

KANSAS EDITOR IS EXONERATED

Commissioner's Report In Contempt Proceedings Against W. R. Nelson

STORY MOSTLY CORRECT

Opinion Is That Men Who Reported Affair Acted Conscientiously.

JEFFERSON CITY, Mo., April 19.—William R. Nelson, editor and owner of the Kansas City Star, was found not guilty of malice in the publication of articles for which he was adjudged guilty of contempt of court and sentenced to a day in jail last February by Circuit Court Judge Joseph Guthrie.

These were the findings reported to the Missouri Supreme Court today by the commissioner in the case, Charles C. Crow of Kansas City.

The article complained of states that Judge Guthrie had refused to dismiss the divorce suit of Munnie L. against Claude F. Clevinger until attorney's fees were paid and that the refusal came after the Clevingers had been reconciled and had asked dismissal of the case.

Report Substantially True. "Your commissioner finds," says the report, "from the evidence submitted and considered, that the article referred to was substantially true and as nearly a correct report of the court proceedings as could be expected from a layman and the experience of your commissioner has been that many lawyers would have made as many errors as appear in this article.

The author of this article complained of, Mr. Murphy, was a layman, and moreover, even had he been learned in the law, he would have been of the opinion that the order in the Clevinger case was unusual in that it imposed conditions on the rights of the plaintiff to dismiss a suit for divorce.

Publisher Had No Knowledge of the Story.

"Your commissioner is of the opinion that under the evidence, petitioner had no personal knowledge of the article complained of until after its publication and Mr. Murphy and Karl Walter (the man who edited the article) were servants of the petitioner and made an honest effort to report correctly the proceedings that had occurred in the circuit court of Jackson County, Missouri, without any intention of offending the dignity of, or impeding the proceedings of the circuit court, and there is no evidence tending to prove that the servants and agents of the petitioner had any intention of obstructing the due and orderly course of justice as administered by the court, or of criticizing the court.

"There was cause for comment on the order in the Clevinger case denying the plaintiff the right to dismiss the case until her husband complied with the conditions imposed in the order, and I am inclined to believe that Mr. Murphy was correct in saying that it tended to prevent a reconciliation of husband and wife, in which society is deeply interested.

Exercising a Right. "Your commissioner finds from all the evidence in the case that the petitioner was merely exercising his right to report and discuss proceedings in a court of justice and the mere fact that the statements are inaccurate and that mistakes appear in the article would not render him guilty of contempt; if so, every layman or person learned in the law that misconstrues, misinterprets or misunderstands the rulings, orders and judgments of our courts would be guilty of an offense, and punishment might be administered, and in this case, by depriving citizens of liberty.

"Your commissioner has heard the court say too often that he has misconstrued, misinterpreted and misstated the rulings and judgments of our courts ever to concur in the theory that you must be technically correct in the interpretations of the judgments and rulings of the court.

"Every person has the right to publish his understanding of what a court has decided and to differ with the court as to what the law is, and also to criticize the law, as long as at least as the citation does not attempt to impugn the motives of the court or to charge corruption or infamy and thereby attempt to bring our courts into disrepute.

Petitioner Should be Discharged. In this case there is no evidence

GOVERNOR JOHNSON IS CALLED UPON TO WITHHOLD SIGNATURE FROM ALIEN LAW



GOVERNOR HIRAM W. JOHNSON.

SECRETARY BRYAN ASKS CALIFORNIAN TO AID ADMINISTRATION

WASHINGTON, April 19.—Secretary Bryan today telegraphed to Governor Johnson, of California, requesting him to withhold his signature from any anti-alien land legislation passed by the California Legislature which might be in violation of treaties between the United States and Japan.

Secretary Bryan today declined to make public the text of his telegram and with some reluctance discussed the subject at all. The impression prevailed here that it was the desire all around not to make public its text in California, until after it has been presented to an executive session of the Legislature.

Although President Wilson was taking a day off and all callers were strictly barred, he did discuss the situation with Secretary Bryan. All officials here hope for some happy solution of the question before the laws are finally enacted.

BUFFALO CHAMBER HAS PROTEST AGAINST TARIFF BILL

BUFFALO, N. Y., April 19.—The Buffalo Chamber of Commerce has decided to call a mass meeting at which a delegation will be selected to be sent to Washington to protest against some features of the tariff bill. Both the milling and the meat packing industries of the State are threatened, it is stated in a resolution adopted by the board of directors.

A duty imposed on wheat, oats and buckwheat, unless there is an equalizing duty on products and by-products of such commodities," the resolutions say, "would work a great injustice to the milling industry of the United States and especially to the City of Buffalo where the aggregate value of the plant devoted to each industry, including elevators, is \$30,000,000."

The proposed admission of dressed meats free while a duty of 10 per cent ad valorem is levied on live stock is also condemned in the resolution. "Such tariff revision," it states, "jeopardizes and even seriously threatens the packing industry in this country."

IT TAKES SOME TRAINING TO BE GOVERNMENT PLUMBER. NEW YORK, April 19.—To be assistant engineer in the bureau of public buildings and offices with duties which consist principally of examining the plumbing in public buildings, one apparently needs education in astronomy. It came out in the written examination of an applicant for the job yesterday that one question asked was for an explanation of theory of the right ascension. Another was a definition of "sidereal time."

"Apparently they want us all to be stars and qualify for the job as head of the astronomical observatory in Washington," protested the plumber when he handed in his paper with the questions unanswered.

LULL COMES IN THE ALIEN LAND DEBATE

Postponement Of California Legislation Gives Time For Protests

WASHINGTON, April 19.—The postponement by the California Legislature of the alien land bills until next week had the effect of slightly relieving the tension here, although every moment when the bills are again taken up will be utilized in exchange of messages between Washington and Sacramento and other points in California where influential officials reside, who may be able to exert some influence upon the course of legislation at the State capital.

President Wilson and Secretary Bryan make no secret of the fact that though they are precluded from officially interfering in the progress of legislation in California, they are private individuals to secure amelioration of the features of the pending land bills offensive to the Japanese Government.

But taking into consideration the probability that in its final form the legislation may not apply to other aliens than Japanese and Chinese, the administration officials here are giving some thought to the best means of meeting a protest by the Japanese Government against the proposed legislation on the ground that it is in violation of treaty obligations.

While Mr. Root was Secretary of State he prepared a memorandum which related to the right of Japan in the United States to own land for use for agricultural purposes and his opinion was adverse to the claim. The failure of the Japanese Government so far to issue a decree confirming the treaty right of Americans who land in Japan, also may be an important factor in the negotiations which may be expected to follow the enactment of the California legislation.

Altogether officials profess to find considerable material upon which to base a defense against a charge of non-observance of the treaty of 1910.

DEMOCRATS ARE NEARING COMPLETION OF THE TARIFF BILL

WASHINGTON, April 19.—Democrats of the House continued their caucus on tariff revision today with the expectation of completing, by tonightfall the administration provisions of the bill and of disposing of numerous ways and means committee amendments.

These amendments do not affect the substance of the tariff bill to any extent but are intended to clarify and strengthen the language of the measure and include a few relatively unimportant changes in rates which commend themselves to the committee in recent communications to the ways and means committee majority. So far the only substantial change made in the tariff bill has been the transfer of shoe machinery to the free list.

Republicans of the ways and means committee conferred today over amendments which they propose to offer as substitutes for the Democratic wool and cotton schedules.

LIGHT VOTING KILLED ISSUE

Commission Friends Received Larger Vote Than They Expected

COUNT GAIN A VICTORY

Anti-Commission Leaders Effective In Keeping People From Polls

Twelve hundred and thirty-seven citizens of Charlotte spoke their protest at the polls yesterday against the present method of governing the city and 128 shared the conviction that the revised aldermanic charter is the thing, but 2,000 of those who had registered maintained an attitude of silence and there was no outward victory. The commission contends they did well to make such a showing against such an unapproachable registration. Their claims that the books were padded and that names were on the lists that should not have been counted has availed nothing, but their fight has triumphed and they believe, as even their sternest opponents admit, that the commission idea has wrought a wonderful triumph in Charlotte. Under ordinary conditions, such a vote as the new form commanded yesterday would have been winning.

The vote by wards.

The commission charter actually lacked 445 votes of getting the required majority of the registered vote. It is violating no secrets to confess on the part of the leaders for the "new freedom" that they got as many as they anticipated. They had figured on about this many ballots for their cause and their estimate of the registration was in the neighborhood of 2,500. This would have been counted a magnificent registration but when the books finally disclosed the names of 3,362, it was evident to them that this was practically unbeatable.

The tabulation by wards is as follows:

Ward	For Commission	Aldermanic	Registration
Ward 1	187	35	587
Ward 2	112	9	274
Ward 3	115	27	488
Ward 4	264	9	475
Ward 5	46	6	273
Ward 6	86	9	382
Ward 7	55	2	116
Ward 8	62	9	241
Ward 9	29	8	200
Ward 10	10	13	105
Ward 11	26	5	120
Totals	1,287	128	3,362

Slaughtered by Friends.

Slaughtered in the home of its friends has been the commission if what, the passing through say is counted as true. About every man one meets and has met for weeks favored the commission idea, but not the exact dress in which this idea came forth in parade before the people of the city. One of the best-known business men of the city and one who is admittedly a commission advocate stated yesterday that if the commission was defeated, it would be defeated by the friends of the cause. In some respects this is regarded as true; in others, it is a deviation. The fact is that many people voted for the commission who were not expected to vote for it and a host of others who were for it did not so vote and thereby they defeated an issue in which they declared themselves interested. The precise form of commission that was announced for Charlotte was not to their liking and consequently they determined to defeat the cause, rather than vote for it now and have changes for the better come along as these crept out during the course of administration.

That the commission plan of government is on the way to Charlotte is beyond question in the face of the splendid showing made yesterday. It is not denied even by those who fought it so valiantly on this occasion that the trend of the times can be thwarted much longer and that Charlotte can keep itself out of harmony with the new principles of municipal government as they are coming to be known more intimately and accepted more popularly. Whether anything will be instantly done to bring about the change sooner than two years is not known, but the sweep of civilization, the movement of modern government all indicate that the Queen City will fall in line at an early date and be rated with the more progressive municipalities of the country.

May Get Together.

The chances are that in two years the forces that have been warring and tussling for the supremacy and that have just now emerged from battle, one victorious and the other

POPE PIUS IS NOW BELIEVED TO HAVE REACHED THE CONVALESCENT STAGE



POPE PIUS X AS HE APPEARED WHEN CARDINAL OF VENICE.

COMMISSION TURNS DOWN RATE PROPOSAL

Railroads' Offer Of Reduction Considered Far From Satisfactory To Shippers

(Special to The Chronicle.)

RALEIGH, April 19.—At the freight rate conference at noon before the legislative commission and the railroad officials there came from the railroads a definite proposition for relief from discrimination in rates, compared with Virginia cities rates that it is understood that the commission will not accept although no statement is made. The text of the proposition was not made public, being handed to the commission to be considered in executive session with the Corporation Commission, and the Attorney General.

It amounts only to a proposition to apply to the entire State the reduction in rates that the Corporation Commission has already secured for Winston-Salem and Durham in suits heretofore fought out before the Interstate Commerce Commission.

L. E. Chalener, freight traffic manager for the Seaboard Air Line, appeared and assured the commission that in not being represented here yesterday there was no intention on the part of his company to manifest disrespect to the State or the commission, but that it was purely unavoidable owing to the sickness of Vice President Capps, who is now at Tate Springs and has had all these matters in charge up to this time. He stated that he came direct from Florida, where he had been for two weeks on business with the Legislature of that State. He assures the commission that he was here now to cooperate in every way he could with the other railroad men and the commission in adjusting the freight rate conditions satisfactorily.

The freight rate legislative commission declines to accept the proposed reductions in freight rates made by the railroad officials as nothing like sufficient to relieve the discriminations shippers complain of and states that it is ready to make a counter proposition if the railroad officials care to consider it, the difference between the proposal of the railroads and that the commission would make being very great.

COBB READY TO CONSIDER AUTOMOBILE SALES OFFER

CHICAGO, April 19.—"Am now ready to talk business, if offer still stands. Await your orders," stands today from Ty Cobb at Augusta, Ga., was received here today by L. J. Coyle, Illinois representative of an automobile supply company of Logansport, Ind., who announced several days ago that he had offered the "Georgia Peach" an automobile and a salary of \$15,000 for one year's work as city salesman of the concern in Chicago.

HOLY FATHER HAS LUNCH WITH HIS SISTERS AND BROTHER

ROME, April 19.—For the first time since his illness the Pope and his sisters lunched at the Vatican together with Angelo Sarto, the Pope's brother. This is considered as proof that the Pope is really entering on the convalescent stage.

The Pope slept tranquilly for two hours this afternoon. His breathing was easier and his rest more refreshing than it had been. For the first time since the beginning of the Pope's illness Angelo Sarto, his brother, was allowed to see him this morning. Professor Marchisavava had not permitted the visit during the critical period of the Pope's indisposition and the doctor insisted that he be present today as he feared the emotion caused by the meeting between the two brothers might have a bad effect on his patient.

Angelo Sarto, who is still sturdy, erect and stalwart despite his age, approached his brother's room with trepidation and was overcome with emotion as he entered. Both were in tears and Angelo was only able to mutter between his sobs the Venetian diminutive of the Pope's name, saying "Dear Bepl. Dear Bepl."

The brothers started talking about all kinds of subjects, but Professor Marchisavava gently intervened and forced Angelo Sarto from the room. A rumor was circulated in Rome soon afterward that the Pope had suffered from a fainting fit as a consequence of the emotion caused by the visit of his brother. The report was denied at the Vatican.

Prof. Ettore Marchisavava and Dr. Andrea Amici, the papal physicians, announced today that owing to the continued improvement in the Pope's condition only one bulletin a day would now be issued from the sick room. This morning's bulletin reads as follows:

"His Holiness passed a very tranquil night, with his temperature standing this morning at 97.1. His coughing spells and expectation have further diminished and his general condition is stronger and better. Owing to the continued amelioration only one bulletin daily will now be published.

"MARCHIAFAVA. "AMICI."

NEW BRITISH AMBASSADOR STARTS FOR WASHINGTON

LONDON, April 19.—Sir Cecil Arthur Spring-Rice, the new British ambassador to the United States, left London today for Liverpool to sail for New York on the Carmania. "I shall assume the duties of my office as British ambassador immediately on my arrival in Washington," he said. The staff of the United States embassy, Lady Pauncefoot and the Duke of Devonshire were at the railway station to take farewell of the ambassador who succeeds James Bryce at Washington.

RURAL SCHOOLS ARE DISCUSSED

Miss Jessie Field Is Heard By Large Audience Of Teachers

IS A NOTABLE EDUCATOR

Former Superintendent Of Schools Delivers Stirring Address

Miss Jessie Field, secretary of the National Board of the Young Women's Christian Association spoke to an audience of several hundred school teachers from Mecklenburg County and Charlotte, together with many club women of the city and other visitors, at the court house today at noon, following an hour's talk by Dr. W. J. Martin of Davidson College.

Miss Field was secured by the County Board of Education to speak in the city today. She was introduced by Mrs. Mary Graham, assistant superintendent for Mecklenburg County, and in a most entertaining and sympathetic manner she spoke for over an hour on the rural schools and their important work.

"The time will come," Miss Field hoped, "when people would say, 'I am moving to the suburbs or to the country in order to give my children better opportunities for schools.'"

The speaker, reared in Iowa, in the country, brought with her the freshness of country life combined with a most human understanding of the problems of the country boys and girls and their school work. Possessing a personality that won every listener as soon as she had spoken half a dozen words, Miss Field proved herself a most charming person to listen to, and while discussing what might be considered the most commonplace things she related stories and incidents in her school experience that shown with human sympathy knowledge of her work and made the audience feel that Miss Field was in her work for the love of it, and that her work too was fortunate to have so worthy an exponent, "I don't like to hear of teachers who stay in their work just a few years," she said, "With her this department of work is a life-calling, though she is now with the Y. W. C. A., after a brilliant career as superintendent of the schools in Page County, Iowa. Her special work now is in small towns and rural sections and really differs little in spirit from the work in which Miss Field first drew notice to herself.

"The personality of the speaker impressed itself deeply upon her hearers. That she is a fine exponent of her own doctrine that the teacher ought to possess a strong influence for good in the rural community in which she labors, was readily grasped by the audience which heard her. Miss Field's idea of rural teaching is that the work should be made to fit the child, and not the child the work. She told many stories of her experience when in charge of the Page County schools, how she had endeavored to put into the school work things that would appeal to the children of the rural sections. She thought that a country boy would take more interest in figuring the amount of corn in a crib, than in figuring the contents of a gas tank, or of a freight car. "The arithmetics with brokerage and commissions are all right," she said, "but we also want in the country something that will interest the boys out on the farms."

Miss Field said never a word of the formal, stilted and stock phraseology about education. Every sentence was fresh and interesting, and she spoke so directly from the resources of her own enthusiasm that a word of four syllables would have seemed almost a shock to her audience had she been disposed to make use of such. There was no note of pessimism in the talk which Miss Field gave her hearers. She overlooks the defects and sees only the brightest side of school work in rural communities, and after talking to her audience for twenty minutes, the majority of them will have the same views on school work.

"I was raised in the country," said Miss Field, "and I want to tell you that I am real glad it happened that way. Farming is a great profession; it has so many opportunities and there is so much that the educated boy can do. My pastor once asked me about my schools and wondered if I was training many doctors or preachers, I told him that if the boys tried farming and couldn't make good there, that then some of them might come to town and study these professions." Miss Field believed in making the country boy and girl see that their opportunity is in the country, and that

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