

WHAT WILL THE LAYMEN DO?

Presbyterian Assembly Anti-Liquor Resolution Very Drastic.

LEADING PERSONS AFFECTED

Members of Clubs with Bars Called Upon to Resign in Order to Be Free from the Traffic.

Will prominent Presbyterians who are members of local clubs where liquor is sold sever their connection with those organizations in accordance with a resolution passed last week at Chicago by the general assembly of the national church?

This question is already bothering the heads of numerous local churches of the Presbyterian faith. Quite a number of the leaders in Omaha's Presbyterian congregations, including ruling elders, trustees, deacons and other prominent members, are known to belong to one or another of the clubs, at some of which bars are licensed to dispense intoxicating liquors.

Inquiry so far has availed little, for the men affected either could not be reached or else begged to be relieved from discussing the matter. Whether they will withdraw from their clubs, or ignore the action of the general assembly, which is the supreme body in the church's affairs, is the question that is uppermost in the minds of many of their fellow churchmen.

As the men touched by the resolution are both prominent in their clubs and active and generous in the affairs of their churches, it means a loss to one or the other, if they conform themselves to the resolution. The latter is now practically a law of the church, because it was passed without a single commissioner voicing objection in the assembly.

These men are among the prominent Presbyterians who are said to belong to clubs, some of which permit the sale of liquor: John C. Wharton, postmaster; N. H. Loomis, general solicitor of the Union Pacific; Casper E. Yost, president of the Bell telephone system in Nebraska, Iowa, Minnesota and Dakota; A. E. Burt, district judge; E. U. Graff, superintendent of schools; Nathan Merriam, elevator and grain man; Henry E. Maxwell and Warren Switzer, lawyers; Alfred C. Kennedy, real estate and insurance man; C. M. Wilhelm and P. W. Judson, business men.

People are also thinking of President Woodrow Wilson and Secretary of State William Jennings Bryan in regard to the Anti-Liquor club resolution, for both are Presbyterians and both belong to clubs. Opposition to the resolution is expected to crop out locally, the same as it did in Chicago, immediately after its passage. That it interferes with individual conscience was argued by some men. General Ralph E. Prime, a commissioner to the general assembly and known there as the "fighting layman" from New York, was quoted in Chicago papers as follows: "Nonsense. The assembly would be better attending to other matters. Many a man belongs to a club that serves liquor to its members, but does not drink himself."

CARRANZA BLOCKS MEDIATORS' MOVES

be given until there is an understanding about constitutional representation. The Huerta delegates are not adverse to having the constitutionalists admitted, but have left the matter entirely to the mediators for decision. On the other hand the Huerta envoys think constitutional representation is not necessary to the success of the mediation. In this view, the mediators concur, saying they are keeping the interests of all factions in mind as the peace program is being out. They also have indicated that upon the United States should devolve the task of treating later with the constitutionalists.

Minimize Its Importance. The mediators continue to minimize the importance of the communication from Carranza, and reiterate their statement of last night that the message will not disturb the course of the proceedings. Unless the American government assumes an insistent attitude on constitutional representation, the details of the agreement between the United States and the Huerta government will be worked out in a few days. Otherwise the mediation board probably will sit for several weeks longer while the constitutionalist viewpoint is presented by special delegates.

The conference between the American delegates and the mediators did not end until nearly midnight. At its close Justice Lamar said: "We had a long conference, but no conclusions were reached. We will resume our conferences at 11 o'clock on Monday morning."

It was understood that the American delegates had laid before the mediators their views on constitutional representation in the mediation, and that the question had been taken under advisement and would be further considered.

Wants Rebels Represented. WASHINGTON, May 31.—Every indication in Washington tonight points to prolongation of the Mexican mediation negotiations at Niagara Falls. That the Washington government desires the Mexican constitutionalists represented in the proceedings tending for peace is undoubted. The view of the administration is said to be that terms of peace for Mexico, which will not be permanent peace, are useless.

Administration leaders, cognizant of this view, reiterated tonight their expressed confidence that the mediation conference would not adjourn until the pathway to an adjustment of the differences between Huerta and the United States and the internal conflict in Mexico had been cleared.

In circles close to the administration it was declared that the American representatives at the Niagara Falls conference had been instructed to urge upon the South American mediators the necessity of giving recognition to the constitutionalist forces in framing a plan to pacify Mexico.

EMPRESS CHIEF BLAMES CRASH ON COLLIER CAPTAIN

(Continued from Page One.)

with my helm hard aport, with the object of avoiding, if possible, the shock. Almost at the same time he came right in and cut me down in a line between the funnels.

"I shouted to the Stortad to keep full speed ahead to fill the hole he had made. He then backed away. The ship began to fill and listed over rapidly. When he struck me I had stopped my engines. I then rang full speed ahead again, when I saw the danger was so great, with the object of running it on shore to save passengers and ship. Almost immediately the engines stopped, the ship filling and going over all the time.

"I had, in the meantime, given orders to get the lifeboats launched. I rushed along the starboard side of the boat deck and threw all the gripes out of Nos. 1, 2, 3 and 7 boats; then I went back to the bridge again, where I saw the chief officer rushing along the bridge.

"I told him to tell the wireless operator at once to send out distress signals. He told me that this had been done. I said: 'Get the boats out as quickly as possible.' That was the last I saw of the chief officer. Then in about three to five minutes after that the ship turned over and foundered. I was shot into the sea myself from the bridge and taken down by the suction. The last thing I remember I was seeing a piece of railing. How long I was under the water I do not know, but I heard some men shout from a lifeboat: 'There is the captain; let us save him.'

"Pulled Into Boat. "They got to me and pulled me in the boat. The boat already had about thirty people in it. I did my best with the people in the boat to assist in saving others. We pulled around and picked up twenty or twenty-five more in the boat, also put about ten around the side in the water with ropes around their wrists hanging on. Seeing that we could not possibly have any more we pulled to the Stortad, which was then about a mile and a half away. I then got all these people put on board the Stortad and then left her with six of the crew and went back and tried to save more. When we got there everybody had gone. We searched around and could not see anybody alive, so then we returned to the Stortad."

"What was the cause of the collision?" the reporter asked. "The Stortad running into the Empress of Ireland, which was stopped," Kendall answered.

Captain Kendall, in answer to a question by a lawyer, said that when he shouted to the Stortad's captain to stand fast he received no answer. It was impossible for him not to have been heard, he added.

"Should Have Known That. "I should have known that," said Captain Kendall, "and if he had not heard that he should have done so as a seaman should have known that."

"There was wind?" "It was quite still."

"When I backed away I shouted to him to stand by. I did not hear any explosion, but when a ship goes down like that there is bound to be a great deal of air, and the air pressure causes that."

"How many boats were there on the Empress?" "Between thirty and forty. There were boats for everybody. She had boats for over 1,000 people."

"There was no panic. I had full control of the crew, but they fought to the end. There was no panic among the passengers or crew. Everybody behaved splendidly. About four boats were launched; these were the four of which I loosened the grips. As the ship sank and the water rose these boats floated away. The people who were saved were saved by the Empress' boats and by the wreckage."

"The Stortad had three or four of its boats and it pulled around and took people off the wreckage. It did not get many. I passed a couple of its boats and they only had three people in them."

Story of Passenger. James Rankin, a passenger from Vancouver, B. C., and a marine engineer, said: "I was aroused by the noise and ran out. There was a big pilot in the deck. I really cannot tell you how the accident occurred. I heard the whistle blow when I reached the deck. There was a heavy fog and you could hardly see fifty yards. Five minutes after the collision the fog lifted. The boats on the lower side were in the water and four or five of them got away and saved many people."

"I think that if the collier had kept its bow in the hole it had made in the Ireland's side, it would have been available to make the shore and probably have saved everyone."

"The behavior of the officers on the Empress was beyond all praise. They did everything they could. The engineers remained below until they could get no more steam and the lights went out."

Chief Engineer Sampson, who remained in the engine room until the fires were drowned and the lights extinguished was too ill to appear at his testimony was taken at his bedside.

Hard to Reach Decks. "I was in the engine room until the lights went out and there was no more steam," he said. "I had great difficulty in reaching the decks, owing to the great list of the ship. No sooner had I got on deck, when the boats of the port side which had broken loose, swept down on top of us and carried us under water. When I came to the surface, I found myself under a lifeboat and entangled in wreckage. I was finally pulled into one of the boats and could see the collier about a mile and a half away. Immediately before the collision we went full speed astern and then stopped. Then I got the order full speed ahead, but had only started the engines when the crash came. We then kept it full speed ahead to try to reach the shore, as long as we had steam. Owing to the steam falling and the lights also, we could see the engines going for only a few moments."

"There was no explosion of any kind. I saw no reason why the collier did not keep much closer than she did, as, if she had, there would have been many lives saved. I am also of the opinion that had she stuck to us we should have reached the shore."

Operator in Witness. William James, wireless operator at Father Point, told of being awakened by his assistant at 1:35 a. m. by the news that the Empress had been in a collision with another ship. He then took charge and forwarded the word to the Lad's Evelyn and Eureka. The Empress gave no reply further than to say that she was twenty miles from Rimouski.

Captain Belanger of the Eureka told of the trip he had made to the scene of the wreck. He was not sure on his first trip

of the exact position where it had sunk. On the second, however, he could tell from the boiling up from beneath of the mucky water where the wrecked vessel lay. He told of gathering what bodies he could find.

After a moment's deliberation by the jury it was decided to adjourn the inquiry for one week. In the meantime, Coroner Pinaut will consult with the district attorney, with the purpose of determining what may be done toward securing the evidence of the captain and the crew of the Stortad which arrived at Quebec today and proceeded to Montreal to land its cargo.

During the day Coroner Pinaut gave an order for the removal of all the bodies that had been brought ashore. Relatives who had identified bodies were allowed to remove them and the others were taken to Quebec.

Leaves for Quebec. At 5 o'clock this afternoon the Canadian government steamer Lady Grey, with engines half masted, left here for Quebec, bearing 175 bodies in coffins. No other bodies have been found and it is believed that the greater number of those lost were imprisoned inside the hull of the Empress of Ireland.

A number of injured survivors of the Empress of Ireland are still in the hospital here. A partial list of them, with their injuries, was given out tonight as follows:

Gregory Strake, thigh fractured. V. G. Chisholm, fractured arm. Mrs. A. E. Mullins, both legs fractured. A. E. Hirst, fractured arm. James McLean, fractured arm. Mrs. Simonds, contusion of lungs. Mrs. Simonds, severely bruised. Mr. Wakelind, contusion of arms. His son, assistant purser of the Empress of Ireland, was with him. J. Brown, severely internal injuries. One foreigner, thought to be a Greek, unconscious; internal injuries. Sampson, chief engineer, had shock. Hewitt, first cabin boy, shock, slightly burned. John Kendall, shock, bruised.

DOZEN RAILWAYS SUED FOR MORE THAN \$6,300,000

(Continued from Page One.)

be imposed on the taxpayers of Minnesota, when it could as well be tried in either of the other states, and besides that Minnesota courts were being deluged by these non-resident cases.

After this decision had been appealed by the personal injury lawyers, Judge William E. Hale of Minneapolis declined similarly to try another non-resident case, and further action in it awaits the ruling of the supreme court.

District court judges in St. Paul and Minneapolis are finding it necessary to call in judges from outlying counties to help them. One judge in each city is said to be giving practically all his time to this non-resident litigation. These judges are paid \$7,700 a year each, their bailiff \$1,200, clerk \$1,300, reporter \$2,000, making \$10,000, a year for each bench.

The per diem expenses for maintaining a court for the benefit of these non-resident litigants are placed at exactly \$100. Last year twenty-three days, or \$2,300, went for the trial of cases against the Illinois Central alone.

There are now 1,172 untied cases on the Hennepin county (Minneapolis) calendar, about 350 of which are non-resident personal injury cases and many others are non-resident loss and damage cases. The percentages run about the same for St. Paul in Ramsey county. Unless there is a check somewhere this graft, of course, will be magnified and the burden on the Minnesota taxpayers vastly increased. Hennepin and Ramsey are not the only counties in the state where such actions are brought. A great many have been brought in St. Louis county (Duluth), and others.

Of course, while it means a heavy financial drain on Minnesota, it is likewise laying an enormous extra burden of expense on the railroads. The Illinois Central alone reports its legal department expenses for 1913, \$50,000 above normal owing to this litigation. Most of this was spent in transporting and maintaining witnesses from other states. Many witnesses were carried from Mississippi, Louisiana, Tennessee and Kentucky to Minnesota and the railroad officials say that every case compelling their presence in Minnesota might have been tried in their own states.

The railroads undertake to show that in a great number of these cases the victim, who sues comes out of the little end of the horn. That is, he does not get more by turning his case over to the Minnesota lawyer than he could get as much with the company and often not so much. While these lawyers advertise that they take only one-third of what they get for their client, the railroad men purport to show that they very often take two-thirds or more. Besides, the litigant, if an employe, loses his place with the company.

Many of these personal injury cases involve employes of railroads. The railroads complain that they are thus exposed by their interstate character, as purely state corporations that are protected by the state compensation acts are not. They are contending for an adequate federal compensation and liability law that will afford them equal protection from the ravishing greed of such grafters.

The personal injury lawyers "get away" with their graft by claiming the right to import such litigation from other states under a certain act of the interstate commerce law, which enables a plaintiff to sue in his own state, the state where the defendant resides or any other he may choose. Then they go back finally to the so-called immunity clause of the federal constitution, section 3 of article 4.

The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states. They cite certain rulings tending to support this contention, but the railroads combat this view, taking the position that a different attitude on the part of the Minnesota courts, both trial and appellate, would soon establish the futility of this argument. It is the avowed belief of railroad attorneys that the graft flourish simply because thus far it has been made popular to "sue" the corporations, largely regardless of the merits of the issue.

Some of the lawyers are beginning to scent trouble. "It has been coming too easy to get," said one recently. They, like the railroads, feel that the graft will never withstand the withering test of publicity.

Railroad attorneys contend that the proper use by judges of their discretionary powers of entertaining jurisdiction would go a long way toward stopping the abuse. They point to the precedents of other states, particularly New York, for proof of this. Yet to elicit any action depending upon the personal equation in the courts, is the railroad's conviction of the necessity of remedial legislation. To this

end they are suggesting to the Minnesota Bar association the enactment of laws by the legislature dealing with the problem. As a model they point to a law in Texas on the subject of venue for suits for personal injury or loss and damage. This statute rests on the principle that the suit must be brought either in the state where the injury happened or the plaintiff resided at the time of the injury, or, in any event, in the county nearest the plaintiff's residence at the time of the injury.

In addition to this proposed law, they would also have one enacted making it illegal for lawyers to solicit business in this wholesale fashion. There is some talk also of putting the matter up to the federal congress with a view of securing the enactment of a law to fortify any legislation by states.

MAN AND HORSE KILLED BY BOLT OF LIGHTNING

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The horse also was killed by the same bolt. Horse and rider were found exactly as they fell when struck. The unfortunate young man was not yet 19 years of age. His father is a widower, the mother of the boy having been killed in a hurricane which swept eastern South Dakota fourteen years ago this month and tore the Johnsons home to pieces. She was killed by the wreckage when the house collapsed.

NEBRASKA CITY GROCERY FIRM SUFFERS FIRE LOSS

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