

American Steamer Reported Torpedoed Off Irish Coast; Two Steamers In Collision

NEBRASKAN IN BALLAST DAMAGED BY SUBMARINE, U. S. EMBASSY IS TOLD

U. S. Vessel on Way Home for Orders When She Was Struck and Carried no Contraband.

CREW TAKE TO BOATS BUT RETURN TO SHIP

Some Officials Cannot Understand Why Such Vessel Was Attacked and Suggest Drifting Mine.

London, May 26.—The American steamer Nebraskan, Captain Greene, from Liverpool, May 24, for Delaware Breakwater, was torpedoed yesterday by a submarine 40 miles west-southwest of Sastnet, off the southern coast of Ireland.

The sea was calm at the time and the crew at once took to the boats and stood by the ship. It was soon ascertained that the Nebraskan was not seriously damaged. She was struck forward and her foreholds were full of water. The members of the crew returned on board and the vessel was soon under way. No lives were lost. The Nebraskan carried no passengers.

The foregoing information was received by the British admiralty and at once communicated to the American embassy.

The Nebraskan, Captain Greene, was owned by the American-Hawaiian line of New York and was of 2824 tons net register. On her last eastern trip she left New York May 7 for Liverpool.

Down By Bows.
London, May 26.—A message from Kinsale, Ireland, says that the Nebraskan passed that point at 11 a. m. today and appeared to be bound for Queenstown. The Nebraskan was down at the bows, but was proceeding under her own steam and flying the signal, "I am not under control."

Immediately after being struck the Nebraskan called for help by wireless and Browhead received the communication at 9 a. m. yesterday.

Await Information.
Washington, May 26.—Coming close on the Lusitania disaster the news on the steamer Nebraskan had been endangered aroused more than ordinary attention in Washington. All officials were disposed to await detailed information before commenting. Some officials could not understand why a ship bound for the United States under ballast and carrying no contraband should have been torpedoed. It was considered among the possibilities that the Nebraskan had struck a drifting mine.

The first official word about the Nebraskan came in a message from Consul General Skinner who called. "The British admiralty reports that the American steamer Nebraskan has been torpedoed."

His message says the same location mentioned in the London dispatch and said the official had received no direct details.

Coming for Orders.
Philadelphia, May 26.—The Nebraskan was bound for Delaware Breakwater under ballast for orders. She called from New York, May 7 and ar-

Liner Ryndman Crashes Into A Freight Steamer And May Go to Bottom

New York, May 26.—The steamer Ryndman of the Holland-American line, bound from New York to Rotterdam with passengers and freight came into collision early today with the freight steamer Joseph J. Cuneo off Nantucket Island. A wireless message received here says that the Ryndman transferred her passengers and part of the crew to the Cuneo, but that both steamers were badly damaged.

A later communication said that the Atlantic squadron was standing by and that the members of the crew and passengers of the Ryndman had been transferred to the battleship South Carolina.

The liner is slowly progressing to port. Evidently the water is gaining in the Ryndman's hold and officers of the vessel are prepared to abandon the ship if the situation gets much worse.

The Ryndman's wireless became fainter and fainter until it was difficult for wireless stations to communicate with her.

Forty members of the Ryndman's crew remained aboard. It is believed a heavy fog which was blown up by a southeast wind last night was responsible for the collision. The sea was not heavy at the time of the crash.

The Ryndman is a vessel of 7976 tons. She left here yesterday with 54 passengers in the first and second cabins and 23 in the third. She has a crew of 200.

The Cuneo is a Norwegian trader of 546 tons and plies between Atlantic ports and the West Indies. She is believed to have carried no passengers.

A wireless from Captain Henevel of the Ryndman received here shortly after 8 o'clock read: "One hundred and fifty miles from Ambrose; hold 5 full of water; hold six gallons; engine room water can master; proceeding at 12 miles an hour, passengers and 150 of crew on Cuneo; American Squadron standing by."

Apparently Captain Henevel was not aware when he sent message that the Ryndman had been transferred to the battleship South Carolina.

The Ryndman was active in trade between northern points and Liverpool, but since the outbreak of the war she has made one voyage to London and one to Bremen.

Message From Captain.
New York, May 26.—The American-Canadian Steamship company, owners of the Nebraskan, received a message from Captain Greene, relayed by cable which said that his ship had either struck a mine or had been torpedoed; had turned back and was proceeding under convoy to Liverpool.

CHARLES BECKER'S APPEAL FROM 2ND CONVICTION LOST

Albany, N. Y., May 26.—The second conviction of Charles Becker for instigation of the murder of Herman Rosenthal has been upheld by the court of Appeals. Becker now must die unless he can obtain executive clemency from Governor Whitman, who, as district attorney of New York, prosecuted him or can obtain reversal by the United States Supreme court.

Charles Becker, the former New York police lieutenant, must die in the electric chair at Sing Sing within the next six weeks for the murder of Herman Rosenthal, the New York gambler, by four gunmen July 1, 1912, unless Governor Whitman or the United States Supreme court intervene.

Executive clemency for Becker is regarded as remote, as District Attorney Whitman of New York county, the present governor, prosecuted the former police lieutenant both times.

Speculation is rife as to whether Becker, facing death, will seek to save his life by making revelations in connection with so-called "police system" in New York to the governor. Regardless of his connection with the Rosenthal case, Becker is believed to possess information that would be invaluable to state and New York city officials. The statement has been made frequently that the trial of Becker and the four gunmen who shot Rosenthal only scratched the surface of the true conditions in New York police circles.

THE TREATY BETWEEN JAPAN AND CHINA HAS BEEN SIGNED

Peking, May 24, via Petrograd and London, May 26.—The treaty between China and Japan was signed this afternoon at 3 o'clock.

The treaty covers the negotiations concerning the Shan Tung peninsula, Manchuria and Mongolia. A dispatch to Washington says there was an exchange of notes on the other questions, but there were no intimations concerning the contents of the notes in the dispatch.

NEW ENGLISH CABINET NAMED

Lord Kitchener Remains Secretary of War But Lloyd-George Will Head New Dep't. of Munitions.

BALFOUR SUCCEEDS WINSTON S. CHURCHILL

Asquith and Grey Retained—McKenna Chancellor of Exchequer—Buckmaster Succeeds Haldane.

London, May 25.—Lord Kitchener retains the post of secretary of war in the new coalition cabinet which has received the approval of King George. The new first lord of the admiralty will be Arthur J. Balfour. Winston Spencer Churchill, former head of the admiralty, is given the portfolio of chancellor of the Duchy of Lancaster.

Herbert H. Asquith retains the premiership and Sir Edward Grey the ministry of foreign affairs. David Lloyd-George, chancellor of the exchequer in the new cabinet, will be minister of munitions in the new one. The constitution of the new cabinet follows:

Prime minister and first lord of the treasury, Mr. Asquith.

Minister without portfolio, Lord Lansdowne.

Lord high chancellor, Sir Stanley O. Buckmaster.

Lord president of the council, Lord Crewe.

Lord privy seal, Lord Curzon, of Kedleston.

Chancellor of the exchequer, Reginald McKenna.

Secretary of the estate for foreign affairs, Sir Edward Grey.

Secretary for the colonies, Andrew Bonar Law.

Secretary for India, J. Austen Chamberlain.

Secretary of state for war, Lord Kitchener.

Minister of munitions, David Lloyd-George.

First Lord of the admiralty, Arthur J. Balfour.

President of the board of trade, Walter Runciman.

President of the local government board, Walter Hume Long.

Chancellor of the Duchy of Lancaster, Winston Spencer Churchill.

Chief Secretary for Ireland, Augustine Birrell.

Secretary for Scotland, Thomas McKinnon Wood.

President of the board of agriculture, Lord Selborne.

First commissioner of works, Lewis Harcourt.

President of the board of education, Arthur Henderson.

Attorney general, Sir Edward Carson.

The official announcement of the new cabinet says:

"A place in the cabinet was offered to Mr. John Redmond (the Irish nationalist leader) but he did not see his way to accept it."

"The prime minister has decided that a new department shall be created to be called the ministry of munitions, charged with organizing the supply of munitions of war. Mr. Lloyd-George has undertaken the formation and temporary direction of this department and during his tenure of office as minister of munitions will vacate the office of chancellor of the exchequer."

"It is understood that Mr. Henderson will assist the government in matters relating to labor questions, especially those arising out of the war."

WOMEN ACCEPT COURT DEFEAT

Suffragists Think It Possible to Modify the Constitution With Regard to Right to Hold Office.

EASIER TO MOVE THE STATE THAN COURTS

Opinions of Judge Allen and Chief Justice Clark on Mrs. Knight's Notary Public Case.

(By W. T. Bost.)

Raleigh, May 26.—When the story went the rounds that the women had lost in the notary public case, the suffragists in plenty resented it then accepted the issue with resignation. They think it easier to move the state than the state's courts and while it may modify modestly some of the provisions of the ancient constitution.

Judge Allen lays down five propositions upon which he writes an opinion so cleverly that those who believe in the right of courts to upturn a legislative act and in the final authority of the highest court to make the law will find no getting out place for others. But Judge Clark as wisely flanks his associate's move. The five points of Allen are not even referred to in the multifarious opinions of Clark.

"There are five questions directly or indirectly involved in this appeal," Judge Allen says.

1. "Is a woman a voter in North Carolina?"

2. "If not a voter, is she eligible to office?"

3. "Is the position of notary public a public office?"

4. "If an office can the general assembly affect its character by calling it a place of trust and profit without changing its functions?"

5. "Has the court the power to say that the general assembly has exceeded its authority and that the act passed by it is unconstitutional?"

"The right to hold the office of notary public is of slight moment to the women of North Carolina or to the public but it is of supreme importance that the questions involved in this appeal shall be correctly decided because they involve constitutional principles."

Judge Allen then holds that the right to vote is not a natural right but a privilege conferred by and as it is conferred upon males only in this state, it cannot be exercised by women. Pace against Raleigh 140, N. C., page 65, is cited showing that "no one is eligible to office unless he is a voter" and concludes that women cannot hold office.

Quotes Judge Clark.

Judge Allen holds in the second place that notary public is an office, citing Black's and Bouvier's Law dictionaries, the Century and Webster.

Mechem on Public Offices, A. and E. Encyclopedia of Law, and the decision of about twenty courts, going back to 1791 in an English court and ending with Chief Justice Clark in *Nicholson vs. Lumber company*, 169 N. C., 37, all the court agreeing that a notary public is a public officer.

"It cannot be doubted that a notary public is a public officer," Judge Clark is quoted.

Judge Allen holds further that this has been the executive, legislative and judicial construction in this state; executive, because women have not been appointed to the position; legislative because since 1777, notaries public have been required to take the oath of office and the "oaths of office prescribed for public officers" and judicial, because in *Long vs. Crews*, 113 N. C., 258 it was held that a probate of a deed of trust taken before a notary who was a preferred creditor was invalid upon a common law principle that no one can "sit in judgment upon his own cause and in the opinion and in the subsequent case of *Smith vs. Lumber company*, 144 N. C., 49, and in the *Nicholson* case, the notary is said to be an officer.

Judicial Functions.

Judge Allen waives judicial opinions, the definitions of law writers and the dictionaries, the construction of state departments and everything else and agrees that applying the test as to functions, the notary is an officer performing judicial functions in the probate of deeds and duties of importance to the public in the process of commercial paper.

Judge Allen considers the power of the legislature to change the character of an office by changing its name. "A place of trust and profit," he

(Continued on Page 2.)

ITALIAN TROOPS FORCE PASSES INTO AUSTRIA

NEW STEAMSHIP LINES SUBJECT

Pan-American Financial Congress Discusses Establishment of Lines Between Two Americas.

HAMLIN AND WARBURG DELIVER ADDRESSES

Message of Congratulation Sent to Argentine Republic on the Anniversary of Independence.

Washington, May 26.—With preliminary work over the delegates to the Pan-American congress here settled down to real work.

Yesterday was given over to general discussion, group conferences and special committee meetings. One of the most important questions to be taken up for consideration was that looking to the establishment of steamship lines independent of Europe to ply between the principal ports of the two Americas.

An address by Governor Charles S. Hamlin and one by Paul Warburg of the federal reserve board, which were followed by brief remarks by delegates and guests occupied the attention of the congress during the forenoon.

Governor Hamlin told the delegates that the United States had been in the position it now occupies to extend trade by granting credit to those countries which wished to be customers.

The conference, he declared could be considered as a meeting of deep significance by the whole civilized world. "Believe the world realizes that the prosperity of the people of one nation in the long run tends to the prosperity of other nations, while the adversity of one people ultimately tends to the adversity of other countries," he said.

"Just as the individual prospers best out of the prosperity of all nations."

Governor Hamlin praised the federal reserve act but ventured the prediction that the American banking system, through the act would become the strongest in the world.

He referred to the history of financial legislation following the panic of 1907 and sketched the operations of the reserve act and added: "I think there is growing out of the new banking act a time for marvelous development of our foreign trade, especially in South America, and opportunity to finance that trade in such a way as has never been possible before."

At the opening of the day's session Secretary McAdoe announced a committee on uniform laws to consider the creation of an international commerce court to settle particular matters arising out of trade disputes.

The congress by rising approved the sending of the following message to the president of the Argentine republic.

"The Pan-American Financial congress, in session at Washington, joins with you in celebrating the glorious anniversary of Argentine independence, and extends to the government and people of the republic of Argentina our warmest congratulations and sincere wishes for the happiness and prosperity of the Argentine nation."

Dr. Ricardo C. "Cao" of the Argentine delegation thanked the conference on behalf of the Argentine people.

FEDERALS PUT SUM TO HELP EACH OTHER

Baltimore, Md., May 26.—It has become known here that each of the eight club owners in the Federal league had been forced to put up \$10,000 to help along some of the clubs which have not been drawing the expected crowds. Despite reports of large attendance in several cities, it is said that it was necessary to assess the managers to meet the expense of some of the teams.

Have Occupied Various Towns in Thentino and Are Fighting for Positions Along the Isonzo River.

AUSTRIAN FORCES REPORTED RETIRING

Mackensen's Onslaught North of Przemysl Indicates the Power of German Attack Is Not Exhausted.

Rome, May 25.—(Via Paris, May 26.)—The occupation of Austrian territory along the frontier from Lombardy to the Adriatic is claimed in official statements issued by the Italian war office tonight. Italian troops have seized various towns in the Trentino and have forced their way through mountain defiles, the statement says. On the Lower Isonzo the attacks continue, to gain the line along the river. The Austrians are reported to have retired, burning bridges behind them.

London, May 26.—The approval of King George has made the coalition government, announced this morning an accomplished fact. This is generally accepted as the best solution of a vast muddle. Nevertheless the people of the country show no great enthusiasm in the compromise from the usual party cabinet.

In the field of military operations the great onslaught of General Mackensen against the Russian lines north of Przemysl and around Jaroslau indicates that the power of the Austro-German offensive is not exhausted and the belief is general in London that the Russians are not as well equipped for the defense of these positions.

Przemysl has not been sufficiently repaired since its capture by the Russians to make it rank as a great fort. It is rather a heavily fortified camp.

In the Dardanelles the allied offensive is reported to be slowly advancing against stubborn opposition. The Turks have been granted an armistice to bury 3,000 dead.

Along the western front, the Germans are still holding trenches east of Ypres which they captured Monday morning from the British and yesterday the French offensive north of Arras developed new vigor with the result that a number of German positions were captured. The French advance, like the German against the British, was not widely extended; but it included some formidable works.

Officially the Italian war department announces the capture of several Austrian towns across the border and the occupation of all the frontier passes in the Cadore, together with continuous successes for the Italian advance on Carinola and Praili on the frontier.

The British war office admits that the British have been unable entirely to reform their line denied by the Germans east of Ypres and this dovetails with German claims of advances in this region of Flanders.

The most interesting statement in the British announcement is that "with due precautions" gas can be "met and defeated." This is particularly pertinent, in that gas bids fair to be used more and more, possibly by all the contenders.

Attending to the extremely sanguinary character of the recent land fighting at the Dardanelles, there came last

(Continued on Page 2.)