

CLAIMS AGAINST SPAIN.

BILL TO CARRY OUT A PROVISION OF THE TREATY OF PARIS.

Objection Made in the House to Having the Claims, which the United States Assumes under the Treaty, Adjusted by a Commission Instead of by a Committee.

WASHINGTON, April 28.—The House today voted to pass a bill authorizing the appointment of a commission of three to adjust the claims of citizens of the United States against Spain, payment of which the latter is bound to make by the Treaty of Paris, assumed by the United States in 1898.

The bill provides for the appointment of a commission of three, at a salary of \$5,000 a year, and of an Assistant Attorney-General, at the same rate of compensation, with a retinue of one or more clerks, who shall receive assistant attorneys-general who shall receive \$200 a month, while actually employed, a clerk \$150 a month and a force of interpreters and other employees to investigate and adjust the claims of American citizens against Spain, which the United States assumed in the Treaty of Paris.

Mr. Mahon (Rep., Pa.) opposed the bill as a bit of unnecessary extravagance. The Court of Claims, he said, could adequately take care of the claims against Spain, and he thought it unnecessary to appoint a commission for the purpose.

Mr. Mahon (Rep., Pa.) favored the general proposition of the bill, but he believed that the Senate measure, which he introduced, would fully protect the Government at all points. He said that the claims against Spain amounted to about \$30,000,000. The objection to sending the claims to the Court of Claims was that the claims would be paid out of the Treasury, and the Government would not be able to pay them.

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FAVORS DISAPPEARING CARRIAGES.

Gen. Wilson, Chief of Engineers of the Army, Disagrees With Gen. Miles.

WASHINGTON, April 28.—The controversy over the adoption of the disappearing gun carriage system continues to engage the attention of War Department officials. The Board of Ordnance and Fortification, of which Gen. Miles is chairman, and the Ordnance Bureau, under Gen. Haffington, do not agree on this subject. Gen. Haffington is a member of the board, and so is Gen. John M. Wilson, Chief of Engineers. In a letter on the subject just submitted to Secretary Root, Gen. Wilson says: "Up to the present time there have been prepared by the Engineer Department, and approved by the Secretary of War, projects of defense for thirty localities in the United States, at twenty-five at which the modern defensive works are under construction and are in various stages of progress. The approved projects of defense call for a total of 478 heavy guns in 8, 10, 12 and 16-caliber, of which 22 are to be mounted in turrets, 50 on non-disappearing carriages, and 307 on disappearing mounts, the latter being 40 per cent of the total number. For separate calibers, 80 per cent of the 12-inch guns, 90 per cent of the 10-inch guns, and 92 per cent of the 8-inch guns are designed to be employed on disappearing carriages."

The information available in this office does not accord with the statement of the Major-General commanding that not a single disappearing carriage is in use in any foreign service today. On the contrary, disappearing mounts are in considerable use in England and her colonies, Italy and other countries. Among the localities in England may be mentioned Flushing, Laverghem, Popotin and Humberston in her colonies, Malta, Hong Kong and Victoria. Italy has some 135-inch guns mounted at Sicily. Moreover, the introduction of the disappearing principle for service in England and her colonies is a matter of the United States of a number of years.

With reference to the comparative cost of the disappearing work on equipments for 12-inch guns on disappearing carriages and for 12-inch guns on non-disappearing carriages, the records of this office give an average cost per gun of \$40,000 for the disappearing carriage and \$20,000 for the non-disappearing carriage. A difference of 50 per cent, only in favor of the employment for non-disappearing carriages.

If the present service disappearing carriage should in fact prove to be unsuited for its purpose it can only be regarded as most unfortunate that attention has not been called to the matter much sooner. The disappearing carriage is not a new invention, but a principle which has been known for many years. It is not a new principle, but a principle which has been known for many years. It is not a new principle, but a principle which has been known for many years.

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THE INHERITANCE TAXERS.

RELECTIONS MADE AND A NOTE OF WARNING SOUNDED.

It's Public Business and Not a Political Snipe—Robert M. La Follette, Chairman of the New York State Board of Assessors, Has No Superstitions About the Inheritance Tax.

Senator Platt, State Comptroller William J. Morgan and President Quaker of the New York County Committee, held a conference at Senator Platt's downtown office yesterday morning on the selection of appraisers in the suburbs of the city in the county of New York. Kings and Queens, and in the city of New York, two for Kings and one for Queens. There had been a very wide discussion concerning the appointment of these appraisers to administer the Inheritance Tax law, and many Republicans have seen a prospect of danger in the operation of the new act. No sooner had the law been passed at Albany than a great scramble was made for appointment to these places, which are good for \$4,000 a year, at the pleasure of the Comptroller of the State.

After the conference yesterday morning it was announced that the New York appraisers to be appointed by Comptroller Morgan are to be W. C. Wilson, Secretary of the Association of the State of New York, ex-Senator Charles B. Pace, from the Seventeenth district, Charles K. Lewin, Republican leader of the Twenty-second district, Robert M. La Follette, ex-Assemblyman from the Nineteenth district, and George H. Coggeshall, a son of Senator Henry J. Coggeshall of Oneida. The appraisers for Kings are to be Jesse D. Frost, former chairman of the Kings County Committee, and Harry Jacquillard, now Sergeant-at-Arms of the State Senate. The appraiser for Erie is to be Seward A. Simons.

It was understood that the selection of Mr. Wilson was made by Gov. Roosevelt, and it has been said before that the selection of George H. Coggeshall was in recognition of his father's vote to repeal the Horton boxing law. Mr. Morgan is the Chairman of the State Board of Appraisers. Something was said yesterday as to the attitude of Senator Esberg, who introduced the bill in the Senate, and it was said, believed that he was entitled to a share of the appointments. He has been seen in the office of the Comptroller, and it is believed that he had not been consulted either before or after the passage of the bill concerning the appointment of appraisers. He is, however, believed, however, that "the patronage feature of the bill had been recognized together with the company by the selection of Mr. Wilson as appraiser for the county of New York, Kings and Erie his personal supervision. It is already known that certain local Republican politicians are endeavoring to get themselves outside of the mere selection of the appraisers. It was announced that the appraisers will be appointed in the city of New York, and that some good men could be found to take the place and not in the interest of the Republican party. The important fall elections, when the national and State tickets are involved.

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FRANCHISE TAX LAW ATTACKED.

It Constitutionally Questioned in the Case of the Rochester Street Railway.

ROCHESTER, April 28.—The Rochester Street Railway Company yesterday formally began proceedings to have its franchise tax reduced, when Justice Albert Chester, at Albany, granted a writ of certiorari to review the assessment by the State tax collector, as well as the Constitution of the State. The writ is made returnable in Albany May 29 and will be argued in the Supreme Court at that time. Attorney Charles J. Russell, for the company, also obtained from Justice Davy of this city a similar writ this afternoon. When asked by The Sun representative why he got the writ in two cities, Russell said: "I did it in order that there shall be no mistake. Nobody can tell which place the bill will hold is the proper place to bring the proceedings, and I want to be sure of my position."

The constitutionality of the franchise tax law will be questioned from the very start. Mr. Russell will hold that it violates provisions of the State Constitution, as well as the Constitution of the United States. His first point is that the State Tax Commissioners, on the day set for hearing objections, refused to give a substantial hearing and refused to disclose the method and manner in which they ascertained the amount at which the value of the property of the Rochester Street Railway was assessed. He also contends that "the value of the said special franchise, or the value of the property included therein, has never been determined by the assessors of the city of Rochester."

After discussing such of these points in a preliminary hearing before the State Board of Tax Commissioners had no authority or jurisdiction to fix any valuation upon your petitioner's franchise, and that the State Board of Tax Commissioners had no authority or jurisdiction to fix any valuation upon your petitioner's franchise, and that the State Board of Tax Commissioners had no authority or jurisdiction to fix any valuation upon your petitioner's franchise.

He declares that the act is violative of the provisions of Article 10 of the State Constitution of the State of New York, which provides that no person shall be deprived of his property without just compensation. He also declares that it is violative of the provisions of section 1, Article XIV of the Constitution of the United States, which provides that no State shall make any law which denies to any person within its jurisdiction the equal protection of the law.

Mr. Russell holds that a special franchise to maintain and operate a railway has always been regarded as a franchise, and that the act in question, by changing personal property to real estate, has taken away the power of the State to regulate the franchise with personal property, contrary to the provision of the United States Constitution above referred to.

The right to operate cars in the city of Rochester is of no value, he says, because of the fact that the franchise is not a franchise of having the franchise. He says the Tax Commissioners have vastly overvalued the franchise, and that the value of the franchise is not more than \$2,000,000, which is the value of the franchise. He says that the value of the franchise is not more than \$2,000,000, which is the value of the franchise.

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GLEN COVE'S WHARF NEEDS.

SUNDAY EXCURSION PROMOTERS STRIKE A NAG.

Town Board Appoints a Committee to Arrange With Mr. Ladew for the Purchase or Leasing of the Wharf, and to Determine the Place Shall Not Be a Sunday Resort.

OYSTER BAY, L. I., April 28.—The opponents of the public wharf which the Town Board is asked by persons favoring the landing of Sunday excursions to build at Glen Cove Landing gained an advantage at a hearing given by the board today. Edward R. Ladew owns a large wharf at the landing within less than a dozen feet of where it is proposed to build a public wharf. For six days in the week the public have unrestricted use of it. They pay no fees, but the wharf is invariably closed to Sunday excursions. At the meeting to-day J. Frank Snyder, representing Mr. Ladew, presented the following written proposition to the board: "From the time the owners of the Ladew dock first learned that it was proposed to build a dock on the land under water reserved for public use alongside their dock they have endeavored to learn what the town of Oyster Bay wanted at Glen Cove Landing, in addition to the present facilities, but have been unable to obtain the necessary information. They feel that a liberal use of this dock has been allowed, but are willing to further extend its use if advised what is desired. Under the present ownership all persons engaged in digging canals, either for their own use or for the market, have enjoyed the broadest license and free use of this dock and of the adjacent wharves. It is desired that this privilege, unless abused, may continue. The people of Oyster Bay have used the pier and dock for their pleasure and they are not restrained. Residents of the town owning yachts and pleasure boats, the New York Yacht Club and other yacht clubs have been invited to use this dock and a room provided for their comfort, and restrictions being made that they should not interfere with the landing or departure of the steamer carrying passengers or freight from and to New York. The dock was rebuilt one year ago at an expense of several thousand dollars for the express purpose of furnishing greater facilities to the people of Glen Cove and in the hope of inducing the owner of a fast boat to establish a line of daily excursions between that point and New York city."

Sunday excursions have not been allowed to land at the dock, and the proposition was placed upon its use in the interest of the peace and good order of the whole community. The owners of this dock have, however, made it their private property, giving to all persons engaged in digging canals, and other persons, a license to use it, and the free use of one of the best docks outside New York city. Although the town of Oyster Bay has a public wharf, there has been a permissive public use. The regular boat between Glen Cove and New York City, carrying passengers, and the dockage charges, and in return has had not only the use of the dock but of the dockhouse and the adjacent wharves."

The owners of this dock are willing and stand ready to do much to benefit the community at large, but do not think it fair or right to have their property to two or three persons who are seeking to advance their personal and selfish interests. The expense of the dock is the property of the town of Oyster Bay. They are willing to entertain negotiations looking to the ultimate ownership of the dock by the town of Oyster Bay, but whether that control be by lease or sale will rest upon a restriction against the dock for Sunday excursions.</