WITNESSES AT EMPRESS PROBE VARY IN STORIES

Evidence of Storstad's Officers Does Not Agree With Those of Ill Fated Liner—Lord Mersey Particular As To Matter of Fog Signals.

Continued from page 1.

Captain Andersen of the Storstad was heard. He dealt a severe blow to Mr. Aspinall's theory that the twelve foot penetration of the collier's nose indicated that her speed supplied the striking power, by saying that loaded as his vessel was, she would have gone clear through the Empress, travelling at ten knots.

From the comments made by Lord Mersey the fact that Mr. Tuftenes did not call Captain Andersen directly he saw the fog coming, in accordance with the captain's instructions, this use of his discretion by the chief officer of the Storstad, who was in charge of the collier prior to the accident, assumed a grave aspect, though Captain Andersen, while agreeing he should have been called earlier, said it would have made no difference as the fact that, he reversed his engines directly he came on deck was only due to the appearance of the Empress, which was not expected.

Lord Mersey pointed out that had the Storstad's engines been reversed earlier the clamity would not have occurred.

Empress Was Stopped

Edward Jones, first officer of the Empress of Ireland, who was on the bridge when the collision occurred, told much the same story as did Captain Kendall. He claimed the Empress was stopped and the collier moving. C. S. Haight, acting for the Storstad's owners, tried to indicate by his cross-examination of this witness that Captain Kendall had disobeyed the navigation rules by stopping in the fog when the regulations required him only to go slow and under the other ship's stern, after ascertaining the position of the Storstad. The confusion over the whistles, that is, as far as the stories of the two sides are concerned, was only heightened by Mr. Jones. Mr. Haight claiming that misleading signals were given. Lord Mersey pointed out that the officers on the Empress seemed to have followed the rules in this connection.

As yesterday, Lord Mersey proved a humorous diplomat, and his subtle comments when awkward situations arose smoothed out all difficulties. He was challenged as the chief humorist of the court by an Irish seamon from the Empress, John Carroll, who provoked loud laughter by telling that he was forty-eight, but not sure of his age and by constantly referring to the chairman as "Your Worship." At another time Mr. Carroll corrected Mr. Aspinall, who asked him if he "saw" the Storstad's lights, by saying he "seen" them, with an emphasis on the correction.

Denials by Captain Anderson.

Categorical denials by Captain Anderson of the collier Storstad, of inferences arising from questions by George P. Gibson, representing the Sailors and Seamen's Union of Great Britain and Ireland, were given during the afternoon.

Captain Anderson said that never at any time during the trip up the river had the hand steering gear been used and when the first officer said that assistance had to be given to the quartermaster in turning the wheel he presumed it was because, while her engines were stopped he was afraid that the vessel would swing around so he got help to put the helm hard a port. The vessel had not swung. The ship was not overloaded and pilots would all say that she easily answered her helm.

Mr. Haight re-examining for the Storstad's owners, asked Capt. Andersen if the Empress had originally been two or three points starboard of the collier when she first sighted the liner, would porting his wheel bring her on the port bow where the Empress was seen just before the collision. The captain contended that the helm would have to be ported very much and his ship would have had to swing nearly eight points.

First Officer Jones

Edward Jones, the first officer of the Empress of Ireland, was examined by Mr. Aspinall and testified he was on duty on the bridge and that after they dropped the pilot at Father Point he saw the masthead lights of the Storstad about six miles off, on the starboard bow. The course of the Empress was changed shortly afterwards, and a little afterwards the fog came up. Then we went from full speed to full speed astern and gave three short blasts. The other vessel answered with her whistle. The Empress again gave three short blasts, and later two long blasts to mean that the ship was stopped. The captain looked over the side of the ship and later went on to the upper bridge. He only saw the masthead lights of the Storstad and not the green lights. When the collier collided with them the Empress was stopped.

The Storstad must have been under way, though he did not see anthing to prove this on account of the position he was occupying on the bridge. He was sure the Empress engines were not working. He took off his coat and ran along the boat deck and was opposite a boat when the siren sounded, meaning all hands to boats. He saw the crew come up the companionway.

He himself got away their boats on the starboard side. He slid into the water and after swimming for a while was picked up.

Cross Examined

Cross examined by Mr. Haight, Mr. Jones said that as soon as a vessel ports its helm after leaving Father Point to north 72 east, magnetic the master considers his ship started on its voyage. This course was taken by the Empress. Under the general rule it would be quite proper for the captain to go below then if the weather was clear, but it depended on the captain. After the course of the Empress was changed to north 72 east magnetic and after they had first sighted the Storstad the collier would be a little less than three points on their starboard bow. When he first saw the masthead lights of the Storstad they were nearly in line. He understood she was steaming up the river.

The following questions were then put and answered by the witness:

"You got from Captain Kendall an order to put your engines full speed astern. How far off do you think the Storstad was then?"

"Three or four miles away. She was two points to the starboard."

"When you have a vessel three or four miles away bearing two or three points to your starboard and you can still see a light is it not a rather unusual manoeuvre to put your engines full speed astern?"

"No. It is to take the way off the ship. I did not see any other vessel near."

"Have you ever before in your experience put your engines full speed astern under such conditions?"

"I have never before been in the predicament."

Lord Mersey—"You were four miles apart and this vessel was on your starboard. Can you tell me why it was that you reversed your engines?"

The witness—"The fog was coming on and we wanted to take the way off the ship so as to comply with the rules. Rule 15."

Lord Mersey—(After reading the rule)—"That rule does not require you to stop."

The witness—"No."

Lord Mersey—"When you reversed your engines did you want to moderate your speed?"

The Witness—"Yes."

Fog Signals.

Mr. Haight—"I see that rule 16 applies to steam vessels hearing a fog signal of another vessel on her beam—this rule applies to vessels that have not ascertained the position of another boat in a fog. The position of the Storstad had been ascertained."

Lord Mersey then read the rule aloud and emphasized that part of it which ordered ships to go at a moderate speed in fog. He said that was the clause the witness was apparently referring to.

Mr. Haight—"Is there anything, Mr. Jones, in the rules which says that a vessel must back until it is dead?"

The witness—"Yes, to take the way off and then ascertain the position of the other vessel."

Mr. Haight—"But the Storstad's position was known to you."

Witness—"At that particular time."

Mr. Jones said the Empress was dead in the water about five minutes before he saw the Storstad coming out of the fog.

Mr. Haight then tried to get some information from the witness about the whistles. He asked him what rule authorized the use of three whistles as a signal in a fog, and the witness said rule 16. Mr. Haight contended that No. 16 did not refer to signals. No. 15 was headed "sound signals in fog" and No. 28 gave sound signals for vessels in sight of each other.

Lord Mersey asked Mr. Haight if he was making a complaint about it, and Mr. Haight said that it seemed to him a signal of three whistles blown by a vessel under headway in a fog did not give the information that fog signals were supposed to give. Three short whistles indicated going astern and by the rules they were blown when vessels were in sight of each other.

Lord Mersey asked him to suppose that they were blown when the vessels had been in sight of one another but after they had been obscured by fog.

John Carroll.

John Carroll, the man in the crow's nest of the Empress, said that he saw one white light of the Storstad after they left Father Point. He never saw a colored one. He heard the Empress give three long blasts.

Lord Mersey—"Three what?"

Witness corrected himself and said three short blasts. He continued by saying he did not hear one long blast from the Empress but he heard one from the Storstad. He heard no other whistles. When the collision took place he climbed down from the crow's nest and after failing to undo the grips on the boats on the starboard side, took off his clothes with the exception of his trousers, and dived overboard. He was later picked up by an Empress boat.

Tells Same Story.

John Murphy, quartermaster on the bridge when the accident occurred, was called. He swore that the Empress was stopped at the time of the collision and he had looked over the side and saw the way was off her. He repeated the evidence that had been given before about the different blasts from the Empress and the Storstad, adding that the only time he saw the latter ship was when she came out of the fog only sixty feet away, just before they came together. Even then he did not see the sidelights. The captain told him to sound the siren but before he was through the crew was pouring up from below to take their places at the boats. He ran to get his boat cut, but it was on the port side and so could not be lowered. So he gave a hand with one on the other side. He was thrown into the water.

Saved Himself.

"How were you picked up?" asked Mr. Haight.

"I was not picked up. I picked myself up," was the witness' quick retort.

Several times during his examination Murphy denied he had been saved by anyone but himself. He got on top of No. 15 boat, which was adrift, and then into No. 13.

He aided in filling the boat with survivors and took them to the Storstad. Then he went back to the scene of the wreck and filled the boat again. These people were landed on the Eureka. The next time he went back to th place where the Empress went down only dead were in sight. These, he claimed, had life belts on. He knew that the Empress could be stopped in two minutes from her full speed, because he had seen it done many times when the pilot was being dropped or taken on board.

"Did you ever put a watch on her?" witness was asked.

"No, but I have a clock in the wheelhouse," replied he.

Court then adjourned for the day.

TENDER DINNER TO BRITISH POLO TEAM

Guests at Meadowbrook Club —Famous Ponies Sold to American Sportsmen —Returning Home.

Hampstead, N. Y., June 17—The members of the victorious English polo team and the American cup defenders were the guests of August Belmont tonight at a dinner at the Meadowbrook Club. Aside from the members of the two teams there were present many well known American polo players, some of whom have been members of former challenging and defending teams.

The English team will leave on Saturday for home. On the same day on the Minnetonka, some of the English ponies will be shipped back. Several will probably nave been sold before then. Today Frederick H. Prince, Jr., of Boston, purchased Pepperpot, a bay gelding, and Louis E. Stoddard, who last year was a member of the international team, purchased Niblick.

FIRM TONE SHOWN IN THE ENGLISH MARKET

London, June 17—A firmer tone characterized the stock market today, and although the volume of business was small, more security was felt with regard to the Paris and Ulster conditions. Consols were firm and closed today with an advanuce of 5-16. Home rails moved higher in sympathy. There was little doing in the foreign market but the tendency was good. Gains were made by Brazil 1913 and Peruvian preferred. American rails opened with a general decline but hardened later in sympathy with the firmness elsewhere. Canadian Pacific rose 1-2 and Grand Trunk shares were firm despite the traffic decrease. Among the miscellaneous issues Brazil tractions and Mexico trams improved. Oil securities were firm. In the mining market South Africans showed a general improvement as did also coppers. Money remained in good supply and discount rates were inclined to ease.

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EXERCISES AT ST. JOSEPH'S

Addresses tell of growth and success of institution — Dinner in evening by Alumni Society.

College Bridge, N. B., June 17.—Rain fell again today on the observance of the second day's programme in the golden jubilee of St. Joseph's.

Many more visitors arrived this morning and the pretty little church near the college was crowded at the celebration of pontificial mass by his Grace Archbishop Casey, of Vancouver.

Father Robichaud dwelt upon the half century of progress made by St. Joseph's and spoke of the many distinguished sons sent out by the college.

Father Meahan dwelt upon the early years at St. Joseph's and the noble example set by such pioneers in education as Bishop Sweeney, Father Lafrance and Father Lafebvre and said that the youth of the present day would do well to emulate their good works.

Lunch was served at noon in the skating rink and at two o'clock the monument to Father Lefebvre was unveiled. The speakers were Hon. P. A. Landry, E. A. Riley, of Moncton; Rev. A. D. Cormier, Archbishop Casey, Hon. D .V. Landry, and Rev. A. B. O'Neill.

Archbishop Casey, of Vancouver, preached an eloquent sermon.

The Banquet.

The banquet of the St. Joseph's Alumni society, held here this evening, was a very successful function, about 500 being present. President Lecavalier occupied the chair with Archbishop Casey on his right and Bishop O'Leary on his left.

After a very excellent dinner the toasts to the Pope and the King were duly honored. The toast to Alma Mater and the congregation of the Holy Cross was responded to by Rev. B. L. Belleveau, Rev. J. J. Ryan, Rev. G. A. Dixon, Very Rev. A. Morrissy and the president.

Our invited guests were spoken to by Dr. L. N. Bourque and Rev. C. P. Gauthier.

The toast to the old students was responded to by Rev. Louis Guertin, Pius Michaud, M. P., Hon. John Hall Kelly, F. Robideaux, M. P., S. McDonald, M. D., and Alex. Galpe.

During the dinner music was furnished by the orchestra, and after the speeches there were fire works and an open air demonstration.

This morning the encaenia exercises will take place.

There are eight B. A. degrees to be conferred and a number of M. A.'s.

The B. A.'s are Arthur Allan, St. John; Frank Hourehan, Pembroke; Robert Fraser, Rexton; Ansell Gaudet St. Joseph's; Vital LeBlanc, College Bridge; Oliver Cormier, Shediac, and Desier Allan, St. Mary's.

The Alumni oration will be delivered by Bishop O'Leary.

TO PROVIDE FOR THE MEN

Legislation to Refund Intercolonial Employees Leaving Service Before They Come Under Present Act.

Ottawa, June 17.—Owing to the absence of Hon. Frank Cochrane, Minister of Railways, during the last half of the past session of parliament, legislation which he had intended to introduce in connection with the I. C. R. Pension Fund Act was not brought in. The intent of the legislation was to provide for recouping Intercolonial employees who were dropped from the payrolls on account of age or through other unavoidable circumstances, before they had qualified for the pension under the act.

Under the present law there is no provision for paying back to them the moneys they have paid into the pnsion fund. The government has promised that the amending legislation referred to above will be brought in next session and that it will be retroactive. Meanwhile some arrangement may be made, if it is found possible under the act to grant during the recess a temporary refund to employees discharged without having fully qualified for the pension.

Fishing Statistics.

According to statistics gathered by the fisheries department the number of fishermen engaged in Atlantic coast is approximately 47,500 as compared with 8,700 in the Pacific coast, 3,600 on the Great Lakes and 5,500 in other inland lakes and rivers. The average yearly yield per man on the Atlantic coast is $297, on the Pacific coast $1,664; on the Great Lakes $788 and on the other inland lakes and rivers $237. The comparatively low average per man on the Atlantic coast is due to the fact that many farmers who engage in occasional fishing are counted as fishermen.

BAY OF FUNDY SERVICE.

Effective Saturday, June 27th, S.S. Yarmouth will leave St. John at 7.00 a. m., arriving Digby 10.15 a. m. Returning will leave Digby 1.00 p. m. arriving St. John 4.15 p. m.

S.S. St. George will leave St. John at 12.00 noon, arriving Digby 2.15 p. m. Returning will leave Digby 2.45 p. m., arriving St. John 5.00 p. m., Atlantic times. Daily except Sunday. This constitutes the summer service between St. John and Digby.

LATE SHIPPING

New York, June 17—Sld schr Percy B, Nova Scotia.

Calais, Maine, June 17—Ard schr Blanche King, Philadelphia.

Quebec, June 17—Ard stmrs Lady of Manchester; Lake Manitoba, Liverpool; Alden, Sydney; Steelton, Sunderland; Alfred Nobel, New York.

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MARRIED.

DAVIDSON-NELSON.—At the residence of E. O. Jones, Prince Street, West St. John, on June 17, by Rev. A. J. Archibald, assisted by Rev. Walter Dunham, Miss Sadie P. Davidson to Wm. T. Nelson of Fairville.

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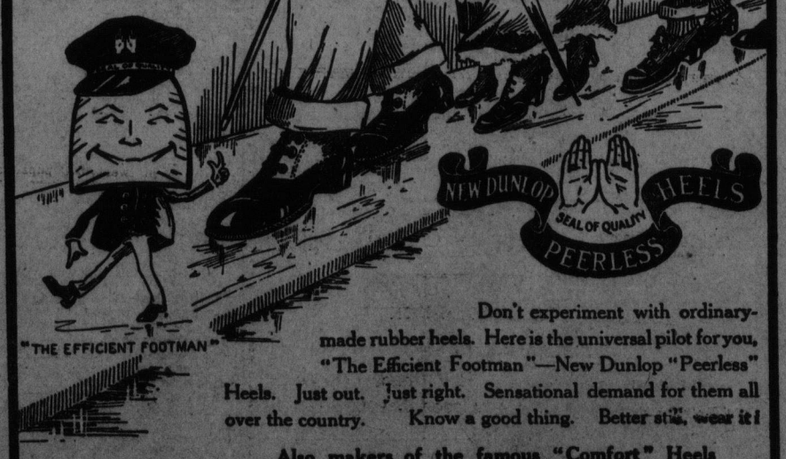

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