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CALIFORNIA ALIEN LAND ACT MAY STAND TEST OF THE COURTS

Bill Passed by Lower House Drawn Along Lines of Federal Statute on Subject. NEVER QUESTIONED BY ANYONE Has Been Enforced in District of Columbia for Years. STATE DEPARTMENT WAITING No Action Can Be Taken Until Bill Passes Senate. MORE PROTESTS ARE SENT IN Telegram Comes from American Asiatic Association at Yokohama—Wilson Discusses Matter with Lane and Houston.

WASHINGTON, April 16.—The alien land-holding bill as passed by the lower house of the California legislature yesterday in its amended form is regarded by the officials here as much more difficult than the original measure for the Japanese government to oppose successfully, for the reason that it now closely follows the lines of the alien ownership act which for the last decade has been strictly enforced in the District of Columbia and the territories of the United States without objection from foreign countries. To lodge an objection to the measure based on strict equity probably it would be necessary for the Japanese government by decree to extend to American residents in Japan the right to acquire property in fee simple, a privilege which, though intended to be conferred by treaty so far has been withheld in general application. The attitude of the administration and of the Japanese embassy here, in spite of yesterday's action of the California assembly, must continue to be one of observation at this stage, because a generally similar bill, though different in detail, remains to be finally passed in the California senate. There must be a conference to reconcile the differences between the two houses and back of it all is the action of the governor of California.

State Department Waiting. While the situation is in its present stage there is no official ground for action on the part of the administration or the Japanese embassy, though no attempt is made to disguise the fact that privately every effort is being set forth to bring the alien land-holding bill into an unobjectionable shape. The American Asiatic Association of Japan, from its headquarters at Yokohama, has cabled to the American Asiatic association in this country: "On account of serious unfriendly attitude throughout Japan, due to proposed California legislation, strongly recommend sending United States ambassador, also concerted action against legislation adverse to Japan. Otherwise American interests will suffer severely."

Secretary Bryan conferred with President Wilson today about the developments in the California legislature. No announcement was made, but the president announced also to see Secretaries Lane of the Interior and Secretary Houston of the Agricultural departments later in the day to discuss the situation. Mr. Lane has given much study to alien land questions.

Marking Time in California. SACRAMENTO, Cal., April 16.—The legislature marked time today on the alien land-ownership legislation, the senate bill being at the bottom of the upper house file and not to be reached today unless very late. The bill passed yesterday by the lower house was sent today to the senate committee on judiciary. Senator Birdsall, one of the sponsors for the senate bill, said today: "Personally I am for any alien land ownership bill that will keep out the Japanese and if we can save time by putting through the assembly bill I will advocate that course. There is no radical difference in the two bills except in the corporation ownership clause, I understand."

TWO ICEBERGS SIGHTED BY REVENUE CUTTER WASHINGTON, April 16.—Two great icebergs 100 miles north of the transatlantic steamship lanes and moving southward were discovered by the revenue cutter Seneca on April 15, according to a delayed wireless dispatch to the revenue cutter service today. One berg was in latitude 44.36 and longitude 49.09. The other was eleven miles west of that position.

EX-GOVERNOR VESSEY'S PROPERTY IS ATTACHED PIERRE, S. D., April 16.—(Special Telegram.)—The financial entanglements of ex-Governor Vessey resulted in an attachment being placed against his household goods when an attempt was made to move to Chicago. The attachment was filed by a local bank.

The Weather Forecast till 7 p. m. Thursday. For Omaha Council Bluffs and Vicinity—Fair tonight and probably Thursday; cooler Thursday. Temperature at Omaha: Hour. Temp. 6 a. m. 56 7 a. m. 54 8 a. m. 54 9 a. m. 56 10 a. m. 58 11 a. m. 57 12 m. 55 1 p. m. 57 2 p. m. 59 3 p. m. 58

OMAHA GAS BILL FAVORED Senate Overrides Efforts of Dodge at Defeat.

DOLLAR GAS FOR THIS CITY University Appropriation Measure Hanging in Balance, Doubt Existing Which Site Will Get Money. (From a Staff Correspondent.) LINCOLN, April 16.—(Special Telegram.)—Ownership of the Omaha gas plant and an amendment to the appropriation bill calling for \$150,000 for a new building for the university on the downtown campus had the center of the stage this afternoon in the senate. House roll No. 236 gives the city of Omaha the right to grant a franchise to the gas company and fixes the price of gas at \$1 per 1,000 feet. Dodge sought to kill the bill by offering a motion that the bill be indefinitely postponed. He said Omaha wanted to buy the gas plant and this bill would give the company an additional franchise after the present one had expired, which would run over five years longer. He said the bill was instigated by the present city commission which was dominated by the Dahlman democracy of Douglas county and a commission which, "to say the least had not yet made good."

Dodge Loses Out. Senator Dodge declared the present valuation of the gas plant was less than \$2,000,000, but was capitalized for \$6,000,000 and if this legislature passed this bill it contained an issue of \$4,000,000 of bonds. The motion to postpone indefinitely was lost. Dodge then attempted to amend the bill by offering several amendments and Groesman charged him with trying to kill the bill by amending it to death. Only one amendment, however, carried, to give the people of Omaha a right to vote every five years whether they could buy the plant. Dodge tried to make the proposition of ownership of the plant based on a majority of all votes cast at a general election. This was defeated. Then he offered another that it should (Continued on Page Two.)

Keepers of Small Resorts Imitate Hotels and Cafes

CHICAGO, April 16.—The Illinois senate committee before leaving for Springfield last night set to work several investigators whose duties were specified as obtaining evidence from cafes which are considered by slumming parties "places to be seen," theaters and the biggest hotels in the city. They will keep a special watch for lewd or suggestive songs or entertainments of any sort. "When we question the owner of a small or an acknowledged 'shady' place," said Lieutenant Governor O'Hara, "the owner always says: 'Why, they do this at such and such a theater, or at this restaurant or hotel, why can't I' and the fellow is right. For why can't he? The answer ought to be that he can't, and the theater or hotel and cafe owner cannot."

Gante Predicts Early Downfall of Huerta

WASHINGTON, April 16.—Francisco Gonzales Gante, confidential agent of the constitutional revolution in Mexico today established headquarters here and issued a statement predicting the downfall of the Huerta government and the capture of Mexico City by the Carranza forces. He declared that Huerta had surrounded himself with 3,500 infantry at the national palace, while Felix Diaz had occupied practically all the federal artillery on his private estate. NEW ORLEANS, April 16.—A cablegram denying that Mexican rebels had taken Tampico was received here today by Consul General Ornelas from Francisco De La Barra, Mexican minister of foreign affairs. Press dispatches Sunday night stated Federal "Fire-eater" troops under the brothers Cedillo, had revolted and taken Tampico and Cardenas.

C. R. Crane Calls at White House

WASHINGTON, April 16.—Charles R. Crane of Chicago, who is known to be foremost among those whom President Wilson has under consideration for appointment as ambassador to Russia, was a White House caller today and the executive offices were very mum about the subject of his visit. Secretary Bryan, however, who was a caller about the same time, and who was asked about the incumbency of the present ambassador, Curtis Guild, said Mr. Guild had been granted a two-months' leave of absence on account of his health. Those familiar with procedure in the diplomatic service thought it unlikely that Mr. Guild would take a two-months' leave if he were soon to be supplanted, and also recalled that Mr. Crane, on a former occasion, had let it be known that his business affairs would not permit of his absence from the United States for a little while to come. One conclusion drawn, and which White House officials declined to comment upon, was that the plan was for Mr. Guild to continue for a while. Mr. Crane was appointed ambassador to China by former President Taft, but was recalled before he sailed from San Francisco. The incident and its eventualities made quite a little stir.

DOW CITY MAN IS KILLED BY NORTHWESTERN TRAIN

DENISON, Ia., April 16.—(Special Telegram.)—George Ball, an old-time resident of this county, was killed at a Northwestern railroad crossing just north of Dow City on Tuesday night. He was returning to his home when the engine struck the back of his carriage, killing him instantly.

PARTY ORGAN ROAST MADDENS MEMBERS

Legislators Finish Ju Prodding and Then Members Roundly Denaunced. GRATITUDE HAS NO PLACE Members Sharpening Knives for Senatorial Owner Thereof. NORTON POINTS OUT DEFECTS Would Have Committee Look Into Procedure. JOINT BODY TO INQUIRE Appropriation to Be Provided for Expenses of Investigators, Who Are to Report to Governor First of Next Year. (From a Staff Correspondent.) LINCOLN, Neb., April 16.—(Special.)—Now, this democratic house of representatives is mad—mad all the way through. It has been criticized and abused by the mouthpiece of the Omaha Water board, whose lobby got the members to violate the principle most dear to the heart of the democratic party—"Let the people rule."

After using the members until it was through with them, the sheet came out in an editorial this morning abusing the members for their incompetency. The members then the editorial to the dog which hit the hand that fed it. Those who know the sheet, of course, are not surprised that it would lead the members wrong and then abuse them for doing wrong. They expect to nurse the grudge until Senator Hitchcock asks for a re-election. But, of course, this will not wipe from their records the fact that they voted for a bill to take from the people the right to control their purely local affairs. The members who were led wrong by the World-Herald will have to make their own answers to their constituents, and the senatorial-water board mouthpiece by its editorial this morning has served notice that no help can be expected from that quarter, even though it was promised before the water bill was passed. Application to Mr. Potts and a few others with political ambitions no doubt will bring forth an opinion of the way the paper has double-crossed them. Norton to the Rescue. But even the fact that the democratic members of the house are mad does not prevent them from thinking they are competent to tell just how laws should be made, so this morning Mr. Norton introduced a resolution, which was adopted, pointing out the defects in the present system and providing for the appointment of a committee of three to investigate the things mentioned and report to the next legislature. Though many believe the present system is wrong, yet they insist this legislature cannot excuse itself for its incompetency (Continued on Page Three.)

Bishop Duffy of New Diocese of Kearney is Consecrated

CHEYENNE, Wyo., April 16.—Rev. James A. Duffy, rector of St. Mary's cathedral here since 1904, was today consecrated bishop of the newly created Catholic diocese at Kearney, Neb. The ceremony took place in St. Mary's cathedral in the presence of an imposing assemblage of Catholic clergy. Archbishop James K. Keene of Dubuque, Ia., celebrated pontifical high mass and the consecrators were Bishop McGovern of Cheyenne and Bishop Soanell of Omaha. Fifteen bishops and about fifty priests were present. Bishop Duffy is 39 years old. His first appointment was assistant in the church of the Immaculate Conception, Minneapolis. KEARNEY, Neb., April 16.—(Special.)—Bishop Duffy, who was ordained at Cheyenne today, will come to Kearney, April 22, where installation services will be held in the St. James cathedral on Wednesday, April 23. A large number of clergymen and priests are to be present. The services will begin with solemn high mass at 10:30 in the morning. Arrangements are being made by local Catholics to give Bishop Duffy a public reception at the opera house on the evening following his installation. An address of welcome will be delivered by Governor Sheehy and a number of Kearney's leading citizens, including Judge Oldham. On the afternoon following the reception there will be a dinner tendered the bishop at the Midway hotel.

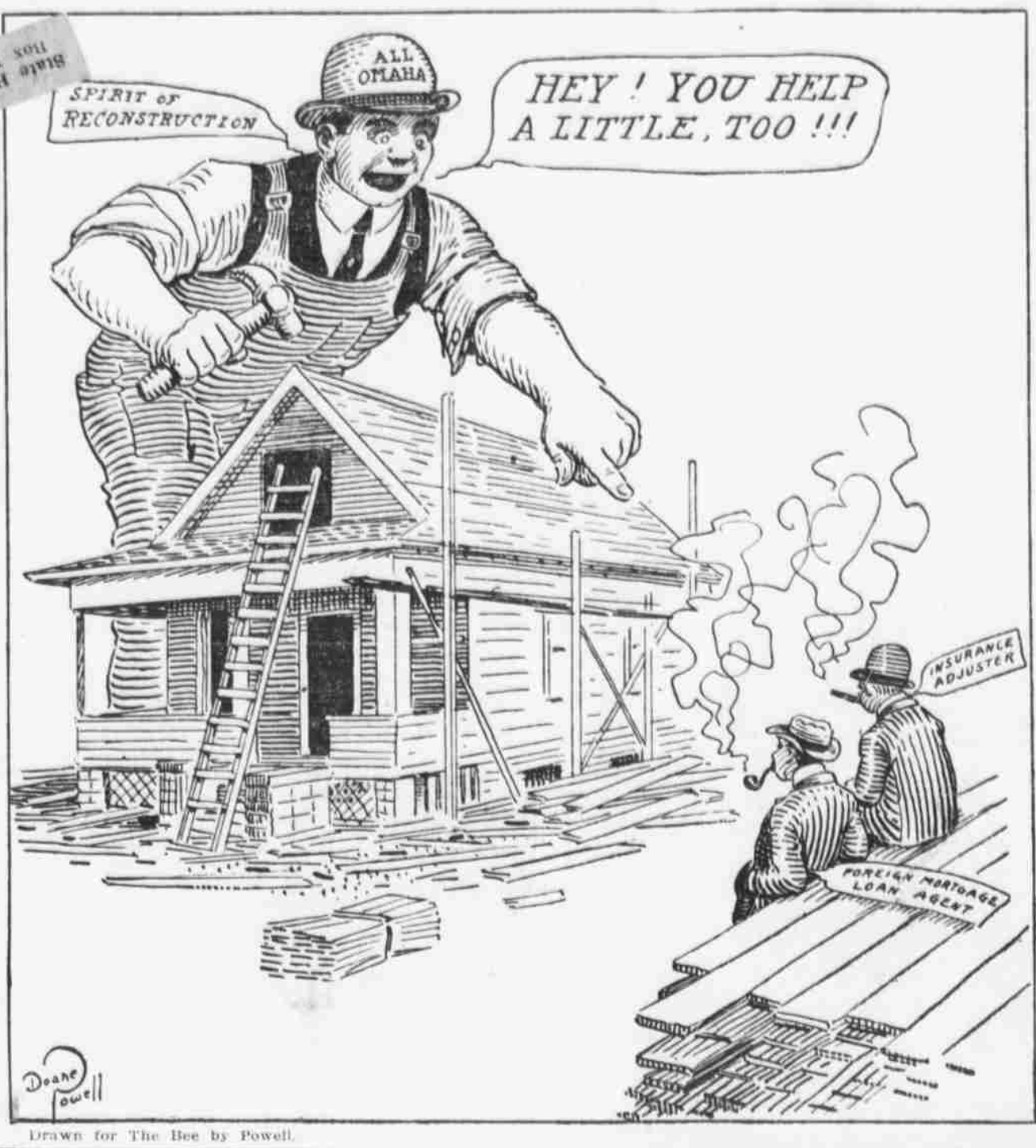
Willis L. Moore, Head of Weather Bureau, Removed from Office

WASHINGTON, April 16.—Willis L. Moore, chief of the weather bureau, whose resignation has been in President Wilson's hands to become effective July 1, was summarily removed from office today, charged with "serious irregularities." This announcement was made at the White House while a conference was in progress between Secretary Houston and President Wilson.

Estelle Suit Goes to Fremont Jury

FREMONT, Neb., April 16.—(Special Telegram.)—The libel suit of Judge Kettle against the Omaha Daily News went to the jury at 5 o'clock this evening. The entire day, as well as most of yesterday afternoon, was taken up with the arguments. Frank Dolzaj opened the case for the plaintiff. Judge Loomis then spoke for the defendant, Felman. He was followed by J. J. Dunn and Senator Norris Brown. T. J. Mahoney closed for the plaintiff. It is doubtful if a verdict is reached tonight.

Let Everybody Help



AFTER FUNDS FOR G. A. R. Committee is Out Soliciting Guarantee from Business Men.

WOULD BRING MANY TO OMAHA Start Was Made to Land This National Encampment Before the Tornado Occupied Attention of All. Hotel men, retail dealers and local members of the Grand Army of the Republic were yesterday getting subscriptions for the entertainment of the national encampment, which will be brought to Omaha if \$20,000 of \$25,000 can be raised. Business interests in Council Bluffs were solicited by the workers yesterday and according to Richard Kitchen, proprietor of the Paxton, \$300 was raised over there. Whether or not the amount can be raised will not be known until the solicitors get together today and make their reports. Manager Parrish of the publicity bureau says a few thousand dollars was raised prior to the tornado for the encampment, but he has received no report as to the exact amount subscribed since then. The bureau will not extend the invitation unless at least \$17,000 is raised. The executive committee of the national Grand Army of the Republic is awaiting Omaha's answer and has extended the time for receiving the invitation to Thursday morning. Much enthusiasm is lent to the work of soliciting funds because of the great numbers of men the encampment would bring to Omaha. There would be at least 12,000 delegates at the encampment. Some of those solicited are declaring that Omaha has not the hotel facilities to care for such a gathering, but the solicitors are giving the answer that no city in the world has such facilities. The delegates are cared for in tents pitched in parks and open places about the city. Such an arrangement would add to the picturesqueness of the city, they declare, and would further advertise Omaha in the motion pictures of the parks and boulevards.

Prof. C. A. Johnson Goes to Panama

LAWRENCE, Kan., April 16.—Prof. C. A. Johnson of the school of engineering at the University of Kansas will leave May 1 for Panama. The governor has engaged him to lay out the electrical power and control circuit which will operate the canal machinery. Prof. Johnson has been in the university electrical engineering department since 1911.

NEW RULING MADE BY COMMERCE COMMISSION

WASHINGTON, April 16.—Moving picture films are placed by the Interstate Commerce commission in the category of dangerous and inflammable articles, and shippers are hereafter required to pack them in "spark proof metal cases, enclosed in strong and tight wooden or fibre board boxes or pallets." Some other rulings of the commission today were equally important to the general public. It was held unlawful for a telegraph company to pay to the firm or house in whose building a telegraph office is located, any commission on its own business. The order of the commission requiring railroads in central passenger territory by May 1, 1913, to bring their passenger tariffs into harmony with the long and short haul provision of the law, has been extended until May 1, 1914. Nurses may not be considered as members of the "families" of railroad employees who are entitled, under the law, to free transportation.

COTTRELL GIVES CONFESSION TO SAVE LOTS TO OWNERS

Secretary of Y. M. C. A. Admits Firing Building. DETAILS THE FIVE ATTEMPTS Insanity Charged and the Young Man to Be Given a Hearing Before the Commission Today. W. E. Cottrell, secretary of the Young Men's Christian association in Council Bluffs, made a full written confession Monday afternoon, assuming the chief responsibility for the five attempts to destroy by fire the building, detailing all of the incidents connected with each attempt. He has been closely guarded since and no other action taken for the reason that it is believed he is insane. It was desired to secure the presence here of his father, C. E. Cottrell, a lumber merchant at Curtis, O. The father arrived here at 11 o'clock yesterday and after a short conference with his son filed an information charging insanity. The young man was brought before the insanity board yesterday afternoon and the hearing adjourned until 9 o'clock this morning. In his confession Cottrell implicated two men located later at South Omaha. Cottrell was suspected almost from the first of being the incendiary, but the thought seemed so preposterous that it was not seriously entertained until after the third attempt had been made, when the fire was set in four places in the basement. Bath towels, saturated with kerosene oil, were found, after the firemen had extinguished the flames, jammed above the radiators, which, in the basement, are swung from the ceiling fan-wise, and all had been lighted. Three of them set fire to the floor above and badly damaged the gymnasium. Investigations made immediately after this first point clearly to Cottrell as the incendiary. Heard by Mrs. Wheeler. Mrs. Wheeler, who lives on the opposite corner of First avenue and South Seventh street from the association building, was unable to sleep that night and was awake when the firemen came at 2:30 o'clock. Fifteen minutes before the alarm was turned in she heard a man running from the direction of the building. It seemed to be in the middle of the street and was running west. He continued west until he reached the alley 12 ft. rear of her house. She heard him running south in this alley until he could turn east. In the still night air she heard him distinctly thus traverse the block lying south of the association building. Fifteen minutes afterward the firemen came. Five minutes before the alarm came, Cottrell came north on Pearl street and passed a policeman on the corner of Pearl and Broadway. He continued west on Broadway to Shawley's restaurant, a few doors from the corner, where he entered and asked for something to eat, saying he was too restless to sleep and that he "had been walking fast to work off his nervousness." A minute later the hose was doused past. He was standing by the telephone, but asked Shawley to call up and find where the fire was. He started away on the run again when told it was the Young Men's Christian association building. After the firemen extinguished the flames they found the current was off the wires in the basement, and finding the feed wires all right, went into Cottrell's office on the first floor, where the fuse box is located, and found the fuse plugs had been unwired from the basement system. Cottrell was present and when questioned his left hand mechanically pulled open a drawer in his desk, where the fuses had been hidden. Cottrell could not explain their presence there. The Fourth Attempt. The fourth attempt to destroy the building was made a week ago Sunday night. Eight gas jets in the Grand Army hall, (Continued on Page Two.)

TO SAVE LOTS TO OWNERS Plan is Being Worked Out to Save Property of Tornado Victims.

Some of the Loan Companies Are Slow, Alleging the Insurance Companies Have Not Made Settlement. Foreclosure of mortgages in the tornado swept district will be very largely avoided and most persons who had a mortgage against their places will be permitted to keep their lots by a system of settlement arrived at by some of the loan companies. John W. Towle, in charge of the reconstruction desk in connection with the relief committee work at the Auditorium, has word from some of the loan companies that settlement will be made that will save the lot to the borrower. The scheme is in line with that suggested by Mr. Towle in an interview a few days ago. It is that the mortgage shall be left to stand against the borrower in the same amount as before the storm, that the lot shall be appraised, and that the insurance company on the blanket policy shall then pay the difference between the appraised value of the lot and the amount of the loan. This money paid by the insurance company instead of going to the loan company, shall then be turned over directly to the owner of the lot to be used in rebuilding the home, which he must still pay for in accordance with the stipulations of the original mortgage. When this is done the relief committee, through its construction department, will, in many cases, come to the aid of the owner to help him build his house. In cases where more money is needed than the insurance company has paid. Several representatives of the building and loan associations called upon Mr. Towle, talked the matter over at great length, and agreed to this plan. The result is that a dozen cases are already being negotiated in accordance with the plan. Some of the loan companies, on the other hand, are very slow at making arrangements for settlement, claiming that the insurance companies carrying their blanket risks have not yet made settlement with them.

Suit Against Coffee Trust to Be Dropped

WASHINGTON, April 16.—The anti-trust suit against the Brazilian valuation scheme—the so-called coffee trust—will be dismissed within a few days by Attorney General McReynolds as a result of definite assurances from the Brazilian government that the 500,000 bags of coffee, valued at \$10,000,000, stored in New York, have been sold to bona fide purchasers. SOUTH DAKOTA TOWN VOTES WHO SHALL RUN SALOONS SIOUX FALLS, S. D., April 16.—By a novel use of the ballot two saloon keepers were selected today for the village of Elk Point, in Union county. A state law limits saloons to one for each 600 inhabitants in a town and Elk Point (faced the loss of three of its five drinking places. It was decided that the selection of the pair of saloon keepers should be by ballot. There were six candidates. P. O. Kelly and W. W. Guillaume were elected.

When Omahans Think of Renting Houses, Apartments, Business Locations, Deskroom, Halls, Warehouses, Etc., Etc., they remember--

"This is The Paper That Printed the Ad That Rented The House That Jack Built." The Bee Want Ads are Result Want Ads. Tyler 1000.

POPE'S CONDITION NOT IMPROVING, AS DOCTORS FORECAST

His Holiness Suffers Another Relapse, Attended by Violent Coughing Spells. LAWYER COMES TO DRAW WILL This is Taken to Indicate that Vatican Fears Worst. TAKES LITTLE NOURISHMENT Eggs Beaten in Wine Only Thing Stomach Will Retain. PONTIFF'S STRENGTH LEAVING Private Information Says Temperature Not So High, but His General Condition Growing More Serious. BULLETIN. ROME, April 16.—(3:35 p. m.)—The pope had an alarming coughing spell this morning, almost coughing to suffocation. The attack was followed by such exhaustion that those attending the pontiff feared the worst. 5:45 p. m.—Subsequent to the excess of coughing the pope had a period of depression, but after a rest he appeared relieved. At this hour the condition of his holiness is considered stationary. ROME, April 16.—The aggravation which occurred last evening in the condition of the pope reached its climax after midnight, and then gradually wore off in the early morning hours. When Prof. Marchisavva entered the sick room this morning, just before 7:30 o'clock, the fever had entirely disappeared. The expectation, which had been abundant during the night, was considered by the professor to be somewhat better, both in color and in substance. The injections administered by Dr. Amici in the course of the night had produced the desired effect of keeping up the strength of the patient's heart, although the general weakness had increased. The pontiff was able to take some nourishment. He greatly enjoyed some yolks of eggs beaten up in Marsala wine and old brandy, a decoction much liked by Italians. Prof. Marchisavva gave a fresh prescription this morning, aiming at facilitating expectoration. The professor insisted on complete rest and added: "Each patient must, above all, be his own physician."

Lawyer Comes to Draw Will. The lawyer, Patriarca, w. o. represents the holy see, was summoned to the vatican this morning. The same lawyer drew up the last testament of Pope Leo XIII, and the inference is that he has been asked to do the same for Pope Pius X. The lawyer, Patriarca, was summoned after Prof. Marchisavva, the pope's physician, had a long conference with Cardinal Merry Del Val, the papal secretary of state. Earlier in the morning the pope's sisters entered the vatican and were received by Mr. Pasolin, the pope's nephew, who held them waiting in an ante-chamber until the doctors had ended their visit. They then entered the pope's chamber. Later they adjourned to an adjoining chapel, where they heard two masses. Private but reliable information as to the pope's condition this morning is that while he is without fever today, he is much weaker than at this time yesterday. If his illness continues in its present course he will be weaker each day. Even if the bronchial affection does not develop into actual pneumonia, it is doubtful how long the constitution of the patient can hold out.

Martin's Whereabouts is Still a Mystery

LONDON, April 16.—The mystery of the whereabouts of the lost Joseph W. Martin of Memphis, Tenn., is still awaiting a solution, all the "clues" brought to the notice of the police since his disappearance on April 3 having proved fallacious. The Scotland Yard authorities have practically discarded the theory that he has been a victim of foul play, but are at a loss to find a reason why he should have vanished so completely. The American detective, Burns, is working intently on the "Spanish clew," which originated in Barcelona. He was formally introduced to the officials of Scotland Yard this morning by Irwin B. Laughlin, charge d'affaires of the United States embassy.