President Writes Gov Gillett Regarding Anti-Japanese Legislation by California Legislature.

SECY, ROOT DEFINES THE LAW

Federal Government Would Emphatscally Object to Some of the Proposed Laws.

Sacramento, Cot., Jan. 31. - The totlers ing is a copy of President Rooms relt's letter to Gov. Gillett, received to lay, regarding the anti-Japanese legisation new pending in the legislature

PRESIDENT'S LETTER. The White House, Washington, D. C.

"My Dear Governor-Prior to receiv

ing your letter and accommonsing copes of bills you had sent identical tele answered as fellows:

answered as fellows:

"Jan. 25, 199.

"Hon, J. N. Gillett, Covernor of Calibiornia, Sacramento, Cal.—1 see no objection to the passage of a law which frents all allens alike in acquiring and transferring real property. To avoid sontlet with the Constitution of the United States, however, such attains thould contain an expressed provision excepting from its operation any rights secured by trenty between the United States and foreign nations. He defends of the supreme court of the United States in the cases of Chicae visual States in the cases of Chicae visual states. ad States in the cases of Chirac ve. Taleac, Hughes vs. Bawards, Hasen-stein vs. Lenham, Geoffrey vs. Higgs and a long time of similar decisions by the supreme court, "griller ROOT."

I have now received your letter and the copies of the bills. The secretary of state has submitted to me the folloc-ing memorandum, which has my co-

"Memorandum for the president on bills in California terislature relat-ing, or supposed to relate, to Japa-

"I have been able only to make a very cursory examination of there bills and can only give you first impression. It is quite possible that upon care al sideration other ideas might present

mselves. Senate bill 71 is entitled an act to nation to which such often belongs, or by treatles with the United Stores, ex-cept as the same be infected by the provisions of this act or the constitu-tion of the state. This inverts the or-der of authority. It is actiled beyond any possibility of doubt or question by repeated decisions of the supreme court of the United States that a treaty made in pursuance of the Constitution is conin pursuance of the Constitution is con-trolling as against inconsistent pro-visions of either the statutes or the constitution of any etate.

CONSTITUTIONAL PROVISION. "That is the expressed provision of the Constitution of the United States under which the state of California was admitted to the Union. The treaties between the United States and a con-siderable number of foreign nation-have reciprocal provisions for reciprocal tents of allows as to building the contract. rights of aliens as to boiling real and personal property. It is perfectly well settled that the making of such rea-procal provisions is within the treaty-making power, and instead of aliens having in the state of California such having in the state of California such rights as no accorded to them by they treaties except as they may be affected by the provisions of the act or of the constitution of California, the precise reverse is necessarily true. The provise statement would be that their rights are prescribed and limited in the retexcept as they are conferred and declared by the treaty. This general statement is true of all aliens, the pitizens or subjects of nations which have such treaties as I have described with the United States.

NYAVE HALM ALVANA

WAGAL HTTW YTARRY

"In the particular case of Japan, the second article of the treaty of Nov. 22, 1894, provides that the citizens of each 1894, provides that the citizens of each in the other confutry inay trade in any part of the territories of the other, by wholesale or retail, in all kinds of produce, manufactures and merchandles of lawful commerce, either in person or by arents, singly or in partnership with foreigners or nutive citizens or subjects; and they may leave or hire and occupy houses, manufactories, warshouses, shapes and premises which may be necessary for them and leave hand for residential and commercial purposes, conforming themselves to the laws police and outsions regulations of the country like native citizens or subthe country like native citizens or sub-

The wy opinion, this provision is imited to owning and inling hands and the structures thereon for residential and commercial purposes, including within commercial purposes noth manufacture and trade. To the extent that these rights go, that is to any as to residential and commercial purposes, it is not competent for the legislature of Culifornia to change in any way the providings of the treaty or to impose any limitations inconsistent therewith. To the extent of avoing or hiring hand for agricultural purposes, so for as Japan is concerned, it is resury competent for the state of Culifornia to chart its own laws, and it is gratifying to chartly that it is the purpose of this bill to make those laws general as to allens.

allens. "Assembly bill 78, contined, 'An act to regulate ownership or possession of hinds by silent.' The observations which I have made rejarding assembly bill 71 apply in substance to this soi, As learing upon both acts, I transmit herewith a cury of the bilographic correspondence had believed the governor of California and mysoif, causisting of a telegrout from the governor dated Salurchy last, and my reply of

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By Simply Eating a Little Pleasant Tablet After Each of Them.

A TABLET DIGESTS A MEAL. ing acids and alkalies.

one. The need should attempthen juves, but on the contrary it weak-them, so that man by the very not ending muses conditions to arise ich of themselves bring him pain bloathing for the next men.

saliva and it goes into your stomach a strong, vigorous fluid, many times more powerful than the natural digestive juices. These tablets are made up from natural vegetable and fruit easences and are composed from Hy drastin Golden Seal, Lactage, Nux Ascelle Pepsin, Bismuth and Jamaica Ginger. There is the formula and one grain of it will disses 2 200 easter of on to a powerful assatance to nature to in a excellent habit to make.

Go to any druggist and ask his opinon of Stun-t's Dympepsia Tablets. We will able his answer it he he an honst man. They sell for 50 cents per
nackage. Send us your name and adliess and we will and you a trial
less and we will and you a trial dress and we will send you a trial package by small free Address F. A Steart Co., 150 Stuart Bldg., Marshall,

this morning in my reply you will perceive that I suggest the insertion of a clause in any legislation regarding the holding of lands by alters which will shve their treaty rights, and that I also refer to some of the decisions of the supreme court on the subject.

SCHOOL BOARD CASE.

Assembly bill 14, entitled, 'An act to discrimination against Japanese in schools. It was by securing the audianment of this discrimination on part of the San Francisco school board that the national government was agreement or arrangement with Japan under which the two countries are now

sent is the adoption by Japan of a cries of strict and effective regulations termined upon after full consultation of discussion with the government of a United States, preventing the issue passeports for the United States to passes laborers. At the same time a president, in the exercise of power could be conferred to the conferred to t reveriment. If this till were to be passed that arrangement with the Japa-nese government would necessarily come to an immediate end. The people of the present arrangement through which Japanese are now being excluded plus such legislation as this, but whether they will substitute that legislation for the exclusion of Japanese laborers.

"I have no doubt that what the people of California would sacrifice by the enactment of this act would, considering their own interests alone, he of far greater value and importance than the legislation itself. The exclusion of Asiatic laborers through the co-operation of their own government has, in the case of China, proved to be far more successful and satisfactory than would the exclusion without the aid of the government by the simple enforcement of a statute on this side of the not the queston whether they will have

passed by Congress would be so effi-cient as the present arrangement, and it would be accompanied inevitably by ill-feeling and resentment, the conse-quence of which would be of the most serious character. I may observe that the experience of the San Francisco school board was that there was no occasion whatever for any such legislation for that regulation which they adopted as ulation, as I am informed by them, proved entirely satisfactory and effective to accomplish all that they wished to accomplish by the discriminatory

"Viewing in a larger aspect the relations of California to the rest of the Union. It is difficult to find words strong enough to characterize the ylolation of patriotic duty which would be loveled in a causeless and objectless enactment constituting a serious afficult to a friendly nation and certain to pluage the entire Union into the domitral conditions of unnity to a great and bitherto most tricodly powers which is our neighbor spen the Paulific.

To this memorandum I have but this

To this memorandum I have but this o add. The United States government has no objection to the enactment of law in Chilfornia as regards the chilts of allens to hold real enters, proave been passed in other states. Many metals in countries, including Japan Itself, have similar laws.

WOULD OBJECT. But for the reasons set forth in Mr. Rhat's tremoratidite, the fatoral government would most emphatically object to the passage of the proposed school legislation, and would also obsect to teglication, and traine also obect to teglication such as the newsspors describe as having been prospors to fure the Januaries to Hvz in
eparate residential quarters.

I mean ournessly frust that, for the
Description and forth to Mr. Rootly impropridates and for the resource art forth to

Hon. J. N. Gillett, Governor of Call rounia, Sacramenta, Cal.

Prof. T. J. J. See of the U.S. Observatory at Mare Island. Propounds a New Theory.

MAY SUPPLANT LA PLACE'S

So Author Believes-Prof Max Jacobs Of Columbia University Does Not Agree With Him.

century he had at length completely solved the problem of the origin of the solar system, Prof. T. J. J. Sec. Units ed States navy, the officer in charge of the observatory at Mare Island. gave tongtht to the Astronomical Society of the Pacific the first puls lic announcement of a new nebular hy-pothesis, which he believes is destined to permanently supplient that of La-place promulgated at Paris in 1786. The substance of Prof. See's theory of the formation of the solar system is no follows: a

He deales that the planets were ever detached from the sun when that globe was expanded into a nebula filling the

was expanded into a nebula filling the planetary crolts, and submiles mater matical calculations to show that all these masses have been captured. Originally the system was a spiral rebula of much larger dimensions than at present, formed by the hutomatic colling up under mutual gravitation of two or more streams of cosmical dust which met in such a way as to or some which met in such a way as to produce a whirling motion about a conter of vortex. As the nabula coded up on der its own gravitation the sorals were gradually drawn neaper together, and all the nuclei formed in these coils revolved in eliptical paths of large eccentricity. These original nuclei in the coiling streams were the beginning of the planets, which became larger by gathering up more cosmical dust, while at the same time toeir orbits were reduced in size and rounded up under secular hetion of the resisting medium against which these bodies revolved. The resisting medium

sisting medium against which these bodies revolved. The resisting medium is the true secret of the roundness of the orbits of the planets and extellites. The nearly perfect circularity of there or the meanity perfect circularity of there or the greatest mathematicians.

This nebulous resistance has greatly diminished the size and eccentricity of the original orbits, so that our solar system was in the beginning much larger than it is known to be today, But as Neptune's orbit is almost an exact circle. Prof. See feels confident, and so announced to the society tought, that there still exist several unknown planets of considerable sign above Neptune, some of which may yet be discovered. "It Neptune were the outermost planet," he said, "the orbit would not be so round, for this circularity of the arbit indicates that Neptune revolved for a long time against sreal resistance, and therefore the nebula at that distance was dense enough to have afforded matter for swetch of the most powerful telescope, we have as yet by no means reached the outer limits of the solar system."

PROF. JACOBY DISSENTS.

New York, Feb. 1.-Prof. Max Jagreater value and importance than the legislation itself. The exclusion of Asiatic laborers through the co-operation of their own government has, in the case of China, proved to be far more successful and safisfactory than would the exclusion without the aid of the government by the simple enforcement of a statute on this side of the Pacific.

"The same would inevitably be the case with Japar No exclusion act to the origin of planets, thinks that it is necessary to take something for granted to form a working basis. for granted to form a working basis.
As to Prof. See's declaration that Nantune is not the outermost planet, he says that there is nothing new in this

Neptune was discovered only in the Neptune was discovered only in the last half contary. The breunlayly of Neptune has called attention to the probabilities of planets beyond that. All this fits into the accepted theory

WORN OUT

That's the way you feel about the large when you have a backing cough. It's foolishness to let it go on and trust to luck to not over it, when and trust to luck to not over it, when Ballard's Herehound Syrup will stop the cough and head the lungs.

Price, 26, 26 and \$1.66 per bottle Sold by Z. C. M. I Drug Stare, 112 and 114 South Main St.

WILL TRY VACCINATION TO PREVENT TYPHOID

Washington, Jan. H.—Immunization against typhoni in army camps by vaccination is to be undertaken by the military authorities. The whole matexamples to show the soldier the advantage of availing bioself of such a simple way of escaping one of the worst and most dreaded of army camp

diseases.
Included in the physicians board

Included in the physicians' mard making the recommendations were footors Victor Yanghan of Anh Arbor, William F. Councilman of Hoston, John H. Musser of Philadelphia, Alexander Limbert of New York Simon Flexner of New York and William S. Thayer of Igaltimore.

A summary of the beard's conclusion made public today points out the well known fact that both during the civil and Spanish-American ways typhoid fever prevailed to a great extent among the troops. In the last few years 1,500 man have been treated this way, with excellent offset

AVALANCHE AT ROMARA.

Cents, Morocco, Jan. 31.—Accounts a e recent ayabirche at Homara say come during the night and was preeded by loud subterrement noises which threw the inhabitants into panis, sudder and terrible shock occurred and huge rooks swept down, com-bibly burning the cilings. Kuns of he several hundred inhabitants had

ACCIDENTALLY KILLED WOMAN. Chicugo, Jan. 21.—George Rosse, brother of Fred A. Busse, mayor of Chicago, tonight accidentally shot and follow face. The kerman, 22 years old, with of a feult dealer at Million, N. Y.

WIFE DROPPED DEAD.

While Summoning Aid Husband Died. Of Heart Failure.

St. Lauts, Mrs., Peb. 1.—White sum-monting sid for his wife who had dropped dead in the street from heart fullure had night, Schustian Stall 87

Taking Lydia E. Pinkham's

was good, and since taking it I feel so much better that I can do all my work again. I think

can do all my work
again. I think
Lydla E. Pinkham's
Vegetable Compound a fine remedy
for all woman's
troubles, and I
never forget to tell

my friends what it has done for m

Mrs. E. HANSON, 304 East Long St.,

Another Woman Helped.

Graniteville, Vt. — I was passing through the Change of Life and suffered from nervousness and other annoying symptoms. Lydia E. Pinkham's Vegetable Compound restored my health and

atrength, and proved worth mountains of gold to me. For the sake of other suffering women I am willing you should publish my letter."—Mrs. CHARLES BARGLAY, R.F.D., Granite-ville, Vt.

Women who are passing through this critical period or who are suffering from any of those distressing ills peculiar to their sex should not lose sight

of the fact that for thirty years Lydia
E. Pinkham's Vegetable Compound,
which is made from roots and herbs,
has been the standard remedy for
female ills. In almost every community you will find women who have
been restored to health by Lydia E.

venue old, died boulde the body of his

years old, died bende the body of his helpmute of 50 years. Mrs. Schastian Stoil, 65 years old, was on her way home from church with her husband, when she exiral. Her husband, believing she in hunted but gone to a nearby house and obtained assistance, when he fell lifeless beside the sorpse of his wife. A doubte funeral will be held from their home tomorrow.

KEEP OF AUTOMOBILES.

War Department Find Them More Ex-

pensive Than Horses and Carriages.

washington, Feb. 1.—At the direction of the secretary of war a careful investigation into the cost of maintenance of automobiles owned by the war department has been made and as a result the secretary has concluded that their use entails greater expense than horses and carriages.

The is of the opinion that this expense is not justified and hereafter automobiles will not be used in Washington except where it is shown that their need is imperative and justifies the additional expense.

ARRESTED

CHINESE MARKET.

The Japanese Are Rapidly Winning

It.

on the market by other nations and because of the skillfulness of her manufactures it is the opinion of Consul-General Marlin of Harikow, that Jap

an is fast winning the Chinese market and will continue to do so by meeting the requirements of the Chinese cus-

DEFICIT FOR ARMY.

Washington, Feb. 1.—Prospects are that there will be a deficiency of \$4,-500,000 in the amount available for army pay during the fiscal year 1910. The original estimate last year as it came

from the paymaster general of the army was reduced by direction of the army was reduced by direction of the secretry of war, because it appeared there will be a lack of enlisted men. On top of this the military committee made further reductions.

MINE WORKERS RE-ELECT LEWIS

Indianapolis, Ind., Jan. 31, Prost-dent Lewis, of the United Mine Work-

CARTERS CURE SICK HEADACHE.

CARTER'S Positively cured by these Little Pills.
They also relieve Das-

regulate the Bowels. Purely Vegetable. SMALL PILL. SMALL DOSE. SMALL PRICE.

CARTERS

Genvino Most Bear

Fac-Simile Signature

Breuk Jood

tress from Dyse pais, Indigestion and Too Hearty

Eating. A perfect rem-

Drowniness, Had Taste to the Houth, Conted Tongue, Pain in the side, TORPID LIVER. Thay

Genuine Must Bear

Fac-Simile Signature

Breuktood

REFUSE SUBSTITUTES.

Petrolery October, October Date Week.

Week" all over the

United States. Are

you observing it? Eat

Quaker Oats at least

Delicious with cream.

COUGH

SOLD BY GEO. T. BRICE,

once a day.

This is "Quaker Oats

ough that has been harging on over two mentis by taking hal-sy Horengual Syrop. If you have man, don't wait-stop it at once this wonderful renedy. Splendid coughe, cold on chest, influenza, citits and primenary troubles. Price, loc and \$1.00. Sold by Z. C. M. I. & Store, H2 and H4 South Main

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Vegetable Compound

are of America, will manufer a strictly business program at tormorrow's session of the convention and
stop fillbustering as far as possible.
The tellers who tabulated the vote for
the national officers will report tonorrow. President Lewis is understood
to have been re-elected by a majority
7 18 202

A SIMPLE TRICK.

Columbus, Ohio. "I have taken Lydia E. Pinkham's Vegetable Com-Never can tell when you'll mash a finger or suffer a cut, brules, burn or scald. Be prepared. Dr. Thomas' Eclectric Oll instantly relieves the pain—quickly cures the wound. pound during change of life. My doctor told me it

THE-Charlton Shop

Women's Outfitters Exclusively. EXCLUSIVE

Tallor Made Suits, Coats, Gowns, Evening Wraps AT MODERATE PRICES

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Southern California

Is now at its best The orange blossoms are perfuming the valleys, polo and golf tournaments are being held and aquatic sports enjoyed on the samuy shore of the broad Pacific. If going to the Coast why not let us plan the trip? Full particulars of hotels. resorts, clubs, sports and automobile roads cheerfully furnished.

Here Today. There Tomorrow

Office 169 S. Main.

Both Phones.

The Salt Lake Route

Kenneth C. Kerr, District Passenger Agent.



The Search for the Button Begins Today.

meet will have one on his lapel. Nearly every lady will be wearing one on her jacket. Boys will have them and girls, too. You'll want one surely, because they're valuable

This advertising plan is attracting more attention than any "stunt" ever attempted in Salt Lake. As a proceeds the interest will increase. In a short time every man, we man and child will be looking for the button. Not only in Salt Lake, but in Provo, Ogden and every other city in the state. It's a big thing. Get a button as soon as you can and wear it.

Many of these buttons are worth \$5 each, One of them is worth \$800. To find the value of the different buttons call at the store and get a circular which explains the pinn in detail.

There's an \$800 Painting in It.

This painting is from the brush of the popular artist, H. L. A. Culmer. The subject is a mountain scene one of the most beautiful scenes in the Wasatch mountains. Persons who have seen the painting declare it to be one of the best of Mr. Culmer's productions. The painting is now on exhibition at our store and circulars containing a reproduction of it may be had for the asking.

Buy Acme Quality Paints—Here—Now.

Painting time is here. It pays to get the best kind-the Acme quality kind. We are so anxious to have you give our paints a trial that you may prove their superior quality that we're offering unusual inducements to get you to buy them. In fact, we're offering such big inducements that it will pay you to buy paint now

Culmer Paint and Glass Co.

20 EAST FIRST SOUTH

Get a Circular at the Store.

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Get the buttons and wear them-we'll pay you for wearing them



Will cure any case of Kidney or Bladder Disease not beyond the reach of medicine. No medicine can do more.

Cu es Backsche Corrects Irregularities Do not risk having Bright's Disease

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Every woman covets a shapely figure, and many of them deplore the loss of their girlish forms after marriage. The bearing of children is often destructive to the

mother's shapeliness. All of this can be avoided by the use of Mother's Friend before baby comes, as this liminent prepares the dy for the strain upon it, and preserves the symmetry of her form. Mother's Friend makes the danger of child-birth less, and carries her

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