

PROBING FOR BLAME IN EASTLAND CASE

Overloading, Under-Ballasting and Grounding On River Bottom Some Reasons Given

BOAT TERMED "CRANKY"

Harbor Master Who Applied Term Declares Government Inspectors Should Not Have Allowed Ship To Carry More Than 1,200 Persons; Secretary Redfield On The Scene

(By the Associated Press.) Chicago, Ill., July 27.—Overloading, underballasting and grounding on the river bottom were cited today in testimony at the coroner's inquest as reasons why the steamer Eastland toppled over Saturday at its wharf here and drowned hundreds of excursionists. Adam F. Weckler, harbor master, and Joe E. Lynn, assistant harbor master, both of whom were present when the steamer capsized with its licensed capacity of 1,469 persons aboard, in describing the accident to these causes, told the coroner's jury that the boat was "cranky" and should never have been permitted by government inspectors to carry more than 1,200 persons.

While the coroner's jury was hearing this and other testimony Secretary of Commerce Redfield inspected the Eastland and watched divers, combing the wreck and surrounding waters, recover three more bodies. He stated formally that government inspectors had not been lax and that the Eastland had safely carried many more passengers than were aboard when she rolled over. He said that federal officers would do everything possible to fix the blame, if there was any.

Harbor Master Warned. Harbor Master Weckler testified that he arrived at the Eastland's wharf 20 minutes before the steamer was due to start and saw that the boat was listing to port. He called to Capt. Pederson of the Eastland, to trim the vessel, shouting that he would not open the Clark Street bridge until the boat was righted.

Mr. Weckler said the Captain tried to right the ship but was unable to get the water into the ballast tanks fast enough. "I never saw the Eastland loaded so heavily as it was Saturday morning," said Mr. Weckler. "I have seen her loaded many times, but never so full as on Saturday."

"I don't think that the Eastland should have been allowed to carry more than 1,200 passengers, because it did not have enough draft and stability to carry a larger load. Only last Tuesday I told Capt. Pederson his boat was overloading, as it was constantly traveling on a list. He said that the twin screws kept the Eastland on an even keel while under way."

"After the arrest of Captain Pederson by me that he tried for seventeen minutes to trim the steamer, but could not get water into the ballast tanks fast enough. I don't believe Capt. Pederson was negligent, but until the final plunge came."

Mr. Lynn, assistant Harbor Master testified that when he saw the dangerous list of the steamer he called the police department. He turned to the wharf and saw passengers leaping from the decks to the river.

"I believe," said Mr. Lynn, "that the ship was on the bottom at 10:15. It took the Captain about seventeen minutes to right the boat without attempting to get off those on board there was negligence."

Mr. Lynn said that he saw many of the crew leaping from the wharf when the ship was careening.

Captain John H. O'Meara, of the tug Kenosha, which was to tow the Eastland out of the river testified he had towed the Eastland four times and she always listed.

Submits Certificates. L. C. Wheeler, assistant division superintendent of the Department of Justice submitted government inspection certificates in the Eastland case, one issued by Robert Reid, July 2, 1915, at the request of Capt. Pederson that the carrying capacity be increased. This certificate allowed the Eastland to take 1,469 passengers, an increase of 200 over previous permits.

Efforts to check up the total dead made no progress today. The official list of identified bodies totaled 234. While the list was being compiled, three bodies were recovered and divers said that probably not more than a score of victims remained in the ship.

DELINQUENT IN GIVING OUT BRITISH NOTE

Withheld From Publication Temporarily at The Request of Sender

ANOTHER NOTE PROMISED

One Feature of The British Note Is Understood To Deal Exhaustively With Rights of a Country To Blockade an Enemy Through Neutral Ports

(By the Associated Press.) Washington, July 27.—The request of Sir Edward Grey, British Minister for foreign affairs, that the State Department withhold from publication in tomorrow morning's papers, as originally planned, the text of the British note received yesterday in reply to the American protest against the British Order in Council, caused much speculation today in official circles. No explanation was made beyond the statement that another note on the same subject was promised from London within a week.

Secretary Lansing declined to advance any theory for the supplementing of the first communication. The American note which has been in preparation for some time will be further delayed until the new document is in hand.

It was at first supposed by officials that statements in the last American note to Germany, which were of general application and dealt with the purpose of the United States government to maintain the freedom of the seas, might have influenced the British foreign office to deal with that subject in the same note which deals with the blockade of neutral ports. British sources, however, it was learned that the main purpose of explaining the postponement of publication was to afford opportunity to the British government to inform the communication cables from Washington, July 17, in regard to cases before British prize courts.

Differ on Prize Courts. This communication related that in view of the differences understood to exist between the two governments as to the propriety of law applying to prize court proceedings in cases involving American interests and in order to avoid any misunderstanding as to the attitude of the United States, the British government was informed that the American government would insist upon the recognition of the rights of American citizens under the principles of international law as hitherto established, governing neutral trade in time of war, and would not recognize the validity of prize court proceedings taken under the restraints imposed by British municipal law in derogation of the rights of American citizens under international law.

The British note delivered yesterday is understood to be framed upon the theory that the Order in Council does not transgress the rights of neutrals laid down in international law, though it is admitted that in some respects the application of the legal principles is new. In view of the sweeping objection by the United States to the Order in Council, the British government feels that in order to understand this phase requires special treatment at this time.

Deals With Blockade. One feature of the British note is understood to deal exhaustively with the rights of a country to blockade an enemy through neutral ports. The United States, in case it should be plunged into war with a European country outside of the British Isles, never could successfully maintain a blockade of any neutral country. The British note delivered yesterday could receive unlimited application across the borders of an adjacent country is regarded by the British as a fact which should be considered in dealing with the effort to cut off supplies to the enemy through neutral ports. The United States Supreme court in the Matamoros case during the civil war, where a similar right appears to be denied, is held by Great Britain to apply to the present conditions because at that time there was practically no way for supplies landed in Mexico to reach the Confederate states overland, because of a lack of transportation facilities.

Let it be noted that in the British agreement as to the right of the British government to detain vessels and cargoes under the Order in Council, and failing a diplomatic adjustment, the United States is to be treated as a neutral country. It is understood that American interests may safely be trusted to the special international tribunal provided for in the arbitration treaty between the United States and Great Britain, which the British hold, was intended to deal with just such issues.

AUSTRIANS DROP BOMBS ON CERONA, ITALY

There Were No Victims and Damage to Property Was Insignificant

(By the Associated Press.) Verona, Italy, July 27.—About a dozen bombs were dropped on this city today by an Austrian aeroplane. There were no victims of the air attack and the damage done to property was insignificant.

An alarm was given as soon as the Austrian machine appeared over Verona early this morning and all lights were extinguished. All the forts defending the city fired at the aeroplane but it escaped.

Verona is a fortified city and, next to Venice, is the most important town of the Italian compartment of Venetia. It is situated at the base of the Tyrol Alps, 42 miles west of Venice.

Verona is distinguished by its wonderful medieval palace. Its institutions comprise a museum of painting and sculpture, a museum library of about 100,000 volumes and several museums containing valuable collections of art, natural history and antiquities. It has a population of about 115,000.

SHOTS HIS WIFE

John C. Souther, Rutherfordton Jeweler, Has Fighting Chance For Life

LIQUOR CAUSE, IS CHARGED

Fired Four Times With Automatic Colt's Revolver Into Wife's Body; Faced Suspended Road Sentence; Left Letter Turning Children Over To Orphanage

(Special to the News and Observer.) Rutherfordton, July 27.—John C. Souther, a jeweler, last night about midnight shot and killed his wife and cut his own throat, inflicting such wounds that his physicians say he has only a fighting chance for his life. He used an automatic Colt's revolver in shooting his wife, firing four times into her side and killing her instantly.

People in the neighborhood heard children screaming at the Souther home and hastened there to see what was the trouble. The sheriff and town marshal being in the party who went to investigate. The body of Mrs. Souther was found, but Souther was nowhere. A fast automobile was sent to Cleveland county for bloodhounds, but about the time the dogs got to Rutherfordton, Souther was found a little north of the house lying under a bush. He had bled profusely, but life was not extinct. He had failed to sever the large arteries of the neck.

The wounded man was placed in an automobile and taken to the Rutherfordton hospital. In the course of his journey there was found a letter addressed to the Thomasville Orphanage directing that that institution take his children. The letter, or will, also left most of his property to the orphanage.

Souther was under suspended sentence to the chain gang for beating his wife. It is stated that at the time he took his wife's life he was drinking. His Souther would have become a mother in three or four weeks.

STRIKE AT OIL PLANT COMES TO AN END

At Street Meeting Men Decline Return to Work

(By the Associated Press.) New York, July 27.—The strikers of the Standard Oil Company, at a street meeting late today, voted to accept the proposition of G. B. Henshaw, the plant superintendent, and return to work tomorrow.

Henshaw, in his proposal, in effect, was that he would recommend an increase in wages if the strikers returned.

The meeting was held, despite the prohibitory notice issued by Sheriff Kinkaid, earlier in the day, and was addressed by former Mayor Matthew Cronin and Commissioner of Public Safety Frank Wilson. They called the men together outside of Union Hall, read the proposition of Mr. Henshaw and asked that those who would return to work tomorrow under the conditions named to raise their hands. Nearly every man in the gathering had raised his hand, and was made up chiefly of still-cleaner and cooper, the original strikers, put up their hands and the crowd, as it dispersed, set up a cheer.

JORDAN'S BODY WASHED ASHORE

Came To Surface in Front of Bloom Cottage; Miss Willis Improves

(Special to the News and Observer.) Norfolk, Va., July 27.—The body of Max H. Jordan, of Raleigh, who was drowned Sunday afternoon while bathing at Ocean View with George S. Hollingsworth, of Mount Olive, N. C., who also lost his life, and several others, was washed ashore today at noon. It was washed ashore on the beach in front of the Bloom Cottage. It was the young man lost their lives.

LINER CARPATHIA IS CHASED BY SUBMARINE

(By the Associated Press.) New York, July 27.—The Cunard liner Carpathia, which arrived here tonight from Liverpool was chased by a submarine off the Irish coast Sunday July 18 according to several of her passengers.

Joseph Thompson, of Canton, Ohio, a survivor of the Lusitania disaster and Andrew Matherwell, of Glasgow, declared they saw a British patrol fire at what looked like the portside of an under-water boat. They said the Carpathia steered a zigzag course until dark. However, Captain W. Prothero said he believed the patrol boats were at target practice. The Carpathia brought 128 passengers.

PREPARING FINE TRACK FOR FREEMAN'S CONTESTS

(Special to the News and Observer.) New Hope, July 27.—When the horse drawn horse wagon and the real teams which are to participate in the races to be held here during the State Fireman's Tournament, arrive in the city they will find awaiting them one of the "finest" tracks ever traced on in North Carolina. The track, which is located on Spencer avenue in Ghent, is being covered with cinders. In a day or two there will be a heavy sand, a heavy steam roller will then be topped off, probably with sand. The hydrant is located on the left side and there will be one hundred pounds of water pressure.

NOT READY TO GIVE UP POLICY

Garrison Thinks Piece Meal Information Will Hurt Rather Than Help

DETAILS STILL LACKING

Secretary Will Submit To President Next Week a General Plan of Army Reorganization; Believes Patriotic Citizens Want To See Adequate Military Policy Agreed On

(By the Associated Press.) Washington, July 27.—Secretary of War Garrison issued a statement tonight urging that he be not pressed for details of the military policy now under preparation until the appropriate time has come to make them public.

The Secretary will submit to the President next week a general plan of army reorganization. He has refused to discuss the subject or indicate what is specifically contemplated in the plan.

"I have absolutely refrained from making any such statements, because I feel that the effect thereof at this time would be more harmful than helpful," the statement says. "There have been published many wasteful statements of opinion in connection with this matter, and I feel that the effect of these has been harmful rather than helpful."

The reason for refusing to make anything public at this time is that the policy has not yet been formulated with its details sufficiently worked out so as to make it possible to present it as a whole. Whether it is acceptable as a whole, depends upon considering the various parts are put forth separately, and I feel that the effect of these might create opposition which would be entirely dissipated if not turned into approval when considered in connection with the whole plan.

HEAVY BOND IN CASE OF ALLEGED BIGAMY

Dr. W. H. D. Walker Still in Jail at Rockingham; Charged With Obstruction of Justice

(Special to the News and Observer.) Rockingham, July 27.—Dr. W. H. D. Walker, the Savannah man locked up last week on the charge of bigamy, is held for \$10,000 bond in the case of his wife, married Miss Marie Paschal when he already had a wife, was given a preliminary hearing this morning by Justice of the Peace W. F. Long.

Walker is believed, will try to regain the affection of Miss Paschal, wife and legally marry Miss Paschal. But the impression here is that Miss Paschal will have nothing more to do with the physician.

GERMAN AND FRENCH SUBMARINE IN FIGHT

Former Sinks the Latter in the Dardanelles—Crew Made Prisoners

(By the Associated Press.) Berlin, July 27.—(By wireless to Gayville.) The British submarine G. P. Harbitts bound for a British port was set on fire by a German under-water craft Sunday.

The crews of both vessels were saved. The war has been costly in men for the British army and navy the casualties totaling 240,995, according to a printed statement issued by Premier Asquith. The casualties in the navy were 2,195 to July 20, while those of the army to July 1 were 231,859.

AUSTRIANS PREPARE FOR GREAT RETREAT

(By the Associated Press.) Geneva via London, July 27.—A dispatch from Laibach to the Tribune says:

"Last night the Austrians began to evacuate Gorizia. The evacuation of Podgora also is a question of hours. All the trains from Gorizia have been reserved for the troops and ammunition and food supplies will be removed later. The workmen have been ordered to cease strengthening the fortifications. Every measure has been taken for a great retreat."

"At Dobrovo the Austrian troops guarding the route to Trieste have been unable to hold their positions. On the Carso Plateau, with the exception of a few trenches the Italians have captured the entire plateau, the Austrians losing 2,000 men in two days here."

DRIVE ON WARSAW NEARS STANDSTILL

Little Advance By Teutons Is at Tremendous Cost in Men and Material

GERMAN FLANK SAFER

Von Mackensen Has Taken a Few Villages On Way To Lublin-Chelm Railway Which Doesn't Affect Situation Materially; Russians Make Counter-Attacks

(By the Associated Press.) London, July 27.—The Austro-German drive at Warsaw which for a time progressed almost with the momentum of the offensive which cleared Galicia of the Russian troops, has been brought nearly to a standstill and where the Teutons are moving forward it is only yard by yard and at tremendous cost in men and material.

General Field Marshal von Mackensen has taken a few villages on the way to Lublin-Chelm railway, but the Russian counter-attacks have been made while along the Narva. Field Marshal von Hindenburg, who has been directing operations in an effort to drive a wedge in behind the city, is now largely occupied in meeting the Russian counter-attacks.

These counter-attacks according to Petrograd, have succeeded in forcing the Germans who had crossed the river to return to the northern bank at several points, but Berlin asserts that they completely failed and that the German force is advancing.

CITY OF NASHVILLE IN HANDS OF RECEIVER

Municipal Offices Suspended From Office in Proceedings Under Custodian Law

(By the Associated Press.) Nashville, Tenn., July 27.—Master in Chancery Robert Vaughn was named receiver for the municipality of Nashville today by Chancery Attorney A. H. Hays. A few minutes later Mayor Hilary E. Howe, City Treasurer Charles Meyers and City Commissioners Robert Elliot and Lyle Andrews were suspended from office in proceedings instituted under Tennessee's new "Custodian Law."

The receivership suit was brought by Miss Burns, who since has resigned the office of City Comptroller and other citizens. The receivership was instituted by a number of taxpayers, the law requiring that at least ten sign the petition.

A. J. Wilkerson recently resigned as city commissioner, Andrew Meyers and Assistant Treasurer W. H. West are under indictment in connection with the disappearance of books and records from the comptroller's office. West's whereabouts is not known.

GRATITUDE EXPRESSED FOR RED CROSS GIFTS

(By the Associated Press.) Washington, D. C., July 27.—The gratitude of the German Red Cross for hospital supplies and four motor ambulances sent by the American Red Cross is expressed in a letter received at Red Cross headquarters today announcing the arrival of the shipment in Germany.

"We rejoice greatly over the generosity of the American Red Cross," the letter said, "which has been manifested through their gifts. We are particularly interested and pleased to know that the students of Yale and Harvard Universities who represent the highest intelligence are responsible for the gift of our ambulances. We can only assure you of our hearty and warmest thanks and beg you kindly to extend to all those who have aided us in this work our gratitude."

A similar letter came from Count Somaglia, head of the Italian Red Cross, who wrote: "I beg you to accept my most sincere expressions of gratitude for the generous gift which will contribute to mitigate the sufferings of our wounded."

ALABAMA'S FIRST BALE

(By the Associated Press.) Montgomery, Ala., July 27.—Alabama's first bale of cotton from the 1915 crop was sectioned off here today, bringing 19 1-2 cents. It weighed 421 pounds.

160 HAITIAN POLITICAL PRISONERS MASSACRED

Gen. Oscar Who Ordered Slaughter To Suppress Uprising Dragged From Palace and Killed

REBELS IN POSSESSION OF PORT AU PRINCE

President Guillaume Escapes Execution By Taking Refuge in French Legation Which The Mob Threatened To Invade; Revolution Climax of Reign of Terror Carried On By The President

NEW TRIAL FOR BECKER ARGUED

Justice Ford After Receiving Briefs From Both Sides Is Considering Matter

(By the Associated Press.) New York, July 27.—Whether Chas. Becker, the former police lieutenant twice convicted of investigating the murder of Herman Rosenthal, will die in the electric chair at Sing Sing Friday morning or will be given an additional reprieve appeared tonight to rest with Supreme Court Justice John Ford, who, after receiving briefs for and against a motion for a new trial, studied them until a late hour. He promised to announce his decision as quickly as possible and it is expected to be handed down late tomorrow or Thursday morning.

W. Bourke Cockran, chief counsel for the condemned man, also filed a supplemental brief covering points raised by District Attorney Perkins.

Should Justice Ford exercise his right to call for witnesses it is believed that Mr. Cockran would ask that Becker be brought from Ossining to testify in his own behalf.

Mr. Cockran argued in his appeal that the judgment of death against Becker was obtained by the misrepresentation of vital facts and the misrepresentations of other facts by the chief witness for the prosecution.

It is declared in the brief that the affidavit of Hartford T. Marshall former counsel for "Bridgie" Webber, shown in itself to be sufficient to grant a new trial.

Attorney Marshall's affidavit alleges that Webber confessed to Marshall that Becker was not a party to the murder plot.

Mr. Cockran's brief refers to Becker's failure to testify at his trials as follows:

"In the case the defendant remained silent during his trial, not through fear of any discreditable revelation or through a reluctance to make a self-incriminating confession, but through a quietistic notion of loyalty to a promise itself imprudent and extravagant. Indeed his conduct in this respect is so extraordinary that were it not for the fact that it would be considered incredible."

District Attorney Perkins in his brief contends that the justice has not the sovereign power to grant a new trial as claimed by Mr. Cockran. The so-called new evidence is declared to be cumulative and designed to impeach witnesses at former hearings.

It is contended also that the so-called new evidence was known to the defendant at the time of his second trial.

It was reported tonight that Becker, in his cell at Sing Sing, is preparing another statement protesting his innocence. The statement was said to be designed to be given out if the execution takes place.

Washington Asks For Report. Washington, D. C., July 27.—Official notice of a strike at Port au Prince against President Guillaume of the Haitian republic, reached the State Department late today from Charge d'Affaires David of the American legation there.

Bear Admiral Caperton, who is at Cape Haitien, the scene of the last previous disturbance, with the cruiser Washington and auxiliary cruiser Eagle, has made no report. He was asked today for a detailed account of the Port au Prince outbreak as soon as possible.

A force of United States marines is landed at Cape Haitien, where quiet prevails. No United States forces, however, are believed to be at Port au Prince, although officials thought it likely Admiral Caperton would send the Eagle there with a force of marines as soon as he learned of the outbreak, or proceed there himself on the cruiser Washington.

TURKS REPORT CAPTURE OF PART OF SOME TRENCHES

(By the Associated Press.) Constantinople, Turkey, July 27.—Victory today by the Turkish war department says:

"A small Turkish reconnoitering detachment captured on July 25 near Seddulbahr a portion of enemy trenches and destroyed the defenders. We took 400 rifles with a quantity of ammunition and some bags filled with bombs."

ASKS ABOUT EMBARGO ON RUSSIAN EXPORTS TO U. S.

(By the Associated Press.) Washington, July 27.—The State Department called to Petrograd today asking for immediate advice as to the conditions on which the Russian embargo on exports to the United States is to be lifted.

Acceptance of the American proposal under which goods sent to this country from Russia would be consigned to the secretary of commerce under a guarantee that they would not be re-exported to belligerent nations already has come by cable, a statement of conditional promise to follow by mail.

The pressure of American demands for Russian products particularly sides and watch cases, however, prompted the request that the condition be waived.