

ANTI-JAPANESE BILL PASSED BY ASSEMBLY

Measure Intended to Segregate Orientals in Schools Adopted by a Vote of 46 to 28

Roosevelt Protests Against Exclusion and Governor Will Advise Reconsideration

Corporation and Restricted District Proposals Are Defeated After Long Debate

WASHINGTON, Feb. 4.—To Governor James N. Gillett, Sacramento: Your kind letter just received. What is the rumor that California legislature has passed bill excluding Japanese children from public schools? This is the most offensive bill of all and, in my judgment, is clearly unconstitutional and we should at once have to test it in the courts. Can it not be stopped in the legislature or by veto?
THEODORE ROOSEVELT.

FOR BILL SEGREGATING JAPANESE IN SCHOOLS

Ayes—Baxter, Beatty, Behan, Black, Bohmet, Butler, Callan, Collum, Cronin, Cullen, Gibbons, Gillis, Hayes, Hinkle, Holmquist, Hopkins, Irwin, Johnson of Sacramento, Johnson of Placer, Johnston of Contra Costa, Julliard, Kehoe, Leeds, Lightner, Macaulay, Maher, McManus, Mendeshall, Mott, Nelson, Odum, O'Connell, Silver, Poldsey, Preston, Pugh, Schmitt, Pring, Stukenbruck, Telfer, Webster, Whelan, Whitney, Wilson, Wyllie—46.

AGAINST SEGREGATION

Nays—Eardoline, Bearsler, Cattell, Cogswell, Collier, Costar, Dean, Feeley, Fleisher, Flint, Greer, Griffiths, Hammon, Hanlon, Hines, Hawk, Hewitt, Johnson of San Diego, McClellan, Melrose, Moore, Palfifer, Reeh, Sackett, Transue, Wagner, Young, Stanton—28.

ABSENT—

Ogblan, Flavelle, Gerdes, Rutherford, Wyatt—5.

Not voting—Drew.

[Special Dispatch to The Call]

ALL HEADQUARTERS, CHAMBER OF COMMERCE BUILDING, SACRAMENTO, Feb. 4.—The assembly of the state legislature today performed a great dramatic feat by passing the bill to exclude Japanese children from the public schools. Yesterday this selfsame body bowed in deference to the wishes of President Roosevelt and Governor Gillett, with the result that Drew's anti-alien bill was defeated, 48 to 28. Today a plea to the gallery and ridicule of the "big stick" resulted in the passage of the bill which President Roosevelt and Governor Gillett considered the most offensive. This happened after the bills preventing aliens from being directors of corporations and empowering municipalities to restrict undesirable, unhealthy and improper persons to certain prescribed limits had been denied passage.

President Suggests Veto

The unexpected action of the assembly in passing the anti-Japanese school bill was immediately telegraphed to Washington, whereupon the president showed his concern by sending a message to Governor Gillett asking that the bill be stopped in the legislature or vetoed by the governor. Tonight Governor Gillett is preparing a message which, it is thought, will cause the assembly to reconsider tomorrow and kill the troublesome bill. "This is the most serious bill before the legislature," said the governor tonight, "and the one that is most apt to give offense to the Japanese government. I shall transmit the president's telegram to the assembly tomorrow, with a message asking that the action taken today be reconsidered and that the matter be most carefully considered."

Drew Promises to Aid

There is every reason to believe tonight that the president's telegram and the governor's message will cause enough members to change to kill the bill. A. M. Drew, who made a vigorous fight in behalf of the anti-alien bill yesterday, said tonight that he would not only vote to reconsider today's vote, but would also vote against the bill tomorrow. He did not vote on the school bill today out of deference to the author, who had helped him in his losing fight yesterday.

The first measure considered this morning was the one against aliens acting as directors of corporations in this state. J. W. Preston contended that the bill would mean only agitation and was of no force after the Drew bill had been defeated. J. P. Transue

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RACING BILL IS UP TO GILLETT FOR SIGNATURE

Senate Passes Measure Against Track Gambling by a Vote of 33 to 7

Governor May Sign New Law Without Regard to End of Turf Season

Wolfe Grows Vitriolic in Making Last Stand Against Measure

[Special Dispatch to The Call]

CALL HEADQUARTERS, CHAMBER OF COMMERCE BUILDING, SACRAMENTO, Feb. 4.—The racetrack bill is now up to the governor. It was passed in the senate today by a vote of 33 to 7 after a perfunctory debate. Just how quickly it may be signed by the governor can not be said, but something bearing on this interesting point may be gathered from the following words uttered by Gillett in response to questions after the bill had been passed:

"I suppose the racetrack bill will reach my desk early next week. When will I sign it? Why, I don't know why I shouldn't sign it right away. The end of the racing season? I don't know anything about the racing season. Yes, it may be called to my attention, but it is just possible that the bill will be signed without delay."

Five of the seven votes given to the racetrack came from San Francisco senators—Finn, Hare, Hartman, Kelly and Wolfe. The other two were cast by Weed and Leavitt, the first chairman and the second a member of the committee on public morals.

Senate Chamber Packed

As on the occasion of the public hearing before the committee on public morals, the senate chamber was packed from floor to gallery this afternoon when the bill came up for final passage. There were nearly as many women among the spectators as men, quite a number in handsome frocks occupying chairs beside their senatorial relatives and friends.

Whatever of interest attached to the passage of the bill centered in the attitude assumed by Senators Wolfe and Leavitt. Everybody knew that the bill was going to pass by an easy majority and everybody knew that Wolfe and Leavitt were going to speak against it. Realizing the public curiosity, these two legislators assumed the attitude of steadfast martyrs prepared to go down to sacrificial death with words of forgiveness on their lips. Leavitt supported the character more ably than Wolfe; the latter was bitter and could not conceal his feelings, so his words that articulated what Tom Williams said last week. There was good nature, fortified by strong feeling, frankly acknowledged, in what Leavitt said; there was a sting in Wolfe's words, a sarcastic bitterness that might have justified a little gloating, if the champions of the bill had cared to gloat. But they didn't.

LITTLE TALK ON BILL

Walker of San Jose, who introduced the bill in the senate, said a few quick words when it had been read the third time, and sat down. Those who had been most active in support of the bill had agreed to waste no time in talking about it, but Willis of San Bernardino was not a party to the compact. He announced that he had been put on record in the papers as against the bill. He used many words in correcting the record.

Wolfe squared himself like the captain of a sinking steamboat and acknowledged at the start that the bill was going to become law.

"I might trim along," he said; "I might win the liberal plaudits of the people, if I cared to, but I don't. We appear to be in a state of hysteria with regard to morals; we are going to take part in newspaper legislation. I am a man of morals, of family; I have supported every measure for bettering men and improving their morals, but if I were the only man in the 120 that sit in this legislature I would still oppose this bill. I think it is unfair, unjust, and that it doesn't reach the evil sought to be reached."

Can Not Suppress Gambling

That gambling can not be suppressed; that when gambling at the racetrack and the public poolrooms is suppressed it will flourish more flagrantly in saloon and cigar stores' handbooks; that racing has done the state good; that the best men in the community like to see the big handicap and place a little bet; that even senators condescend to follow the ponies and pass out tips, generally bad; that the value of the stock will depreciate; these and all the other arguments that have been blown down the wind like chaff before the rush of public opinion were glibly repeated by the little senator.

"Racing doesn't ruin souls," he declared, with the air of a theologian. "If it were a question of souls I might

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WOMAN TO SUE WINGFIELD FOR HEAVY DAMAGES

Mrs. Charles Barrick Says She Is Nevada Millionaire's Common Law Wife

Sum of \$500,000 Set as the Amount That Will Heal Breach of Promise Wound

Plaintiff to Be Says She Will Dim Mine Owner's Social and Political Ambitions

George Wingfield, the Nevada millionaire mine owner is to be the defendant in a suit for \$500,000 damages and breach of promise within a very few days, according to the statement made last night by Mrs. Charles Barrick, also known as Mrs. George Wingfield No. 1, who claims to be Wingfield's common law wife. The fact that Wingfield married Miss Maud Murdoch, daughter of Robert B. Murdoch, manager of the United States national bank, July 30 last does not in any way, Mrs. Barrick states, alter her plans to secure the reparation she declares is due her, both in money and honor.

Wingfield and his wife are now in Reno, where the millionaire is looking after his mining interests and preparing, it is said, to satisfy both social and political ambitions he has cherished for some time.

To Check Ambitions

"This suit of mine will put an end to whatever ideas he may have of rising either in the social or political world," Mrs. Barrick said last night in her home at 1219 O'Farrell street. "George and his new wife want to shine, but their hopes will be dimmed by this suit. It will be for \$500,000, and one of the best lawyers in the city will handle it. There will be some startling developments in the complaint when I file it within a few days, and some still more startling things when I take the stand. If George has any ambitions of becoming United States senator from Nevada he had better prepare to shed them now, for his luster will be dimmed."

"I can prove all that I will claim in this suit, for the whole state of Nevada knows it. He broke me down physically and left me without a cent after living with me as his wife for seven and a half years. He introduced me to hundreds of people as his wife, including Senator George Nixon of Nevada."

Wife Has Her Diamonds

Wingfield used to beat me terribly, and I can prove that. He has my diamonds and Mrs. Wingfield No. 2 is wearing them. I can prove that, too. Then there is the real 'dirty' part, which will come out at the trial."

Mrs. Barrick attempted to shoot Wingfield at the St. Francis hotel on one occasion, and tried to end her own life December 28, 1906. She protested volubly, but to no purpose, when Wingfield married Miss Murdoch, a prominent society girl of San Francisco, even calling upon the girl's mother and informing her that the mining man would commit bigamy if he married.

"LUCKY BALDWIN" IS YET CLINGING TO LIFE

Famous Sportsman Rallies, but Suffers Second Attack

LOS ANGELES, Feb. 4.—The condition of "Lucky" Baldwin became worse early tonight, when his heart action became enfeebled again, and grave fears for his recovery are felt by the attendants. He rallied during the early part of the day and was able to take some nourishment. Tonight he is unconscious and very low from the second heart attack.

Wife Not Alarmed

Mrs. E. J. Baldwin, who has been staying at the Fairmont for the last week, left yesterday to join her husband in Los Angeles.

Mrs. Baldwin said that when she left her husband he was in good health and she was not dispirited over the reports that her husband was in a dangerous condition.

"I believe he will get better," she said on leaving the hotel, although she wasted no time in hastening to his side.

FAIRBANKS PURCHASES RANCH IN CALIFORNIA

Vice President Pays \$120,000 for San Bernardino Acres

SAN BERNARDINO, Feb. 4.—Vice President Fairbanks, through his son, Fred, today concluded the purchase from the Drew company of San Bernardino of its half interest in the Drew and Fairbanks ranch of 225 acres near Casa Loma. The deal today was made on a basis of \$120,000 for the ranch. It is the intention of the vice president to plant 100 acres now in grapes to oranges. Fred Fairbanks will have charge of the ranch and the vice president will spend his winters there.

Says Dynamiter Got Money From Gibson



HENRY STAUF



MRS. CHARLES KAPP

TO SUE FOR DIVORCE

Former Society Belle to Seek Second Separation From Man She Has Wedded Twice

Marriage has proved a failure twice in the same place, for Mrs. Charles Kapp, formerly pretty Marguerite Monahan, a prominent San Francisco society girl, who, after having married, secured a divorce and married the same man the second time, is now ready to apply for a second divorce from her husband.

In firm fulfillment of this end Mrs. Kapp arrived here from her residence in Goldfield a few days ago and entered into negotiations with attorneys. She went to the home of her sister, Mrs. Frances Dunn, 421 Masonic avenue. Thither her husband, now a mining operator in Goldfield and formerly a member of the firm of Kapp & Street in this city and a well known liquor and restaurant man, has followed her, post haste, with abject apologies and prayers for peace.

Mrs. Kapp will hear none of her husband's pleas for pardon. She married him many years ago, when she was barely 17 years old, and lived through 10 years of married life before securing the first divorce. The separation was obtained on the ground of extreme cruelty, and it is probable that this second suit will be filed under the same charges. This was the statement made by her at the St. Francis hotel yesterday, where she took luncheon with friends.

Mrs. Kapp has been estranged from her husband for some time on this second occasion and living apart from him with friends in Goldfield. When she arrived at her sister's home a short time ago she was suffering from nervous prostration and in very poor health, as a result, she states, of her husband's treatment. Kapp's efforts to see his wife have been refused by her.

Mrs. Kapp says her husband was unkind and cruel, even beating her, and never wanted to give up a dollar for anything. Kapp is 15 years older than his wife.

It was only a year ago that Kapp sold out his interests in San Francisco and moved to Goldfield with his wife, where he has become prominently connected in mining affairs.

FEMALE IMPERSONATORS COURT NEGROES' ATTACK

Insults to White Women Bring Plan to Catch Offenders

PITTSBURG, Feb. 4.—The police were informed tonight of an attack on a girl in the Lawrenceville district, four miles from the Herron hill section, Margaret Blossing, aged 18 years, declared a negro appeared at the house where she is employed, and when refused the keys to the garage, choked and beat her. She was not seriously injured.

Judge John D. Shafer today sentenced William Marin, a negro, to serve five years in the western penitentiary, the limit of the law, for trying to attack Mrs. Mary Shafer.

The police have sent out decoys in the troubled section in an effort to apprehend the negroes who have been molesting white women.

Young men dressed as women and armed with black jacks walk through the district hoping to have the guilty negroes accost or attack them.

RECEPTION AT WHITE HOUSE

WASHINGTON, Feb. 4.—The congressional reception at the White House tonight was the last but one of the official receptions to be given at the executive mansion under the present administration. President and Mrs. Roosevelt and those who assisted them in receiving stood in the blue room.

LOEB TO BE COLLECTOR OF PORT OF NEW YORK

Position Offered by Taft and Accepted Some Months Ago

WASHINGTON, Feb. 4.—Friends of William Loeb Jr., secretary to the president, made the statement today that he is to become collector of the port of New York at the beginning of the next administration. The position, it was stated, was offered to Loeb some months ago by Taft and accepted.

DECLARES DETECTIVE GAVE COIN

Henry Stauf, Former Cellmate of Peter Claudianes, Makes Revelations

Says Dynamiter Told Him Money Came From United Railroads Sleuth

Tom Gibson Said to Have Paid Price for Attempting to Kill Gallagher

Confidences Exchanged in Jail Are Related in Prisoner's Statement

[Special Dispatch to The Call]

Peter Claudianes told me that he was given money by Tom Gibson, head of the United Railroads' detective bureau, and that this money was to pay him for killing Jim Gallagher.—Statement of Henry Stauf, former cellmate of Peter Claudianes, to district attorney's office.

A FRESH sensation was added yesterday to the long list that has marked the course of the graft cases when the evidence came to light tending to connect Tom Gibson, head of the detective bureau of the United Railroads, with the attempt to kill former supervisor James L. Gallagher. The evidence came in the form of a statement made, to Assistant Attorney Robert Duke by Henry Stauf, at one time a cellmate of Peter Claudianes. Stauf said that Claudianes had told him that the money used in carrying out the plot had come from Tom Gibson. Furthermore, Stauf said Peter had given him a letter to Gibson as a mark of his esteem with the idea of putting Stauf in the way of some "easy money."

Exchange Confidences

These confidences were exchanged between Claudianes and Stauf while the former was awaiting trial. Peter was subsequently convicted and sentenced to prison for life for dynamiting the house in which Gallagher lived. Stauf had told Special Agent William J. Burns and District Attorney Donahue of Alameda county of the statement made to him by Claudianes, but no hint of it reached the public until Stauf laid the matter bare yesterday to Assistant District Attorney Robert Duke.

Duke had gone to the city prison to question Stauf in regard to the crime for which he was recently arrested. Stauf was involved in the assault upon Detrich Baumann at Fourteenth and Church streets on the night of January 24. He had only recently been released from the Alameda county jail, where he had spent six months under sentence for robbing a postoffice in northern California.

Stauf Tells His Story

It was while in the Alameda county jail that Stauf and Claudianes came to know each other. As cellmates a certain friendship grew between them and they freely exchanged confidences. Stauf told his story yesterday in the following words:

"I was sentenced to six months in jail for robbery. After I had been in jail over in Oakland for some time Peter Claudianes was placed in the same cell with me. After a while we became very friendly. There was another fellow there part of the time. His name was Williams, but he did not seem to get along very well with Peter. Afterward he was transferred to another cell and Pete and I got to be very chummy. "It was some time before Pete opened up to me. When he did he told me that he had been given money by Tom Gibson, head of the detective bureau of the United Railroads, and that this money was to pay him for getting Gallagher out of the way."

"Just before I was let out I was talking with him one day. I said that I did not know what I was going to do when I got out. He said that he would put me next to a way by which I could make some money and that it would help a lot of his friends. He studied over the matter for some time and then told me that he would give me a letter to Tom Gibson. He said that I could find him at the Waldorf saloon and that he would fix me up all right and that I could go ahead and get Gallagher. I went to the saloon with the letter, but could not get any satisfaction from Gibson and when I went to see him later he told me not to bother him or he would knock my head off."

"I think from what I learned about the matter that all arrangements were made by Peter with the people direct. He told me more than once that I was the only one he had told about Gibson. I do not think he ever told the authorities about Gibson. He was very frank with me about the matter and we talked it over more than once. Everything I have said today is the truth."

The letters to which Stauf refers are