

SAYS CROMWELL DODGES

MORGAN LEARNS LITTLE.

Series of Conflicts in Senate Canal Committee Hearing.

Washington, Feb. 27.—William Nelson Cromwell and Senator Morgan measured wits all day before the Senate Committee on Inter-oceanic Canal and after a drawn battle adjourned until tomorrow. Mr. Morgan pursued the witness relentlessly concerning his relations with the Panama Canal Company, asking many skillful questions, which were as skillfully parried. Mr. Cromwell made a distinction between his actions since the transfer of the canal property to the United States and before the transfer, and answered positively to answer any questions concerning the earlier period. At the close of the day Mr. Morgan had shown a scheme for the Americanization of the Panama Canal Company which promised to furnish the subject for an interesting examination.

Senator Morgan took charge of the examination at the first and demanded to know of Mr. Cromwell what payments had been made to him from the new Panama Canal Company. Mr. Cromwell asserted that the information demanded was of a confidential character and involved the relations of counsel and client. Senator Morgan insisted, and finally Mr. Cromwell said that while he did not think it any business of the Senator's making the inquiry, he would say that the total payments made to him would not exceed \$200,000.

He did not think the country could be interested in his private relations as counsel to the new Panama Canal company. The question concerning funds had been received from the French canal company being repeated, he declined to answer on the ground that he would not divulge professional secrets.

Thereupon Mr. Morgan called for the revised statutes and read the provision in relation to protection of witnesses called before Congress committees. He asked the witness if he persisted in his refusal. Mr. Cromwell replied: "You have. You have done little else," said Mr. Morgan.

Mr. Morgan again took up the subject of Mr. Cromwell's services to the new Panama Canal Company and what he had done to earn the \$200,000 he said he had received. After refusing to answer questions put to him in a variety of forms, all bearing on the same subject, Mr. Cromwell said that he did not think the committee had the power to go into the subject.

This procedure continued for an hour or more. Finally Mr. Morgan said: "Your attitude is so unusual that I feel like going to the bottom of it. Do you think you had the right to address the President of the United States, the Secretary of State and the chairman of the House Committee on Interstate and Foreign Commerce, signing yourself counsel for the Panama Canal Company, and then decline to answer questions concerning statements you made in the letters?"

As Mr. Morgan asked the question he picked up a batch of letters. "Yes, sir, I think the whole matter is of no concern," said the witness.

Mr. Morgan then had read an agreement between Cromwell and the new Panama Canal Company which embodied a plan for the Americanization of the Panama Canal. This was dated November 21, 1890. Mr. Cromwell said that he had signed it but merely a power of attorney that had been given him, and a matter that had not matured into anything. He declined to say whether he had drawn it.

Mr. Morgan demanded of Senator Morgan whether he believed the inquiry to be material, and said that the resolution of the Senate authorizing the investigation did not provide for an inquiry into a contract with the Panama Canal Company. Mr. Morgan said he desired to ask a question of the witness before replying. He asked many questions, and Mr. Kirtledge again asked Mr. Morgan to state the materiality of the inquiry.

responsible for that matter I do not care to have another witness interrogated concerning it."

Mr. Morgan explained that his intention had been to bring out a statement from the witness as to the necessity of sending the money to Paris, instead of paying for the property by government warrant.

Mr. Knox said he had no objection to the examination of the witness on that subject.

TAKES UP SUITS IN FRANCE.

Mr. Cromwell then testified concerning the distribution of the \$40,000,000 and of the claims of Colombia for payments on stock held by that government to the value of 5,000,000 francs. Mr. Cromwell said that the French government under its taxing system had impounded that stock. Mr. Morgan insisted upon full and complete answers to all questions relating to these suits, but Mr. Cromwell's reply was that he was the counsel for the French company only in the United States and not in France. Several times he said he could not answer the questions as he had no knowledge on the subject. Senator Kirtledge asked Senator Morgan how the inquiry was material, and whether he thought the United States had bought the stock in the Panama Canal Company. Mr. Morgan ignored his colleague, and when Mr. Cromwell resumed he mentioned another matter. Mr. Morgan objected sharply, finally saying: "You knew we were talking about the tax case. Why do you try to switch off on something else?"

Under protest Mr. Cromwell explained at length the procedure under which the directors of the Panama Railroad were qualified to serve, after the sale of the property to the United States. He said that an arrangement was entered into with each of the thirteen directors by which one share each was made over by the United States, on small payments, to legalize the transaction, but that these shares were held by the Treasurer of the United States and the government had the right to demand their surrender in name as well as in fact at any time.

Mr. Morgan asked a score or more questions concerning the appointment of Roger L. Farnham as a director of the road, but Mr. Cromwell insisted that the appointment had been made by the Secretary of War, and that he had not suggested it to the Secretary.

ACCUSATIONS OF "DODGING."

In the course of this inquiry Mr. Morgan said: "Oh, come, you must not dodge." "Senator, you must change your terms to me," said Mr. Cromwell. "I have not dodged anything."

"You have. You have done little else," said Mr. Morgan.

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PRESIDENT ON TOGO.

HIS ADDRESS CITED.

Mr. Roosevelt Commends Its Teachings to Army and Navy.

Washington, Feb. 27.—President Roosevelt has addressed to the Secretary of War, who has promulgated it in a general order, a letter reciting the achievements of the Japanese admiral, Togo, in the war between Japan and Russia, and repeating for the benefit of the American soldiers and sailors the address issued by that admiral at the end of the war. The point of the President's letter is the need of keeping the personnel of the army and navy at the highest pitch in time of peace, in order to be prepared for war.

The text of the President's letter is as follows: "In the recent war in the East Admiral Togo took his place among the great sea fighters of all time. His message to the United States, which he commanded, on the occasion of his dispersal at the end of the war, is a most inspiring and noble. It is proper to have it inserted in a general order of the department.

The qualities which make a formidable fighting man, on sea or on shore, and which therefore make a formidable army and navy, are the same for all nations. The individual men must have the fighting edge; there must be in them courage, determination, individual initiative, combined with willingness to subordinate their own interests to the common good. It is not enough that they must be prepared; they must be trained in advance. Every American soldier and sailor, whether serving in the army or the navy, should keep ever before his eyes the fact that he will not be fit thoroughly to work in the event of a war unless he has thoroughly done the work of preparing for war. If he does not, he will be a liability to his country, and will do more harm than good when he goes to sea and shore, when war comes. They will go down before rivals who have been self-indulgent."

It is only the men of the army and the navy who should constantly remember these facts. In a great war the individual men must have the fighting edge and the navy can be only so good as the mass of the people wish them to be. The citizens of our country owe it to themselves and to their children and their children's children that there shall be no chance of having the national honor tarnished, the national flag stained, and the national credit, the men of the army and the navy, in any great crisis such as even the most peaceful nation may at some time be called upon to face, upon whom the special responsibility will rest of keeping the nation's honor bright and unscathed. They cannot do this if the nation does not exercise forethought on their behalf. We must have an adequate navy and an adequate army in point of equipment and training with the most effective mechanism in the form of weapons and other material; above all, they must be given every chance to keep their fighting qualities sharp. They may be adept in handling the mechanism, and be fitted in body and mind unflinchingly to endure the tremendous strain and bear the tremendous responsibility of war.

The President here quotes the address of Admiral Togo, omitting, he says, certain allusions having no bearing on our conditions, and ends as follows: "I commend the above address to every man who is or may be part of the fighting force of the United States, and to every man who believes that if ever, unhappily, war should come it should be conducted as to reflect credit upon the American nation."

The portion of the address of Admiral Togo quoted by the President follows: "The war of twenty months' duration is now a thing of the past, and our united squadrons, having completed their mission, are to be disbanded. But our duties as naval men are not at all lightened by that reason. To preserve in perpetuity the fruits of the victory, and to insure the height of prosperity the fortunes of the country, the navy, which, irrespective of peace or war, has to stand between the nations, must always maintain its strength at sea, and must be prepared to meet any emergency. This strength does not consist in ships and armaments. It consists also in material ability to utilize such agents. When we understand that one gun scores the same as ten, that one torpedo is worth ten of the enemy's guns each of which scores only 1 per cent, it becomes evident that we sailors must have courses before everything to the strength which is over and above external."

The triumphs recently won by our navy are largely due to the habits of training which enabled us to garner the fruits of the fighting. If then we infer the future from the past, we recognize that though war may come we cannot abandon ourselves to ease and rest. A soldier's whole life is one continuous and unceasing battle, and there is no reason why his responsibilities should vary with the state of the times. In days of peace he has to keep his strength in the form of guns to accumulate it, thus perpetually and unceasingly discharging his duties to the full. If men calling themselves sailors grasp at the momentary appearance their engines of war, those like a house built on sand, will be swept away at the approach of the storm. When in ancient times we conquered Korea that country remained over four hundred years only a few years ago. Again, when under the sway of the Tokugawa in modern days our armaments were neglected the result was a few American ships threw us into distress. On the other hand, the British navy, which won the battles of Nile and Trafalgar, and which, though England was secure as a great mountain, but also, by her force, carefully maintaining its strength and keeping it on a level with the world's progress, has safeguarded that country's interests and promoted its fortunes. For such lessons, whether ancient or modern, we should be ever on our guard. To some extent they are the outcome of political happenings, must be regarded as in the main the result of our own neglect. We should be ever on our guard. We naval men who have survived the war must plan future developments and seek not to fall behind the progress of the time. If, keeping the instructions of our sovereign ever graven on our hearts, we serve earnestly and diligently, and pushing forth our own interests, what the hour may bring forth, we shall then have discharged our great duty of perpetually guarding our country."

WILL INSPECT CANAL.

Commission Members to Sail for Colon About March 20.

[From The Tribune Bureau.] Washington, Feb. 27.—The members of the Isthmian Canal Commission, or most of them, will sail from New-York about March 20 for Colon. It is planned to make an inspection of the canal zone and acquire information of work which has been done and which is immediately required in the regular meeting of the commission will be held at Colon about April 1, and by that time the commissioners will have obtained information for use in that session. Nothing of especial importance is likely to come up at the meeting of the commission at Colon.

GREEN AIDED BEAVERS.

Letter Shows He Urged Promotion from Brooklyn Office.

Washington, Feb. 27.—Progress was made to-day in the trial of ex-State Senator George E. Green, of Binghamton, N. Y., on charges of conspiracy in connection with the purchase of recording clocks, also the contract for the purchase of the clocks and the defendant's connection with the firm supplying the clocks and commissions paid him on the sale of the clocks and supplies. The testimony covered a wide range. It related to Beavers's duties as superintendent of the division of salaries and allowances and his relations with the purchase of time recording clocks, also the contract for the purchase of the clocks and the defendant's connection with the firm supplying the clocks and commissions paid him on the sale of the clocks and supplies.

MILK TRAIN KILLS MAN.

Pedestrian Run Down on Tracks at 10th-ave. and 30th-st.

Joseph Livingston, thirty-five years old, of No. 28 10th-ave., was killed by a milk train at 30th-st. about 11 o'clock last night by a milk train. Two other men who were with Livingston narrowly escaped. The three men were walking down the avenue when a dummy engine and two milk cars backed through 30th-st. The flagman on top of the first car yelled at the men and two of them heeded the warning. Livingston failed to move quickly enough and was struck by the second car, which was passing over his head and crushing his skull. Death was instantaneous. The dummy engine and the milk cars were stopped by the flagman at 30th-st. at the approach of the train.

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RATE BILL SEEMS SURE.

OPPOSITION BREAKING UP.

Good Chance for Amended Philippine and Statehood Measures.

[From The Tribune Bureau.] Washington, Feb. 27.—The legislative outlook in the Senate at this stage of the proceedings seems to forecast the following probabilities: First—The Railway Rate bill to pass practically in the form desired by President Roosevelt. Second—The Statehood bill to pass Friday of next week, with the Foraker amendment, which provides that the Territories of New-Mexico and Arizona shall separately vote upon joint Statehood, Indian Territory and Oklahoma coming in meanwhile. Third—Passage of the Philippines Tariff bill, after amendment to meet objections raised both by Democrats and Republicans from the Western States.

Taking these measures up in the order named, it is evident to the friends of the administration in Congress that the opposition to President Roosevelt's railway rate legislation is breaking down. Dissolution is said to have set in when the Democrats of the Committee on Interstate Commerce refused to split and allow three of their members to join with five Republicans to amend the Hepburn bill. If that design had been accomplished a very different state of affairs would now be presented in the Senate.

As the case stands, only one result is said to seem practicable—acceptance of the inevitable, by yielding to popular pressure in behalf of the President's rate bill. It is either that or a split in the party on the eve of a Congressional campaign. There are visible signs that the element in the Republican party in the Senate which has been holding out for a modification of the President's views on railway rate legislation is preparing to capitulate and accept the bill which is likely to command the support of the majority of Republicans in both houses. One thing contributing to this is the pressure of public opinion. Another is the likelihood of the Democratic party, under competent leadership in the Senate, being able to make political capital out of a situation if the Republicans should demonstrate a fatal division of sentiment.

Competent observers in the Senate think they note a disposition on the part of the railroad interests to abandon the fight against railroad rate legislation and make the best terms possible, hoping to have their day in court under an liberal provision for appeal as they may obtain rather than to irritate public sentiment by further opposition. As to the Statehood bill, the Senate appears now to lean more to the opinion that the pending bill for joint Statehood for New-Mexico and Arizona by coercion, willy-nilly, is not feasible. This bill in the Senate is on a basis entirely different from that in the House. It will be recalled that the contest in the lower branch of Congress got away from the merits of the bill and rested on a question of maintaining Republican discipline, and the organization of the party in the House. In the Senate the bill is resting entirely on its merits, and unquestionably it is strong and influential opposition to it in its present form. The citizens of Arizona who object to enforced union with New-Mexico have worked up a sentiment of sympathy in the Senate which must be taken into account. There is no objection to the admission of Indian Territory and Oklahoma, because the citizens of both Territories are willing and anxious.

As to the forcible union of New-Mexico and Arizona, there is a difference of opinion in both Territories. No one can tell how far it extends, and to solve the question it is proposed that the referendum be applied and the voters be allowed to express their choice. This alternative is proposed by the Foraker amendment, for which a majority vote in the Senate is now confidently claimed. The question will be determined on March 9, under an agreement reached in the Senate to share in unanimous consent, whereby a final vote on the Statehood bill and amendments to it will be taken on that day.

The Philippines Tariff bill is still in committee. Opposite to a favorable report on the bill, the House bill has been vigorously urged by Western interests. From Wisconsin to the Pacific Coast the representatives in the upper chamber have been fighting the bill on the score of threatened injury to the tobacco and beet sugar industries. It is a serious question whether the bill can get out of committee in its present form. Opponents of the bill are confident that it would yet confront a hostile majority in the Senate. It is said by those that the bill must be amended to escape from the committee. It is to be described as a harsh, tedious rantlet in debate, some of the opposition being of the most stubborn sort, and likely to test the endurance of the Senate by long and tedious speeches until well into the summer.

FOR NEW COMMISSION.

Lodge Amendment Would Supercede Rate Body.

Washington, Feb. 27.—Senator Lodge to-day introduced an amendment to the railroad rate law, providing for displacement of the present Interstate Commerce Commission by a new commission of nine members. The amendment provides that not more than five of the members shall be of one political party; that three of them shall be lawyers; three persons of experience in the management of railroads. Salaries are fixed at \$12,000 for each member except the chairman, who is to receive \$500 more.

PROUTY TALKS ON RATES.

Says Rockefeller Is Perpetuating Unjust Advantages by Investments.

Boston, Feb. 27.—Government rate regulation as applied to railroads was treated at great length by Charles A. Prouty, of the Interstate Commerce Commission, in an address delivered to-day before a special meeting of the Hotel Vendome. Mr. Prouty defended the bill now pending in Congress, and after he had spoken at length Edgar J. Rich, general solicitor of the Boston and Maine Railroad, spoke on the railroad point of view. At a meeting held before the dinner the executive council of the board adopted a resolution favoring the removal of the duty on hides, and referred to a committee one to abolish Chinese exclusion.

"What I wish to emphasize is that New-England suffers most, not from the operation of its own railroads, but from those which lie entirely without its borders," said Mr. Prouty, in the course of his speech. "The foundation of the Standard Oil Company was the railroad rebate. Rockefeller could dominate nearly every railroad of consequence in Northern New-England. He is investing his income in railroads of more strategic importance, and is thus perpetuating these unjust advantages. "The people who demand this legislation are not socialists. The President of the United States, who is the head and front of this movement, is not a socialist. He stands for a decent thing, and it is his decent thing not a wise thing to permit the monopolists of this country to control without governmental check, as they do to-day, our commercial highways."

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RATES AID STANDARD.

So Commission Finds, but Can Grant No Relief.

Washington, Feb. 27.—The Interstate Commerce Commission to-day, in an opinion by Commissioner Prouty, announced its decision in the case of the Frederick G. Clark Company against the Lake Shore and Michigan Southern Railway Company and others, and the Waverly Oil works against the Pennsylvania Railroad Company and others. In these cases the New-York, New-Haven and Hartford Railroad Company was the principal defendant.

The commission holds that the combination rates on petroleum and its products from Cleveland and Pittsburg to points reached by the New-York, New-Haven and Hartford Railroad Company result in unreasonable and unjust rates; that the refusal of the New-York, New-Haven and Hartford Railroad Company to provide joint rates in through traffic is unjust and unreasonable, and that the situation is such as to operate greatly to the advantage of the Standard Oil Company. The decision further is positive to a favorable report on the other hand, and other articles of traffic on the other, and that the failure of the New-York, New-Haven and Hartford Railroad Company to provide joint rates on petroleum and its products, while maintaining joint rates on other traffic, does not constitute wrongful preference and advantage.

In its final conclusion the commission holds that the act to regulate commerce does not authorize the commission to compel the establishment of joint rates by connecting carriers nor to describe the terms of joint rates or the conditions of interchange in case the connecting carriers fail to agree in respect thereto, and it therefore holds that, notwithstanding that the combination rates complained of are unjust and unreasonable and the general shipping situation is such as to work a practical monopoly in favor of the Standard Oil Company, the commission is without authority to grant relief in these cases and the petitions therefore are dismissed.

SENATOR TILLMAN GOES SOUTH.

Washington, Feb. 27.—Senator Tillman, who is in charge of the Railroad Rate bill, has gone to South Carolina and will return the first of next week.

ESTATES ASK REFUNDS.

Many Hope to Recover from U. S. on Vanderbilt Precedent.

[From The Tribune Bureau.] Washington, Feb. 27.—The success of the Cornelius Vanderbilt estate in obtaining from the government a refund of legacy taxes collected under the war revenue act of 1888 for \$7,112,771, which amount is appropriated in the Trusts Decency bill signed by the President to-day, has caused an avalanche of claims from other New-York estates. At a meeting of the Committee on Claims to-day it was found that New-York Congressmen had introduced forty-five bills for the reimbursement of constituents in various parts of the State. There are ninety-five bills in all before the committee, with New-York most largely represented. The claims average about \$3,000.

The refund from the government is asked for on the ground that the legacy taxes were illegally collected, the Vanderbilt-Eidman case being cited to show that the United States Supreme Court ruled against the method by which the assessment was made. The batch of claims brought in Congress are those wherein the plaintiffs failed to make the proper appeal against the assessment within the two years prescribed in the statute of limitations. This, in the opinion of members of the House committee and legal officers of the government, raises a new question with regard to the claims, as in the Vanderbilt case a protest was made against the assessment and appeal taken to the courts within the time authorized by law for such appeal. Cases are before the Treasury Department in which the contention is made that every railroad of consequence in Northern New-England. He is investing his income in railroads of more strategic importance, and is thus perpetuating these unjust advantages. "The people who demand this legislation are not socialists. The President of the United States, who is the head and front of this movement, is not a socialist. He stands for a decent thing, and it is his decent thing not a wise thing to permit the monopolists of this country to control without governmental check, as they do to-day, our commercial highways."



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to the House. The total amount involved in the claims now filed is about \$2,000,000, and as the bill would be a serious item in the treasury deficit, the claims will undoubtedly receive unusually rapid scrutiny. Some of the bills introduced by New-York members for refunding of taxes on estates are as follows: By Representative Bradley for the estate of Jacob R. Moore, of Puxedo, and Eleanor C. Lookwood, of Newburg, by Representative Thompson for Charles S. Brown, of Amenia, Morrisson, Hartford, Thompson, Mary Peckham and John I. Thompson, all of Troy; by Representative Ketchum for John H. Brinkerhoff, Edward S. Ferris and William B. Lent, of Poughkeepsie; by Representative Andrus for James W. Quintard, of Rye, and John E. Helms, of New Rochelle; by Representative Fassett for Henry C. Spaulding, of Elmira; by Representative Southick, for Joseph Belsen and Hamson Hon. of Albany. One of the estates in the list is that of James Roosevelt, of Hyde Park.

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