded the resolution afterwards does not change the fact which was recognized, and to which I have referred. It was a diplomatic as well as patriotic to take a different course in Multnomah county as a duty in a campaign of education.

To force this matter upon the legislature at this time would simply crystallize the opposition to it which two months' time will surely dissipate.

The Portland Charter.
If the affairs of the City of Portland are in as deplorable a condition as seems to have developed during the past three weeks and if they are growing more so rapidly, as the daily representations appear to indicate, it is, indeed, a regrettable circumstance. Every loyal citizen of Oregon is proud of the history, possibilities and future of Portland, but while it does not seem possible for one of the very wealthiest cities of the United States for its population to be really in a condition as bad as represented in this respect, yet, if it be true, while it does certainly represent an "extraordinary" situation for the city, it does not for the state. The impression was sent out, day by day, that all the bridges in the city are absolutely unsafe, and that although it is one of the most prosperous and pushing cities in the United States, and with millions of life dollars in its midst, its business is liable to come to a standstill unless the legislature comes to its aid with special legislation at once. Under the circumstances, it seems so unlikely that it is probably more of a scare than a reality.

If the bridges and streets of Portland are in such a state of collapse now, it should have been at least partially known so short a time as three months ago, when many people were daily informing the people of Oregon that the need of a special session nowhere existed save in the mind of the Governor. Bridges that are falling in every day certainly were showing some signs of disintegration three months ago. May it not be hoped that it is not necessary to call a special session for this reason? If the Multnomah delegation should ask it, there can be no obstacle in securing the approval of the new charter within forty-eight hours after the organization of the legislature.

Referring to the tax levy for Portland, authority to levy a special tax can be secured from the legislature without opposition. A similar law was passed two years ago, and this method will be much cheaper than an extra session of the legislature.

Fully recognizing the importance of the welfare of the City of Portland and its good citizens, the fact remains that, in accord with the foregoing observations, is the following statement in the petition of the Taxpayers' League: "While in a measure local, yet the question of the government and conduct of the City of Portland is of general interest, and while we would not petition you to call a special session for this purpose solely, no matter how important it might be to the citizens of this city, yet we feel that if a special session is called, the consideration of the proposed charter of the City of Portland should be one of the objects named in the call."

I accord with the idea expressed in this statement, exactly.

The Referendum Amendment.
Everybody agrees that the Referendum Amendment to the Constitution of the state is now, and has been, since its adoption, a part of that instrument. Its last paragraph provides how any proposed law may be submitted to the people without any legislation, and nothing could be plainer. The Constitution is above any legislature, and this amendment provides that the method employed in its own submission shall be employed in submitting any other matter to a referendum of the people. No difficulty was encountered in submitting the amendment, as there was no room for any. Besides, since the amendment is now a part of the Constitution, any required legislation that might be deemed necessary, if passed at any time during the regular session, even on the last day, would apply to any law passed at any time during the session.

There is no more need for calling a special session of the legislature to give the people the right to use the referendum amendment than there is for convening Congress in extraordinary session to re-enact the Missouri Compromise.

Flat Salaries.
Since the proposition to place all state officers on specific salaries was endorsed by all parties in the last cam-

aign, it is assumed that every member of the legislature will favor such a measure. If they do not favor it during the regular session, it will be their fault and not mine. To accomplish this much-needed reform, no reference was made in any platform, by any candidate, or speaker, or newspaper, to a special session of the legislature, until after the election. To leave this work to the regular session involves the violation of no promise made by anybody.

Besides, there are only two state officers whose salaries are not flat—some of them, probably, too flat. The entire compensation of the Governor is specifically fixed by law, already fixed by the legislature. The only exceptions are the Secretary of State and the State Printer. The former can be overhauled, if thought necessary, during the regular session, and done easily. In fact, so much has been said about the necessity of doing so many important things at a special session, that one wonders what the regular session is going to be held for.

To be sure, the compensation of the State Printer cannot be changed at the regular session, but this is the one single exception. This fact is to be regretted, but, as has been shown by Senator Daly, his compensation can be reduced to a reasonable one, or nearly so, by sending less business to his office. His emoluments are not so enormously large by reason of excessive rates allowed, as on account of the custom of the legislature in having twice as much printing done as is necessary.

In my last message to the legislature, I called the special attention of that body to this matter, and after pointing out specific instances where saving could be made and where extravagances in the past had been indulged, I used this language:

"In addition to this it may be said that the present cost of all state printing is believed to be far above what it should be, and since the term of the present State Printer, who has made a most excellent offer, will have expired before the printing for the next session of the legislature will become necessary, this is the proper time to revise the fees for future state printing. This is an important matter, and should, under no circumstances be overlooked, especially since the constitution provides that the rates fixed for state printing shall neither be increased nor diminished during the term for which a state printer shall have been elected."

Like many other good recommendations made, this one was overlooked or neglected, and I do not now feel disposed to call a special session to do what I earnestly requested to have done then.

The constitution says the Governor "may" on "extraordinary occasions" convene the Legislative Assembly for specific purposes to be named by proclamation. Surely no one will contend that it is an extraordinary occasion to find the State Printer drawing the same compensation that has been his by law for the past twenty years.

The Senatorial Question.
Practically every advocate of the special session has expressed a lack of confidence in the regular session on account of an alleged danger of complicating desired legislation with a supposed senatorial fight. In the past, unfortunately, such complications have arisen frequently, but learning from experience, and purposely to avoid their repetition, the legislature enacted a law placing the matter of the election of a Senator primarily in the hands of the people, where it belongs. Under this law, the people have expressed themselves fully and fairly, and even overwhelmingly, so whatever excuse, if any, has existed in the past, for complicating legislation with senatorial elections, has been absolutely removed, and to assume that the members of the incoming legislature will permit the entanglement of legislation with the senatorial election, would be a direct accusation of intentional disregard of the expressed will of their constituents.

To call a special session of the legislature for the expressed fear that the members in January intend to violate the instructions of the people in every county in the state, save only three, would be creditable neither to that body nor to myself, for, since the people have spoken on the senatorial question, to assert that there is danger of complicating it with legislation in January would not only be treating the people without consideration, but would be to impeach in advance, the representative character of as many members as might engage in it.

Besides, a member whose county has already voted for some man for Senator, and, perhaps, as in many cases, by a far larger majority than for the member himself, and who would ignore the will of the people at the regular session, would find no restraining environments at a special session which would prevent his making December contracts for January delivery.

The legislature should, on the first ballot, promptly settle the senatorial question by complying with the people's expression at the ballot box, for how far to not do so might reach into the future no man can tell. Since the people are to be reckoned with hereafter, they should be listened to at present.

Believing, therefore, that the legislature, as a whole has no thought of disobeying the instructions received from the people, I have considered the advisability of calling a special session, entirely disassociated from the senatorial question.

After weighing carefully every reason urged for and against a special session, and fully realizing that, after all, the responsibility for the results rests, not so much on those who ask for the call, nor yet upon the members themselves, as upon the Governor, who must decide, and fully believing that the needs of the state can wait until the regular session, I am impelled to so decide.

We have too much legislation as it is, far too much. We have, even in our forty days' session, too many bills introduced, too many passed and too many clerks to handle them. From 95 to 99, for full four years, save only three months, we had no legislation whatever, and in looking backward, it would be difficult to name a single interest that suffered in any manner, in consequence, save the cost to the state, of interest on deferred payments.

I have the utmost respect for the distinguished gentlemen who have asked for an extra session, but with the regular session now only sixty days distant, the reasons for immediate action are necessarily fewer and less urgent than sixty days ago. If a regular session had just adjourned and left many important matters undrilled, the situation would be dif-

ferent but with domestic tranquility prevailing everywhere and with good health and plenty abounding, it would be difficult to establish the existence of an "extraordinary occasion."

TRAGEDY IN LONDON

YOUNG WOMAN MURDERS PROMINENT MAN—STABBED HIM AFTER A QUARREL.

NEW YORK, Nov. 11.—A sensational love tragedy has been enacted in this city in full view of hundreds of people, cables the London correspondent of the Herald. A young woman named Kitty Byron, stabbed to death her lover, Arthur Reginald Baker, a well known member of the Stock Exchange. Before the woman could move she was seized by several witnesses of the deed and given into custody.

The crime took place just outside the Lombard Street postoffice. Shortly after 2 o'clock a young woman of attractive appearance, with slight figure, dark eye-brows, black hair and handsome features, went into the postoffice and sent an express letter to the Stock Exchange. She waited a few minutes, when she was joined by Mr. Baker, to whom the letter had been addressed. For several minutes the couple engaged in conversation near the counter. Then their voices rose, and the clerks noticed that they were quarreling.

Finally the man turned toward the street with a gesture intimating that he wished to end the interview. He passed through the door. The woman followed, nervously handling her muff, and dealt the man a terrible blow in the back. As he half staggered and then partially turned around, with one foot on the lower step, the woman withdrew the weapon and struck again, this time plunging it into his left breast. The man gasped and fell heavily forward. His head struck the stone pavement. Two clerks seized the woman, who was leaning over the prostrate form as though preparing to strike a third blow. Mr. Baker died on the way to the hospital.

The young woman was taken to the police court, where she gave her name as Kitty Byron, aged 23, but refused to say anything further.

Baker's wife lately instituted divorce proceedings.

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DETERMINED TO DIE

FOUGHT POLICEMEN AND SURGEONS FOR HOUR—EIGHT WAS SUCCESSFUL.

CHICAGO, Nov. 11.—Tearing out the wounds which he had inflicted a few hours before with suicidal intent, Detective Edward Niland, of the South Englewood police station, died last night at Englewood Hospital. In the morning Niland, in the presence of his sister, cut his throat, and when taken to the hospital declared that he would not leave that institution alive. He fought those at his bedside for nearly an hour, resisting the efforts of two policemen and two physicians to keep him quiet. Finally his right hand was freed and in another instant the wound in his neck was opened. Every effort was made to save his life, but without effect.

Niland has been despondent for several weeks, provoked, it is said, by sickness and repeated transfers in the police department.

FLOODS CATCH SHEEP

FLOCK OF 2,800 DROWNED—DAMAGE AGGREGATES ABOUT \$35,000.

COLUSA, Cal., Nov. 11.—J. Frates, of Tehama county, lost a flock of sheep numbering 2,800 by drowning this morning near Princeton. The herders failed to notice the water was rising rapidly until evening, then they got the sheep together, but the sheep refused to drive on account of the darkness and the water. The herders had to desert the sheep and flee from the rapidly rising water, and the whole flock was drowned. The flock was valued at \$10,000. Another flock of 1,500 is surrounded by water. There are fears that this flock also will be lost. Farmers on the east side lost \$25,000 worth of Egyptian corn by the water.

SECURED DAMAGES

FROM IRISH LEADERS FOR INJURY TO HIS BUSINESS BY BOYCOTT.

DUBLIN, Nov. 12.—David O'Keefe, a shopkeeper of Tatlow, County Waterford, has obtained a verdict of \$2,500 against the local leaders of the United Irish League whom he sued for damages because of injury to his business resulting from their inciting to boycott.

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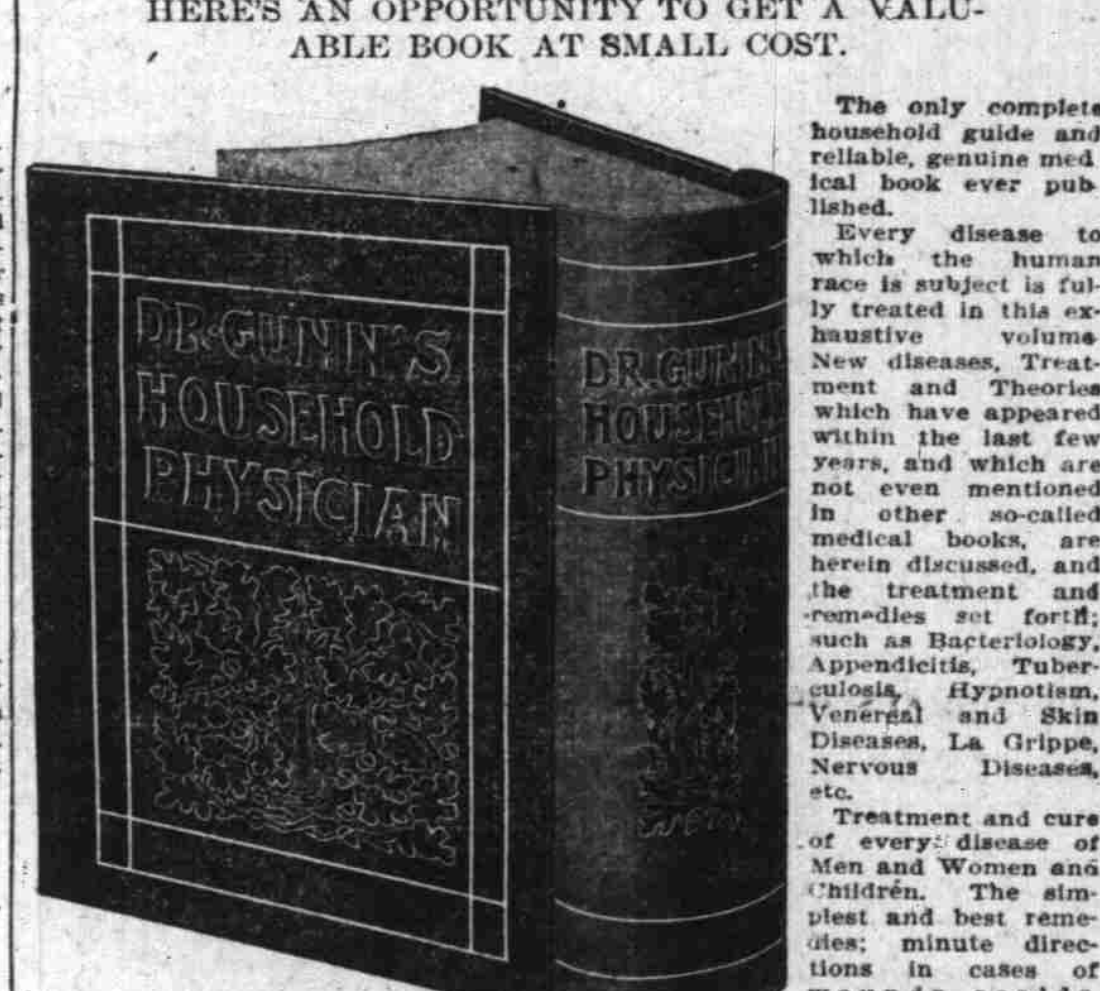
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