

FIND ORDERS OF P. S. C. FREELY DISREGARDED

Inquisitors Learn One Faulty Case Balked Better Service.

TAKEN AS PRECEDENT, ADMITS WHITNEY

Charge Arbitrary Ruling Bars Individual Complaints.

JOHNSON'S EFFICIENCY AS EXPERT QUESTIONED

Only Three Penalty Suits Completed by \$51,900 Legal Staff.

For nearly four years, amid innumerable vicissitudes of its orders by traction companies, the Public Service Commission of the First District has failed to ask the courts for relief because of an adverse decision in a single case which was lost, not on its merits but because it was badly prepared by the commission's own lawyers. A decision which in no sense established an unworkable precedent has been used as such in nearly every subsequent instance wherein the corporations have disobeyed commands for better service.

This charge, here reported as an accusation and not as a fact, was the heaviest one fired yesterday by the legislative investigating committee of five Senators and six Assemblymen and their chief counsel, William Hayward in the first sessions of the inquiry at City Hall.

There were others almost as explosive. The investigation opened with a bang. The committee seemed bent on proving at the outset that it intended to squelch all rumors of "whitewashing" intentions which have flown down the river from Albany.

Whitney Gets Long Grilling.

Travis H. Whitney, secretary of the commission since its formation by Gov. Hughes, was an all day witness. Most of the time he was explaining the routine of his organization, but he was led into a few side issues that developed flashes which seemed to interest the inquisitors. Mr. Hayward was cool and searching. Some of the committee members were sarcastic and seemed hostile to the commission. The up-State members found it hard to grasp all the details of what is going on in New York's subway work.

In addition to failure to prosecute for violations of orders these are the main points which, from the viewpoint of the committee, were established yesterday:

1. That individuals asking for relief from excessive rates for gas and electricity have been turned away by the commission because of the law that an investigation must be made upon the request of the Mayor or 100 customers of a lighting company. The commission has made it a rule in most cases to compel the collection of 100 signatures, although it has the alternative power under the same law of starting an inquiry of its own initiative or upon a single complaint.

Salary Roll \$2,902,321.

That starting with 408 employees and salaries of \$274,216 in 1907, the commission last year had 2,927 employees with salaries of \$2,902,321 and expenses of \$2,971,000. Secretary Whitney pointed out that the increase was due to the building of the new subway system and that the average annual salary had fallen in the seven years from \$1,775 to \$1,334.

That ex-Public Commissioner Joseph Johnson, who managed Edward F. McCall's campaign for Mayor, was described by Senator George Thompson, chairman of the committee, as a good newspaper man but a poor politician.

That the commission has twelve lawyers of its own, but has spent \$75,426 for special counsel since the year 1907.

The committee also seemed to suspect that the commission had tinkered with the civil service, but Mr. Whitney assured them that, except for a few exempt positions, appointments and promotions were made from the top of the list. That the commission has the commission several former office boys who have risen to good jobs. At least 600 is an engineer getting several thousand dollars a year.

Violated Orders Admitted.

The big drive of the day resulted from Mr. Whitney's examination as to orders of the commission that have been violated.

"Is it conceivable," asked Mr. Hayward, "that the commission could be deadlocked with a company and that its orders could not be violated?"

"Yes," said Mr. Whitney. He explained that in such cases the commission could go to the courts for a mandamus writ, or could start penalty suits for as much as \$5,000 a day.

"Any penalty suits pending?"

"I think there are."

"How many such suits have gone to the courts?"

"None," Mr. Whitney said that the commission

THE SUN TO-DAY CONSISTS OF SIX SECTIONS.

AS FOLLOWS:

FIRST—General News	16
SECOND—Sporting, Automobiles, Kennels	22
THIRD—Society, Resorts, Art, Drama, Music, Schools, Fashions, Problems	12
FOURTH—Pictorial Magazine and the War Illustrated	16
FIFTH—Semi-News Articles, Foreign War Features, Books, Queries	10
SIXTH—Special Features, Real Estate, Gardens, Poultry, Financial	8
Total	68

Readers or newsdealers who do not receive all of these sections will confer a favor on "The Sun" by notifying the Publication Department at once by the phone (2700 Beekman) and the missing sections will be promptly forwarded, if possible.

ROCKEFELLER RELIEF FOR BELGIANS ENDED

Activities of the Foundation Will Be Transferred to Commission.

The Rockefeller Foundation has withdrawn from active work in sending relief to Belgium. The offices opened last October in the Maritime Building, 5 Bridge street, will be closed this week and the future sending of relief ships to the stricken territory will be carried on solely by the Commission for Relief in Belgium, operating as a central agency. The Rockefeller Foundation, however, will still interest itself in the relief work, it is understood, and even supply liberal funds if needed.

The foundation, which has chartered and sent to Belgium four relief ships with food supplies and clothing for the war refugees, has been the principal American agency in the relief work. The withdrawal was decided upon several days ago, it being the view of Mr. Rockefeller, Jr., president of the foundation, that the transportation of American food cargoes could best be carried through the central agency of the commission, whose headquarters are at 71 Broadway.

Since last October, when the Rockefeller Foundation entered the work, intending to devote millions of dollars to this kind of relief, approximately \$1,000,000 worth of food and other supplies have been sent to Belgium in four relief ships.

The Massapequa sailed November 2 with a cargo of foodstuffs valued at \$207,351.67, the entire cost being paid by the foundation; the second ship, the Agamemnon, which sailed on December 1, carried food supplies worth \$296,997, purchased by the relief commission; the third vessel, the Neches, took food and other supplies worth \$122,000 bought by the foundation, and the fourth was the Massapequa again, which left here December 28 with a \$300,000 cargo purchased partly by the foundation and partly by the commission.

Belgium the foundation also sent 322,000 bushels of wheat on the steamship Ferrona, also for Belgian relief.

SEE CLARK IN A WILSON PLOT.

President's Friends Blame Spoker for Nebraska One Term Bill.

LINCOLN, Neb., Jan. 30.—Representative Richmond, proponent of Senator Hitchcock, has introduced a bill in the Nebraska House providing that every candidate for Presidential elector must sign an oath pledging himself not to vote for any man for President who has served as President at any previous time.

Wilson men openly charge that the bill was drawn by Arthur Mullen, campaign manager for Champ Clark in Nebraska in 1912, and that copies of the bill have been sent to Clark men in other States urging its introduction and passage as an effective means of barring Wilson from the 1916 primaries.

Azores Shaken by Earthquake

Shock of Great Intensity Felt at Villa Franca do Campo.

SPECIAL CABLE DESPATCH TO THE SUN.
PONTA DELGADA, The Azores, Jan. 30.—The earthquake which have been felt on the island of St. Michael's, those of the island of St. Michael's destroyed Avezzano and other Italian towns on January 12, have become violent and have increased in intensity in the last three days.

The worst shock so far felt in the islands was at Villa Franca do Campo, on the south coast, twenty miles east of Ponta Delgada.

Villa Franca has been destroyed four times by volcanic disturbances in the last 300 years.

The Azores are of volcanic character and have been subjected to numerous earthquakes and eruptions since their discovery. The center of activity has been the island of St. Michael's. There was a great eruption at St. Michael's in 1444-45. The town of Villa Franca was buried with all its 6,000 inhabitants in an earthquake in 1522.

St. Michael's was visited by further disturbances in 1620, 1652, 1656, 1755, 1811, 1852 and 1867. In 1811 a subterranean disturbance threw up an island just off the western coast of St. Michael's, which was named Sabrina by the commander of the British man of war Sabrina, who witnessed the creation of the island.

20,000 Refugees in Rome.

SPECIAL CABLE DESPATCH TO THE SUN.
ROME, Jan. 30.—It is semi-officially estimated that the number of earthquake refugees from the stricken towns of central Italy now in Rome is approximately 20,000.

ATLANTIC COAST LINE.

THE STANDARD RAILROAD OF THE SOUTH, 9th, 10th, 11th and 12th Sts., New York, N. Y. Office, 264 Fifth Ave.—Adv.

GERMAN LEAGUE TO FIGHT IN 1916 ON WAR ISSUES

Will Conduct a Non-Partisan Campaign for a Stricter Neutrality.

FOR AN OPEN SEA AND NO EXPORTS OF ARMS

WASHINGTON, Jan. 30.—A meeting of representatives of German American civic associations from all parts of the United States, held here to-day, gave notice of their intention to make questions, arising out of the present European war, an issue in the next campaign. The meeting adopted this resolution:

Resolved, That we, citizens of the United States, agree to effect a national organization the objects and purposes of which may be stated as follows:

1. In order to insure the possession of an independent news service we favor an American cable controlled by the Government of the United States.
2. We demand a free and open sea for the commerce of the United States and unrestricted traffic in non-combatant goods as defined by law.
3. We favor a strictly American policy the immediate enactment of legislation prohibiting the export of arms, ammunition and munitions of war.
4. We favor the establishment of an American merchant marine, and we pledge ourselves individually and collectively to support only such candidates for public office, irrespective of party, who will place American interests above those of any other country and who will aid in eliminating all undue foreign influence from official life.

A Representative Meeting.

The meeting brought together more representative American citizens of Teutonic birth than any that has been held since the war began. Representative Richard Bartholdt of Missouri presided. Others who attended were New York, president of the German Roman Catholic Central Union of New York; Representatives Vollmer, Barmfield, Lobeck and Corrier; Prof. William H. Sheppard of Columbia University; Dr. Edmund von Mach of Harvard University; Dr. Kurt Richter of the German Historical Society, New York; Prof. A. R. Faust of Cornell University; the Rev. Dr. Thomas G. Hall of New York Theological Seminary; Marcus Braun, Joseph P. Shipley and Dr. H. Schwitzer, all of New York; Dr. Maximilian Grossman of Philadelphia; J. George S. Wierck, editor of the *Fatherland*, of New York; Bernard H. Ridder and Victor Ridder of New York; John DeVoy, Arthur von Brossen, president of the Legal Aid Society, New York; Henry Welsman, president of the United German Society, Brooklyn, and Frederick E. Schneider of New York.

The preamble to the resolution adopted by the meeting set forth that the spirit of absolute neutrality was a basic tradition for the American people which it was a duty for all to uphold. In fact the purpose of the meeting as announced was to consider ways and means of maintaining strict neutrality.

The Preamble.

"In the course of recent events it has become evident that this cherished attitude has been in danger through a foreign control of our news service and of our commerce and citizens have been compelled to endure violations of the principles of international law.

"Ships of our country in common with those of other neutral nations having on board the property of citizens of the United States have been arrested on the high seas by a belligerent power, conveyed into its ports and there subjected to a process of search involving delays and losses.

"Citizens of the United States and of nations friendly to us have been forcibly taken off our ships in defiance of the protection afforded them by the American flag and put into prisons or detention camps.

"Articles hitherto considered absolutely free in international traffic have been arbitrarily made contraband.

"The rules of international law governing neutral commerce have been altered or disregarded in the special interest of one set of belligerents to the manifest injury of the United States as an independent nation with rights to be respected and with citizens to protect.

"The shipment of arms, ammunition and munitions of war under conditions now prevailing is unfair, unneutral and in violation of America's ethical ideals, tends to prolong the war and is irreconcilable to our prayers for peace.

"This condition of affairs is intolerable to all American citizens who believe in the principles of neutrality, fairness and friendship applied to all nations alike and in the noble mission of this country as a promoter of peace and a champion of justice and humanity."

The resolution as given above was offered for the purpose of "reestablishing genuine American neutrality and to uphold it free from commercial, financial and political subservience to foreign Powers."

PANAMA CANAL KEPT OPEN.

Goethals Announces That a 30 Foot Channel Is Clear.

SPECIAL CABLE DESPATCH TO THE SUN.
PANAMA, Jan. 30.—In reply to an inquiry of the British Admiralty as to whether the stoppage of traffic through the Panama Canal was imminent because of the slide in the Culebra Cut, Gov. Goethals of the Canal Zone has replied that a continuous thirty foot channel in the canal is assured.

DEATH PENALTY TO GO.

South Dakota Legislature Passes a Repealing Bill.

Pierre, S. D., Jan. 30.—Abolishment of the death penalty in South Dakota was assured to-day when, after three hours debate, the Senate by a vote of 24 to 18 passed the repealing bill.

The measure had already been passed in the House, which adjourned to hear the Senate debate. Standing room in the Senate galleries was at a premium.

GREY'S WARNING ON SHIPS HELD BACK BY BRYAN

Despite Denials of Its Existence, the Note Reached Secretary's Office.

BRYAN SOUGHT RULING ON INTERNED VESSELS

WASHINGTON, Jan. 30.—In view of statements made in official quarters and Congress to-day it is necessary to reiterate what was said in a Washington despatch to THE SUN yesterday, that Secretary Bryan has received a communication making the fact unmistakably clear that the British Government would regard the purchase and operation of interned German vessels by the United States as an unneutral act.

Such a communication, dated January 19, was received by Mr. Bryan and it is to be presumed that it is still in his office. Developments here, however, indicate that Mr. Bryan has not seen fit to inform the President or his associates in the State Department or Administration leaders in charge of the ship purchase bill of what he has learned of the British Government's views.

At the White House it was declared there is no such communication. Representative Underwood on the floor of the House made a similar statement. In fact much comment was caused by the eagerness of those most interested in the passage of the ship purchase bill to rush forth with denials of the existence of this document. Secretary Bryan himself was out of town to-day.

Mr. Underwood's Statement.

Representative Underwood said: "I saw the telegram in the morning paper stating that there was a letter from Sir Edward Grey protesting against the purchase of these ships, and I called upon the State Department and asked if that statement in the morning papers was correct, and I am authorized by the State Department to deny categorically that the statement is correct. There is no such letter there and never has been such a letter there." [Applause on the Democratic side.]

Were it not for the well known fact that Mr. Bryan often fails to inform other officials of the State Department of communications which are received by him by officials to-day regarding the presentation of British views on a wholesale release of interned belligerent ships would be surprising, particularly in view of the fact that he has not only refused to see the communication referred to but has also refused to see a request of Secretary Bryan himself.

In other words, the document, the existence of which is denied, which has not been asked for it. As a result of the discussions growing out of the exchange between the two Governments in the past few days, it is believed that the views of the British Government on the subject are being presented. This was done.

No Mention of the Bill.

The British communication was carefully phrased and contains no mention of the so-called ship purchase bill. This was necessary, as Sir Edward Grey could hardly be put in the position of lodging a protest against a measure which has not yet passed either house of Congress and which does not in terms declare the intention of the United States Government to purchase and set on the high seas vessels now flying the flag of England.

Just as clearly as these circumstances would permit, however, it was intimated to Secretary Bryan that he could not expect the British Government to be silent acquiescence in such action being taken.

It was pointed out that a sharp distinction exists in the minds of the British Government between the commercial transaction of transferring a vessel from one flag to another, and the general release of a number of interned belligerent ships. The latter was pointed out, as was pointed out, bear an intimate relation with the question of neutrality.

The declaration was made that should a neutral power intervene to relieve one of the belligerents from the consequences of the military action of the other belligerent such intervention would be in effect not of a neutral character.

No language could be plainer or shorter of a blunt statement to the effect that Great Britain would regard as an unfriendly act the purchase and operation of the interned belligerent ships by this Government.

No Doubt in Situation.

In view of the statements contained in the communication to Mr. Bryan and other authoritative information available in Washington it is not possible to entertain any doubt that Great Britain will not be found resting her case on the technicalities of international law or international conferences should the United States Government become the operator of the interned German vessels.

The complaint will be made that this Government is intervening to offset an advantage which the Allies have gained through their supremacy on the seas and the vessels in question will undoubtedly be treated as enemy ships whenever encountered on the high seas.

Officially it is found here in comprehending the course of the Administration in first committing itself to the ship purchase bill, then making an attempt to purchase the ships, and finally the British Government, and when these were found to be strongly adverse, failing to make this information public.

RECESS TILL TO-MORROW.

Thirty-seven Hour Session of the Senate Ends.

WASHINGTON, Jan. 30.—Efforts on the part of some of the Administration Senators to force the Senate to remain in session all of to-night and throughout Sunday failed and at midnight the fight over the ship purchase bill was called off until 10 o'clock Monday morning.

The recess came after the Senate had adjourned on the high seas.

Marl Gras, New Orleans, Mobile, Pensacola. Low round trip fares via SOUTHERN RAILWAY, 9th, 10th, 11th and 12th Sts., New York, N. Y. Office, 264 Fifth Ave.—Adv.

FRANCIS SAYRE, THE WHITE HOUSE BABY



Photographed in the arms of his father, Francis B. Sayre, while his proud grandfather, President Wilson, bends over them.

VILLA SHOT BY AID; IS REPORTED DEAD

Assassin of Mexican Army Leader Said to Be Man Who Killed Benton.

EL PASO, Jan. 30.—Gen. Villa has been shot, according to absolutely reliable authority, and while it is reported that he is dead, this cannot be confirmed.

A story said to have come from the household of Alberto Madero, who is closely associated with Villa, is to the effect that Villa is surely dead. As the story goes, Villa and Fierro fought in Villa's private car, in the railroad yards at Aguascalientes, and Fierro shot Villa in the leg. As Villa fell he fired at Fierro, but Fierro put two more bullets in Villa, both in his stomach. Telegrams were sent to Chihuahua for a special train with doctors and nurses and Villa was taken aboard a train and started north to meet the medical assistance. He is said to have died before reaching Torreón. Efforts to see Mr. Madero failed. Servants said he was out.

Col. Fierro is the man credited with the killing of William S. Benton at Juarez. Fierro has always been very close to Villa.

Gen. Pablo Della Garza of the "Conventional" army has turned over the city of San Luis Potosi to the Carranzistas and has renounced the convention. The report declares that there are now 10,000 troops in the vicinity of the city who have declared for Carranza under Gen. de la Garza, Benevides, Blanco and Hobbes. The Villista troops were repulsed near Monterey and the early fall of the city is expected.

The field artillery reservists of the 1888 class have been summoned to the colors for two months training. The Alpine reservists of the first category of the same class and the thirty categories of the four classes 1891-94 also have been called out for training.

Gov. Maytorena has rebuilt the shattered railroad line connecting Nava, Sonora, with Cananea. Gen. Calles, commanding Carranza forces at Agua Prieta, has threatened to destroy the railroad and its rolling stock if service is resumed.

NG TRIPLE ALLIANCE.

Italy Is Justified, Says Newspaper, in Ignoring Compact.

SPECIAL CABLE DESPATCH TO THE SUN.
ROME, Jan. 30.—The report published in the Italian press that Austria has ceded to Germany the provinces of Trentino and the Trentino, these provinces to be turned over to Italy after the war, is officially denied here.

Referring to the relations between Italy and her nominal allies, the *Giornale d'Italia* points out in an editorial to-day that Austria and Germany did not take Italy into their confidence when they agreed about to declare war but they now expect to divide the spoils with Italy in case of victory but they are looking for compensation in case they are defeated, forgetting the Triple Alliance, which, in these circumstances, Italy is justified in considering as non-existent.

CANAL CLOSING DOUBTED.

Italy, Nevertheless, Prepares to Use Overland Route.

SPECIAL CABLE DESPATCH TO THE SUN.
ROME, Jan. 30.—The Italian Foreign Office has received no official notice of the report that the Suez Canal is to be closed, and it is now understood that the rumor was premature, as no such action is necessary for the present.

It is learned in official quarters that if the canal should be closed communications with the Italian colonies in the Red Sea will be continued by way of the Nile as far as Quena, and thence by the caravan route to Koser. For this reason Italy will not protest against the closing of the canal.

ITALIAN SOCIALISTS BALK GERMAN PLOT

Newspaper Says Prince von Buelow Tried to Overthrow Salandra Cabinet.

SPECIAL CABLE DESPATCH TO THE SUN.
ROME, Jan. 30.—L'Asione Socialista, the organ of the Reformist Socialists, publishes an editorial inspired by Signor Bissolati, the leader of that party, which openly alludes to an attempt by the followers of former Premier Giolitti, hoping for the cooperation of the Radicals, Clericals and Official and Reformist Socialists to overthrow the Salandra Cabinet.

It declares that the object of this move was to insure Italy's neutrality and to obtain the lost provinces of Trieste and Trentino, which had been promised to Germany to be turned over to Italy in return for the consent of the latter country to refrain from participation in the war.

This attempt, which was encouraged and inspired by Prince von Buelow, the special German Ambassador, the paper says, failed owing to the opposition of the Radicals and Reformist Socialists. The mission of Prince von Buelow is useless, the paper concludes, "since the Government has virtually abandoned its neutrality and is hastening its war preparations on the eastern front."

The *Idea Nazionale* confirms the report of this plot, which it ascribes to intrigues of Prince von Buelow and Signor Giolitti. It warns the country against traitors who have been bribed by Germany.

Other Socialists, who compose an insignificant minority, are strenuously opposed to the idea of intervening in the war and have conceived the idea of a general strike in case of mobilization. This branch held a meeting at Milan yesterday, but Signor Turati, a member of the Chamber and one of the prominent leaders of the party, opposed the plans and made a notable anti-German speech, which was enthusiastically applauded.

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BRITISH SHIPS IN IRISH SEA SUNK BY SUBMARINE

Ben Cruachan and Two Other Vessels Torpedoed by German U-21.

THE GRAPHIC ESCAPES AFTER AN ATTACK

Crews of Two Vessels, Ordered Off by German Officers, Land Safely.

CAMPAIGN AGAINST TRADE SUSPECTED

Believed Von Tirpitz's Advice to Sink Commercial Ships Is Adopted.

SUMMARY OF THE WAR NEWS.

German submarines torpedoed and sank three British merchant steamships in the Irish Sea yesterday, according to reports in London. The Von Tirpitz policy of attempting to starve England by sinking her cargo carriers seems to be well under way.

Berlin announces on the word of a Dutch captain who arrived at Amsterdam that the British battle cruiser Tiger was torpedoed and sunk in the North Sea naval battle last Sunday. The British Admiralty and Edinburgh newspapers have announced the arrival of the Tiger at Leith.

The important military report of the day was the announcement by the French Government that its forces in the Argonne had suffered a severe defeat and had surrendered more than 200 yards before an attack that cost Germans and French dearly. An advance of the Allies north of Lombarzyde, Flanders, and heavy losses to the Germans was confirmed. Elsewhere there was violent artillery fighting.

The German War Office states that the German attack in the Argonne annihilated the French 155th Regiment and captured 745 officers and men. The French are said to have left upward of 500 dead on the field and the German losses are said to be slight. In Flanders, the War Office says, more than 300 Algerians and Moroccans were slain in the Allies' attack on the Grand Dune.

Petrograd reports that East Prussia is terrified because of the advance of Russian armies on Tilsit and Insterburg. Hundreds of thousands are reported to have fled from their homes. It is said that the Russians west of Warsaw are beginning an offensive movement. Hard fighting continues on the 100 mile Galicia and Bukovina front, with Petrograd claiming advantage for the Russian forces.

The German Government states that the Russian attack east of Darkehusen made no progress and that the Russians were repulsed in the Mearum Lakes district. German fortifications east of the lake country were shelled. No report is made of operations in Poland, in Galicia or in Bukovina.

Italian Socialist newspapers tell of a plot by followers of former Premier Giolitti and the Clericals and Radicals to overthrow the present Cabinet in order to insure the neutrality of Italy during the war. Prince von Buelow, the special German envoy, is accused of having initiated the intrigue by which Italy was to be compensated through the restoration of the provinces of Trieste and the Trentino.

GERMANS TORPEDO THREE BRITISH SHIPS

Merchant Vessels Sunk in Irish Sea Off Lancashire.

LONDON, Jan. 30.—Two British merchant vessels are known to have been torpedoed and sunk by the German submarine U-21 off Fleetwood, Lancashire, in the Irish Sea to-day, a third is reported to have been sunk and a fourth vessel escaped only through superior speed. Two of the vessels which were sunk were the freighters Ben Cruachan and the Linda Blanche. The steamship Graphic, which carried passengers, was also torpedoed and reached the Mersey to-night.

Men of the crew of the Ben Cruachan, who were picked up from a ship's boat by a trawler and landed at Fleetwood shortly after midnight to-night, said the submarine appeared suddenly on the surface dead ahead of the freighter, and compelled her to stop with a shot across her bows. An officer ordered the crew to get on board and ordered the crew of twenty men into a boat, allowing them to take with them only the clothes they wore and their dirty bags. The submarine then towed the boat away from the steamer and sent a torpedo against the Ben Cruachan. The freighter was torn to pieces by the explosion and sank almost immediately.

Say Germans Were Kind.

The sailors of the Linda Blanche were allowed to gather all their belongings and take them into the boats with them. Men of this vessel's crew, who were the behavior of the Germans as kind, the Germans giving them cigarettes and chocolate—the Linda Blanche's crew were not supplied with food—and explained that they had no choice but to sink the vessel. The men were picked up by a trawler and landed to-night.

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