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Showers tonight and Friday; cooler Friday

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JAPS SAY AMERICA'S ANSWER TO PROTEST IS UNSATISFACTORY

Disappointment Felt Because Reply Says That California Legislation Does Not Involve Treaty Violation

RESULT OF REFERENDUM IS DOUBTED IN TOKIO

Ambassador Chinda Is Urged to Press the Japanese Interpretation of the Treaty in Washington

By Associated Press.

TOKIO, May 22.—The United States' reply to the Japanese protest in regard to the California alien land ownership legislation in saying that it does not involve any violation of the treaty between the United States and Japan, has caused great disappointment in official and other circles here.

The Japanese foreign office considers it unsatisfactory, as it does not mention any intention on the part of the government at Washington to take official steps to nullify the California act.

The Japanese foreign minister is urging Viscount Chinda, Japanese ambassador at Washington, the necessity of pressing the Japanese interpretation of the American-Japanese treaty.

Secretary Bryan's proposal to refer the question to a referendum vote in the state of California is not received with favor here, as the result is considered doubtful.

The war talk, emanating from Europe and reaching here by cable, regarding the controversy between Japan and the United States on the land ownership question, is not understood in official and other circles here. The atmosphere is calm, and great reserve is shown.

Some of the newspapers, however, have begun to speak out more freely. The leading daily newspaper, the Asahi Shimbi, finds reason underlying what it calls the American fear of Japanese aggression. It says: "All Japan wishes for the Japanese is equal treatment with white men. Japan's progress has reached the point where she will no longer consent to discrimination being shown against her subjects."

The general hope is expressed here that the reply sent from Washington will not be America's final word, especially as the United States government by its intervention in California, inspired the belief here that it would adopt strong measures in behalf of the Japanese.

DIPLOMACY.

It is believed in Japan that the difficulty will finally be settled by diplomacy, but the question of how Japan is to find next to a puzzle to the statesmen here. Japan is a stranger to the technicalities of American laws and does not see her way clear to take the initiative in a lawsuit, while a national pastime prevents a formal request that naturalization be granted, which would mean the virtual expatriation of Japan subjects. Public opinion, however, seems to be in favor of a demand for naturalization as the most feasible means of satisfying Japanese pride.

The opinion in official circles is that the nation has been led to expect some action by Washington, and if nothing should be done from that quarter, then the Japanese public, which has remained calm and dignified, is liable to become greatly irritated.

Foreigners say the Japanese are supersensitive and superproud," said an official today. This may be true. We don't care for the commercial losses incurred. The present issue strikes us on our most sensitive point, namely, our national honor, and any attack on that is like plunging a dagger into our vitals.

"Of course it is idle to talk of war, but I think, in justice to the Japanese, it should be pointed out that the quiet expectancy of the people is more important than the irresponsible war talk indulged in by the jingoes at present.

"If the Americans understand this they will likewise understand why the failure of a response to the Japanese appeal is likely to result in some estrangement of the traditional friendship between the two nations of Japan."

Cabinet Lawyers Say Treaty Is Not Violated

By Associated Press.

WASHINGTON, May 22.—The basis of the state department's contention that the California alien land act does not in terms violate the treaty of 1911 was a careful scrutiny by all the lawyers of the cabinet of the language of the law and the treaty.

Save upon the single point that in depriving Japanese in California the right to inheritance of real estate, they concluded there was no ground for complaint.

Another view of the expressed declaration in the treaty is that it was not to be construed as abrogating may treaty provision, which thereby appeared to assure the Japanese against unlawful confiscation of their property. It was felt that the federal government could do nothing less than admit that the provisions of the treaty seemed to have succeeded in their purpose to make it proof against attacks in the courts.

Officials gather from the Tokio dispatches that the negotiations are drifting into the stage of more deliberation, where the international lawyers on both sides will have ample opportunity to exercise the full resources in determining the exact relation between the California law and the treaty of 1911. Some expect that the result will be an invocation of the Japanese government of the right of arbitration guaranteed by the special treaty of 1908.

Japs Favor Spending $600,000 On Exposition at Frisco

By Associated Press.

TOKYO, May 22.—The committee of the Japanese parliament today made a favorable report on the proposed appropriation of $600,000 for the repre-

Continued on Last Page, Column 3.)

DYNAMITE PLANTER OFFERED $7,000 BY MILL MAN'S AGENT

John J. Breen, Undertaker Who Confessed to Planting Dynamite Among Laborers During Strike, Tells More

MILL OWNER'S LAWYER MADE OFFER, HE SAYS

Testimony Strongly Implicates Fred E. Atteaux, Dyer Manufacturer, but Has Not Yet Involved Head of Big Mill

By Associated Press.

BOSTON, May 23.—John J. Breen, the undertaker who has confessed that he distributed dynamite at Lawrence during the textile strike of 1912, was ready to continue his testimony under cross-examination when the trial of President William Wood, of the American Woolen company, Fred E. Atteaux and Dennis J. Collins, charged with conspiracy to "plant" the explosive, was resumed today.

Breen's testimony today was awaited with great interest, principally because of his declaration just before adjournment yesterday that he refused several months ago to accept an offer of $7,000 made by the attorney conducting the cross-examination, Daniel H. Coakley, senior counsel for Mr. Atteaux.

Breen said he had been engaged by Atteaux to plant the dynamite and that later he had been used by a number of persons who were arrested when the explosive was found on their premises.

He had sought financial assistance from Atteaux to settle the cases, he said, but because of the conditions imposed he had refused the offer.

Up to the opening of today's session none of the testimony had connected Mr. Wood with the alleged conspiracy.

PURPOSE OF PLANT.

The alleged purpose in "planting" the explosive was to create suspicion that the strikers blew up the mills.

Before the cross-examination of Breen was resumed today Collins was recalled to testify to a conversation with Breen after the latter's conviction. The witness could not remember that Breen had said: "I am going to get back those people and then they gave me a raw deal."

Breen then took the stand and was questioned regarding a telephone conversation with Police Commissioner Stanley of Boston, on the night of January 15. He said that when he told the inspector to "hold up" the matter until the next morning it was not because he had not finished "planting" the dynamite.

References were made to the suits for damages brought against Breen by those who had been arrested after the dynamite had been found on their premises. When witness objected to answer he was agreed with the attorney for two of the plaintiffs to settle by a cash payment to each of the parties of $300 on June 17. Nor could he remember having postponed the promise of payment successively to July 1, July 5 and July 11.

"Did you say to Atteaux when you came to him for the $6,000 on July 13, that your trial had bankrupted you," asked Mr. Cookley.

"I don't remember. I may have," replied the witness. He declared that he had said to Atteaux, "If you asked Mr. Wood, don't you think he would help me out?" and that Atteaux replied: "I would as soon think of taking Mr. Wood by the throat as of asking him up in such a nasty mess as this."

Referring to telephone conversations between Atteaux and himself, Breen said he could not recall one during which he said to Atteaux:

"There's going to be an explosion one of these days," nor in which Atteaux replied: "I hope it won't be of dynamite," and hung up the receiver.

The witness denied emphatically having said to Atteaux over the telephone on another occasion: "I wonder how much rich friend would like to have the labor men know about this."

Breen said that Atteaux finally referred him to William B. Watts, a former chief inspector of the Boston police and now the head of a private detective agency and Watts, in turn, sent him to Attorney Cookley.

MRS. FLAGLER OPPOSES PUBLIC MOURNING

JACKSONVILLE, Fla., May 22.—Mrs. Flagler this morning, at St. Augustine, requested that no mourning decorations be placed on any public or private buildings and that all signs of mourning as far as possible be omitted. Her wishes will be carried out.

The mayor of Jacksonville this morning issued a proclamation asking that all business cease for a period of five minutes tomorrow morning in honor of the memory of Mr. Flagler.

The postmaster general has ordered the flag displayed at half mast on that hour. Governor Trammell is expected to issue a like proclamation this afternoon.

DRAMATIC MOMENT IN U. S. ASSEMBLY AS ONE WITHDRAWS

Dr. W. M. McPheeters, of Columbia Theological Seminary Faculty, Quits as Protest Against "Steam Roller"

FEDERAL COUNCIL ROW REPORT LEADS TO THIS

In Consequence, Assembly Defers Vote on Majority Report to Which Retiring Commissioner Objected

An attack on the general assembly of the Southern Presbyterian church in which the innovation of a political "steam roller" was charged by Dr. W. M. McPheeters, of the Columbia Theological seminary, of Columbia, S. C., followed by the adoption of the majority report of the committee on foreign correspondence recommending that the church remain in the federal council of the churches of Christ in America, created a sensation in the Thursday morning session of the Presbyterians in the United States, at the North Avenue Presbyterian church, and resulted in Dr. McPheters withdrawing from the assembly.

The crisis of the dissension in the conference, which became manifest last Tuesday morning, when the two reports were read, came immediately upon the announcement of the rising vote of 138 to 37 in favor of the report of the majority.

Dr. McPheeters arose at that juncture to offer an amendment to the majority report docketed as an amendment to the minority. He was called to order by Moderator Lyons on the ground that the assembly had previously voted to have both measures come up in the order named. It had been agreed that the minority report, if rejected, be immediately followed by the majority report, and on its passage the question of remaining in the council would be settled once and for all.

DECLINED TO APPEAL THERE.

Dr. Lyons decided in the speaker that he had the right to appeal from the moderator's decision. This he declined to do. "I would not avail myself of the opportunity yoh offer in this assembly," Dr. McPheeters said. "I am a minority part of the church, however, the appeal was made and the prompting voted down. Three times since the session began the vote was viva voce and seemed almost unanimous, but on the vote Saturday, at Memphis, who presented the minority report, called for a division. He was standing on the rostrum with the moderator at the time.

"If you have the temerity to ask it," said Dr. Lyons, "the request will be granted cheerfully."

"I certainly have," replied Dr. Lowry and the rising vote was called for.

Dr. McPheeters was again on the floor attempting to speak, gesticulating for a hearing.

"Just a moment," cried the moderator, bringing his gavel down on the pulpit. "I claim the right to state my position, and then you may have the privilege of speaking. As a Frenchified Scotch-Irishman, I think that I have done well in presiding over this assembly with absolute impartiality. We have carried out the order of balloting as already decided upon."

Here Dr. McPheeters was granted the floor. He arose slowly and faced the assembly. His words at first were scarcely audible beyond the fourth row of pews, and echoes of "louder" were heard.

DR. McPHEETER WITHDRAWS.

"I do not wish to act hastily in a grave matter," he said. "I am here to withdraw from this committee."

His voice was now almost a whisper, but there were no more cries of louder, and he leaned forward expectantly.

"I do not care to say aloud such things as this in the council," continued Dr. McPheeters, "that is why my voice is so low. A steam roller political action has been gotten in its work and the action has been unconstitutional. I am therefore compelled to withdraw from the assembly. I am free to retire from the assembly. I am free to retire from this assembly. I am free to retire from this assembly. I am free to retire from this assembly. I shall make such a report as I see fit to the presbytery I represent."

LEFT IN SILENCE

The profound silence at the assembly demonstrated that Dr. McPheeters passed

(Continued on Page 7, Col. 1.)

NOW IS THE RIGHT TIME TO GET IN THE JOURNAL'S GREAT BOOKLOVERS' GAME

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See Prize Picture and details on Page 2.

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FEARS ARE FELT FOR SAFETY OF CZAR AT BIG ROYAL WEDDING

Emperor Nicholas, of Russia, Arrives in Berlin in Russian Imperial Armored Train and Is Closely Guarded

By Associated Press.

BERLIN, May 22.—Emperor Nicholas of Russia arrived here this morning to attend the marriage of Princess Victoria Luise, only daughter of the Emperor William, to Prince Ernest August of Cumberland.

The Russian emperor was met at the station by Emperor William and King George of England and a great gathering of members of the various royal families. The Russian emperor drove with his imperial host in state to the castle. The wedding takes place on Saturday.

Emperor Nicholas' journey from the frontier station at Eydtkuhnen, to Berlin was made in the Russian imperial armored train.

Arrangements made by the Berlin police for the protection of his majesty were very comprehensive. The police were assisted by a considerable force of Russian detectives.

Inhabitants of Berlin, whose passion for spectacles is well known, were today able to obtain full gratification of their desires in that respect. The crowds were even greater than those of yesterday. People packed sidewalks, windows, balconies and roofs, whence they had an almost constant view of passing and repassing royal processions from 8 in the morning until after noon.

Early in the day the dowager duchess, of Baden, the emperor's aunt and the senior living member of the royal family of Prussia, arrived.

She was followed shortly afterward by the duke and duchess of Cumberland.

On each occasion Emperor William, the empress, Prince Ernest August, of Cumberland and his bride-to-be, the Princess Victoria Luise, together with a large contingent of Hohenzollern princes and princesses, drove to the station to escort the arriving guests to the castle.

All the processions followed the same route from the Anhalt terminus through Koeniggratz street and the Avenue of Victory and along Unter Der Linden to the castle.

EMPEROR IS LATE.

At the arrival of the venerable duchess of Baden, Emperor William—always a model of punctuality—was late, probably for the first time in his life, and the spectators on the station platform were treated to the spectacle of his majesty in a hasty run endeavoring to reach the waiting place of the railway car before his aunt stepped out. He lost the race.

Besides the principal guests, a swarm of minor princes and princesses arrived at the other stations of Berlin, each adding a flash of bright color to the streets while passing to where they are to be lodged during the wedding festivities.

The throngs on the streets were good naturedly enthusiastic in their demonstrations and there was an almost continual roll of cheering throughout the day. The weather was again fine.

The police handled the crowds with suavity and skill.

None of the ladies of the imperial and royal families participated in the welcome to Emperor Nicholas at the station, since he was not accompanied by the Russian empress. The scene, however, gained in magnificence, owing to the presence of King George and his suite with the striking white wool caps of the Russian emperor's attendants and the vari-colored robes of several Russian princes.

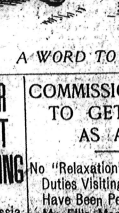
The great terminus had been cleared of people an hour before the arrival of the Russian emperor's train, and

(Continued on last page, Col. 1.)

COMMISSIONERS WILL BE GLAD TO GET BACK TO HARD WORK AS A RELIEF FROM ASSEMBLIES

No "Relaxation" In Strenuous Duties Visiting Presbyterians Have Been Performing, Says Mr. Ellis—More Sharp Words Passed Than Usual—Tribute to Tired Hostesses

By William T. Ellis



THE end of the general assemblies of the Presbyterian churches is in sight. The United Presbyterian body adjourns on Thursday afternoon, and the two larger assemblies hope to finish up on Friday evening, although they have a mass of important matter on the docket. So grave are the issues still before the assemblies that the attendance keeps up to its average level, although more than one commissioner is ready to go back to the hardest kind of hard work as a relief from this experience, which he thought would be a restful vacation. The health has been heavy, especially in the Northern assembly. Ordinarily the last day in the Northern assembly is a day when odds and ends of business are transacted and when interested parties put through a careless assembly the projects in which they have a personal interest.

U. S. A. TO MEET IN CHICAGO.

The Southern assembly already has chosen Kansas City as its next meeting place, while the United Presbyterians go to Pittsburgh, Pa. The Church in the U. S. A. will meet next May probably in the great new building in Chicago erected by Dr. Stone's congregation.

Thursday found the assembly in the North Avenue church still battling over the question of relationship with the federal council. This issue is analogous to the Union seminary question in the Northern church. The commissioners are torn by two desires. They are determined to stand for the church's historic orthodoxy; at the same time they wish—and never more ardently than at Atlanta, for the closest cooperation with the churches of other names. The present outlook is for a solution that will effect both the desired ends.

Dubbed a "bond of bishops" and speculated last year's general assembly at Bristol, the committee on systematic beneficence has been characterized by the U. S. church. This is the business efficiency committee which recommends the appointment and in a sense supervises the work of all the paid secretaryships of the denomination.

TABERNACLE GROWS LIVELIER.

Over in the Tabernacle, the scene is very different. Of course, the assembly draws to an end. The question of a reconsideration of the report of the executive commission which ordered the abolition of the country life department, will be acted upon again. Likewise the commission made a verbal explanation that it really did not mean the drastic and peremptory elimination of the rural work, but left matter discretionary with the board. So it seems as if the Jonah has yet to find a whale to bear him safe to shore. The home mission board is emerging with flying colors. Every lover of great oratory and of intellectual battles would have been delighted with the splendid spectacle presented by the representatives of the board when they arose to champion their cause before the assembly. They made no apologies or excuses. Without yielding an inch, they set forth the work of the board. Two secretaries spoke.

VICTORY OVER CRITICS.

Ernest McAfee, young, lithe, subtle, was a Queenie Vare whose incisive sentences clove a way to triumph for his board. His colleague, the veteran secretary, Dr. Thomas Marshall, "brought down the house." When the well known figure of the veteran secretary, himself an old moderator, advanced to the floor, he was greeted with prolonged applause and the assembly rose to its feet in ovation. With noble eloquence that proved him a master of public assemblage, Dr. Thompson addressed the commissioners for twelve minutes. In that brief time he played upon all the strings of the harp of the human heart. It was a sublime spectacle and it destroyed the last chances of the critics of the board of missions.

The way for all this was prepared by an able and sympathetic report by Rev. Dr. Maitland Alexander, of Pittsburg, chairman of the assembly's standing committee on the board.

There are a great many Atlanta folk who are enjoying the oratory of the assemblies and slipping away when routine thrills are lacking.

SHARP WORDS PLENTIFUL.

The clash of arms and the spark of conflict enliven the proceedings for the outsiders especially in the Tabernacle meetings. There have been more sharp words spoken at this assembly than one commonly hears in a gathering of this sort.

Not alone in the meetings are the local commissioners coming in contact with the assembly. Some thousands have tested the spirit and purpose of the great gathering in the noonday theater meetings which are held on the Grand and in the four daily street meetings at different sections. Last night an automobile accosting party carried evangelists over the city, making addresses at points en route.

The entertainment of the assembly has been an experiment in democracy. Atlanta's weary hostesses, who will surely need vacations by the end of this week, seem not to lie in their hospitality, and scores of social functions are crowded in between sessions. HAS BROUGHT PLANT TOGETHER.

This meeting has brought into some of Atlanta's finest homes the commissioners from rural parts, and people who never would have come into close relationship are learning to know one another in the intimacy of guest and host, which is a leaven for democracy. Reunions of old soldiers are an everyday occurrence in connection with the assembly.

The "big day," to use a camp meeting phrase, of the U. S. A. assembly is that devoted to foreign missions, which is Thursday. This is the meeting at which additional visitors to the city, and the missionary women throng to the galleries of the Tabernacle. The foreign session is commonly considered the most uplifting of the whole series of meetings. In the southland especially, interest in this largest of American foreign enterprises is keen. One secures in tabloid form an impression of the far-flung battle line of American Christendom. The principal speaker of the northern assembly upon this theme will be Rev. A. W. Halsey, secretary of the foreign board, who is a classmate of President Wilson. The president's pastor, Rev. Sylvester Pace, of Princeton, is one of the visitors who has come to Atlanta to attend this session.

LOFTY MOUNTAIN PEAK BLASTED TO FRAGMENTS

By Associated Press.

CHAMBERSBURG, Pa., May 22.—Military engineers blasted into fragments today the loose peak of a mountain 40,000 cubic feet of rock—which had threatened to fall and destroy the village of Tormery. The village had been in danger from a slide ever since its foundation as a cluster of huts in the middle ages.

Before the fuse was fired the villagers removed all their portable property to the neighboring hills.

PHAGAN CASE WILL GO TO GRAND JURY AT 10 A. M. FRIDAY

Names of Leo M. Frank and the Negro, Newt Lee, to Be Presented by State as the Accused

DORSEY TO CONCENTRATE EFFORT AGAINST FORMER

Improbable That Evidence Favorable to Mr. Frank Will Be Attempted—Experts Ready on Various Phases

The Phagan investigation will go to the grand jury on Friday and the state will use every effort to introduce sufficient evidence against the two suspects ordered held by the coroner's jury to secure true bills.

Solicitor General Dorsey announced late Thursday that there had been no development which would change his plan to present the case to the twenty-three grand jurors on Friday. The names of both Leo M. Frank, superintendent of the National Pencil factory, and Newt Lee, negro nightwatchman, will be presented the jury, but it is said that the state will concentrate its evidence in an effort to secure a true bill against the factory superintendent.

WILL WITHHOLD EVIDENCE.

As to whether his expert testimony by physicians and by finger print, handwriting and blood specialists would be introduced before the grand jury, Mr. Dorsey would make no statement.

It is said, however, that the state will withhold all evidence possible without jeopardizing its chances of securing a true bill.

The grand jury session to take up the famous case has been called for 10 o'clock Friday morning, and a small army of deputy sheriffs and attaches of the solicitor's office will be used Thursday in subpenaing the numerous witnesses in the case.

Considerable of the irrelevant testimony given at the coroner's inquest will be eliminated at the grand jury hearing, the solicitor thinks, and very familiar with the testimony of practically every witness in the case and the necessary questions will be asked.

Despite the familiarity of the officials with the evidence, every indication is now that the hearing will consume both Friday and Saturday and possibly it will be adjourned into next week.

EVIDENCE FOR ACCUSED.

The law as to the question of admitting testimony in favor of the defense or accused, should the grand jury desire it, is very hazy, but it is certain that the efforts of any of the jurors or attorneys for Mr. Frank in offering evidence except that of the state, will be combated.

The supreme court is quoted as holding that even if the solicitor is willing, the evidence for the defense can be introduced before the grand jury, but the decisions referred to say nothing about the admission of special testimony on the request of the jury.

However, it is considered improbable that any effort will be made to introduce testimony available to Mr. Frank as a grand jury indictment is simply an accusation.

It requires the vote of twelve grand jurors to secure a true bill. A session of the jury is legal if there are as many as eighteen of the twenty-three jurors present.

While it is said that the work of finger print experts is considered of great importance by the solicitor, Dorsey is authority for the statement that it has not changed the aspect of the state's case.

EXPERTS TO TESTIFY.

Neither Solicitor General Hugh M. Dorsey nor P. A. Flak, the New York finger print expert, will discuss the finger print evidence in advance of the trial, but it is said to be certain that either Mr. Flak or L. J. Fletcher, finger print expert of the federal prison, will be one of the witnesses if either of the two men ordered held by the coroner's jury is brought to trial on a charge of causing Mary Phagan's death.

Mr. Flak was formerly in the British service in India, and has made a life

(Continued on Last Page, Column 4.)

Home Hunting?

This bright month of May is the time when most people, who are contemplating a change in residence, are seeking a house or apartment. The Journal Want Columns are full of just such ads every day. The house or apartment you are looking for may be among those in today's Journal. Why not look and see? A hasty glance may solve your house problem for you and save you days of worry and annoyance.

The classified real estate ads make the task a simple one, for whether you want a home in town, country or suburb, you will find just such Wants, and lots of them, in The Journal, daily, especially at this time of the year.

Meet the house owner half way and read The Journal Want Ads every day, and you will soon get the place you seek.

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