

ACT OF WAR

United States Recognition of New Republic of Panama

SAYS MORGAN

Colombia Has the Right to Consider This Country's Recognition as an Act of War—That Country Has Never Acknowledged the Cessation of Its Sovereignty Over Panama—Mr. Morgan Claims That the Presence of American Forces on the Isthmus Alone Prevents the Colombians from Retaking the Panama People.

Washington, January 7.—Mr. Morgan occupied the time of the Senate today in a reply to the speech of Mr. Lodge delivered last Tuesday. Mr. Morgan again criticized the President and the attitude of this government in connection with the Panama republic.

"Colombia still has some rights under the laws of nations," said Mr. Morgan. "She is 4,500,000 strong. She has an area larger than that of the state of Indiana. She is recognized by all governments, including the United States, as a free sovereign power. She is the mother government of Panama, and according to Mr. Bunau-Varilla the Panama minister, we are neither the father or the mother of this new republic. Colombia has the right under the laws of nations to consider that recognition as premature and an act of war. Whether Colombia does declare it to be an act of war is another matter. The third power is likely to be led into premature recognition, unless affected by some private benefits—until the mother country has acknowledged the cessation of its sovereignty—just as Great Britain proclaimed our independence before the close of our war with that country."

Mr. Spooner asked if he had understood rightly that we could not lawfully recognize Panama as a de facto government until Colombia had relinquished sovereignty.

Mr. Morgan stated that Colombia had the right to consider recognition under other circumstances as premature and an act of war.

"And I am compelled to say," said Mr. Morgan, "that tomorrow if the United States government should withdraw its fleet and marines from the isthmus or extend their operations to the protection of the railroad and to the passage across the isthmus, Colombia would march in and capture those eight men who organized the Panama government, and drive them and their following of foreigners, negroes, and Chinamen from the isthmus. Under such conditions the position of the United States would have been honorable, dignified and wholly consistent with her rights under the treaty of 1846."

Mr. Morgan put into the record a large number of letters, written by correspondents of many large newspapers, which he said, gave the acts concerning the overturning of the Colombian government on the isthmus, and which are not disputed except by the President in his two messages to the Congress. Many of these articles were described, particularly the references to Colonel Black, who is alleged to have raised the first Panama flag on the isthmus, and to Consul Ehrmann who is alleged to have made the arrangements for the raising of money to buy the peaceful withdrawal of Colonel Torres and his Colombian troops.

Mr. Culbertson asked if the charge that Mr. Ehrmann had supplied the money to aid in bringing about the withdrawal of the troops was supported by the papers inserted in Mr. Morgan's speech.

Mr. Morgan said this was in the papers, and that he did not pretend to say whether or not it was true.

Mr. Spooner wanted to know if Mr. Morgan questioned the action of the representatives of the United States in warning the Colombian gunboat Bogota from bombarding Panama, in view of the fact that the bombardment was being without the time warning required by the rules governing international warfare.

Mr. Morgan maintained that the Bogota was warned away, not because a violation of international rules of war had been made, but she was warned not to make any bombardment at any time. This fact, he said, made the United States a belligerent with Panama against Colombia. This attitude was continued by our forbidding General Torres and his force to go from Colon to Panama on the railroad or any other road.

"These acts of hostility and defiance were in violation of the statute laws of the United States," he said.

Replying to a question from Mr. Quarles as to the source of his information as to happenings in the Colombian Congress Mr. Morgan caustically remarked that he had no specific information. When the venerable Senator from Massachusetts, Mr. Hoar, had introduced a resolution calling for facts the President had taken advantage of his position and sent a message to Congress in answer to that resolution, and I think that is the only answer we are ever to get, he concluded.

Mr. Morgan criticized the dealings between this government and the Panama Canal Company.

"Why," he said, "have we always got this gang of robbers, and why make them the vendors of all that we are to get from Panama?"

Mr. Fairbanks wanted to know if Mr. Morgan held that we should wait until the concessions of this company expired and then deal with Colombia or Panama.

Mr. Morgan replied: "Do not ratify any treaty with Panama until that contemplated contract with the Panama Canal Company is completed. We should not bind ourselves by ratifying the treaty before this contract is known."

Mr. Quarles asked if Mr. Morgan considered that the six year extension of the franchises of the Panama Canal Company was void.

"Certainly," replied Mr. Morgan. "The only concession the company possesses expires by its own terms next October and its prolongation is void for the Colombian Congress voted it down."

The Senate adjourned till tomorrow.

THE HOUSE. Washington, January 7.—The House was in session but twelve minutes today. Mr. Hemenway, chairman of the committee on appropriations obtained unanimous consent that one hour be devoted to the opening of tomorrow's session to the consideration of a bill amending the act appropriating \$500,000 for the eradication of foot and mouth disease among cattle, so as to make \$250,000 of that amount available to meet the emergency caused by the Mexican boll weevil. The bill was favorably reported today.

The House adjourned until tomorrow.

Killed by a Train. Charleston, S. C., January 7.—Two colored women named Presley were killed together with the mule which they were driving, by a railway train near Bessemer City, N. C., today. They attempted to cross the track in front of a local passenger train.

Instructed to Vote for the Panama Treaty. Jackson, Miss., January 7.—The lower House of the Mississippi legislature passed the joint resolution, adopted by the Senate yesterday, instructing the Mississippi Senators to vote for the Panama treaty, now before the United States Senate. An attempt was made to amend the resolution, but it was passed as it came from the Senate, by a vote of 86 to 27.

GENERAL GORDON ILL. Miami, Fla., January 7.—General John B. Gordon is dangerously ill at his home, Biscayne, seven miles north of this city. The attack is similar to that he suffered from sometime ago on a railroad train in Mississippi. It is inflammation of the stomach, caused by an acute attack of indigestion to which he is subject. A consultation of General Gordon's physicians tonight reported from his home by telephone, leaves no hope of his recovery.

Serious Fears Entertained. 9 p. m. The following bulletin has just been issued by the attending physicians of General John B. Gordon: "General John B. Gordon's condition remains the same as at noon. He grew much weaker at 5 this afternoon, but responded to stimulants and has rallied somewhat and is now resting more quietly. Temperature one hundred and four; pulse one hundred and sixteen.

"His wife and two sons are with him. His daughters, Mrs. Burton Smith and Mrs. Orton Bishop Brown have been notified.

"General Gordon's condition is very critical. His advanced age (72) and generally depleted strength from previous impaired health causes his physicians to entertain serious fears of the outcome.

(Signed) "Attending Physicians." Bulletin at 11 O'clock. The following issued by Doctors Gambling and Jackson, the attending physicians to General John B. Gordon was given out at 11 o'clock. Temperature 102 3-5; pulse 108. Resting little more quietly.

Atlanta, Ga., January 7.—General Gordon's daughter, Mrs. Burton Smith, of this city, received a telegram early this morning calling her to Miami at once, and saying that her father was critically ill. No further particulars were contained in the message. Mrs. Smith left for the South tonight.

General Gordon left for Florida with Mrs. Gordon several weeks ago to spend the winter, as the balmy air of the Southern latitude agrees with him better than more northerly climates. Recent reports have told he is unusually well and no anxiety has been felt until the alarming dispatches today brought news to the contrary.

REPLY NOT WELL RECEIVED

The Russian Rejoinder Said to be Unsatisfactory to Japan

PEOPLE URGE RESORT TO ARMS

The Japanese Nation is Deeply Stirred If It is Clear That Russia's Protests are Honest, There Will Probably be Further Negotiations, But the Ministry is Opposed to a Long Delay—Russia, it is Expected, Will Make Concessions in One Direction, But Impose New Conditions in Another—Diplomats are Anxious to Know What Attitude the Powers Will Have—Russian People Appear to be Apathetic—American Marines at Seoul to Protect Life and Property.

Tokio, January 7.—The government is silent concerning the terms of the Russian rejoinder. A high authority here, however, says that the reply is unsatisfactory to Japan, especially in its features bearing upon the question of Korea. He says that the Russian government in its communication expresses a desire for a peaceful settlement of the matters in dispute. Japan has taken the reply under consideration and if convinced that Russia's protestations are honest and that there is a chance for peace, she will continue the negotiations. At the same time the ministry is unqualifiedly opposed to a long delay. It is becoming apparent that Japan would resent any intervention upon the part of any of the outside powers in the extremity of the crisis. It is thought possible here that the United States might intervene. Such intervention the Japanese say would be unjust and only create delay which would be advantageous to Russia.

Tokio, January 7.—The attitude of Japan toward the response of Russia is still undefined. The Premier, the minister of foreign affairs, the minister of war, the minister of finance and the minister of naval affairs had a council yesterday afternoon. It was decided that the cabinet confer with the older statesmen before deciding on a course of procedure. The minister of foreign affairs, however, is unsatisfied. It is believed that Russia will make concessions in one direction and impose new conditions in another. The Japanese nation is deeply stirred. Public sentiment favors the abandonment of negotiations, believing them to be useless, and urges a resort to arms.

Paris, January 7.—Official and diplomatic circles here claim to be without information regarding the contents of the Russian reply to Japan, but the tone is decidedly pessimistic and there are but few slight hopes of a peaceful exit from the position in which Russia and Japan find themselves.

The diplomats are making inquiries as to the attitude of the powers in case of war, that to be adopted by their united front being regarded as particularly important. To the Associated Press, the Japanese minister said today: "The attitude of the United States will mean much. She has negotiated a treaty with China for the opening of three ports in Manchuria to the commerce of the world. These ports have been occupied by Russia and thus her treaty rights have been violated. Japan is not guided by selfish motives, but is acting in the interest of all nations. I hope the United States will clearly understand our position and will favor us with their support."

London, January 7.—A dispatch from Tokio to Reuters Telegram Company says that the contents of the Russian reply are kept secret, but that in best informed circles the impression is that it is unsatisfactory. Baron de Rosen, the Russian minister to Japan, and Baron Komura, Japanese minister conferred yesterday afternoon at the Russian legation, where Baron de Rosen is still indisposed.

An important council was held today at which were present the premier, the foreign minister and the ministers of war and marine, together with the chiefs and assistant chiefs of the staff of the army and navy. The elder statesman of Japan will probably hold a conference tomorrow.

Stocks which recovered somewhat yesterday, fell again today. The general feeling here is one of uneasiness.

St. Petersburg, January 7.—The foreign ministry has received a dispatch from Tokio saying that Baron de Rosen, the Russian minister, presented Russia's reply to the Japanese cabinet yesterday.

The Russian officials were invisible today, owing to it being the Russian Christmas holiday. The situation appears to be unchanged. Diplomats today reiterated that war with Japan was not likely. The people generally are absolutely apathetic, the merchants alone showing uneasiness. All classes of the unofficial world would welcome any peaceful solution. The crisis occasions remarkably little comment among the general public.

London, January 7.—The Daily Mail's Tokio correspondent learns that Russia has made new demands which it will be impossible for Japan to entertain.

The correspondent says that all the powers are landing troops in Korea and that the British blue jackets landed at Chemulpo are expected to go to Seoul immediately.

Constant telegrams are passing between M. Pavloff, the Russian minister to Korea, Baron de Rosen, the Russian minister to Japan, and Vice-roy Alexieff.

London, January 7.—The Daily Mail's correspondent says Governor Taft had a secret conference with the Marquis Ito this afternoon at the United States consulate in Yokohama. I understand that Governor Taft assured the Marquis that the United States will observe a friendly neutrality towards Japan in the event of war, and that if necessary it would grant the use of American ports in the far east to Japanese fleet."

SCHWAB ON THE STAND

IS QUESTIONED IN THE SHIP-BUILDING CASE HEARING. Trying to Find Out His Connection With the Sale of the Bethlehem Steel Co. to the Shipyards Concern.

CHICAGO FIRE

Coroner's Jury Begin Investigation of the Recent Disaster MANY TESTIFY

The First Witnesses Examined Were People Who Were in the Audience. Evidence Was Given to Show That Many of the Exits Were Closed—The Audience at First Was Calm and Did Not Become Panicky Stricken Till Balls of Fire Fell on the Stage—The Value of Asbestos Curtains Questioned.

Chicago, January 7.—Dense a dense crowd, packing the council chamber in the city hall, Coroner Traeger and a jury of six men today began the official investigation of the Iroquois theatre fire. The first witnesses were persons who were in the audience at the matinee. They told of the panic and of fleeing exits locked.

Outside in the ante room a host of witnesses waited to be heard. Frightened victims who escaped with their lives from the fiery furnace—actors, chorus girls, stage hands, policemen and firemen—mingled there, making a strange gathering.

Within the council chamber, the inquiry proceeded along judicial lines. Lawyers were present in behalf of numerous interests, seeking opportunity to examine witnesses along lines of special interest to their clients. Under Coroner Traeger's ruling such questions were barred and the examination continued strictly along lines laid down by that officer.

For the task of fixing the responsibility for the great loss of life, States Attorney Deneen instructed Coroner Traeger to establish the identity if possible of some person or persons who died at the end of the passage leading south from the entrance of the second balcony. There a locked door cut off the escape of hundreds whose bodies were found against the barricaded door. The coroner has succeeded in gathering this evidence.

Mrs. Strong of Chicago and her niece, Vera Strong of Americus, Ga., died at the foot of the stairway. The story of their death before the locked exit has been told to the coroner by James M. Strong, son of the elder victim. Mr. Strong, who is a board of trade clerk, testified that a dozen witnesses were heard today. The chief witnesses were Eddie Foy, the comedian of the "Mr. Blue Beard" Company and George W. Stetson, a representative of the company which manufactured the asbestos curtain exposed in evidence.

Mr. Stetson and Coroner Traeger became involved in a lengthy discussion about the asbestos curtain, during which Mr. Stetson admitted that asbestos curtains if subjected to an extremely high heat would "lose their life," and crumble.

When shown a portion of the curtain brought from the theatre he declared that it had already been subjected to a very high temperature, but that he could not say as to whether it had endured a sufficiently great heat to cause it to crumble. He declared that in his opinion the greater portion of the asbestos curtain in the Iroquois theatre was still in good condition and expressed himself as anxious to make experiments to prove the truth of his assertion.

The first witness before the coroner's jury was John C. Galvin, a painting contractor. He rushed to the lobby and endeavored to open the west door, that being the nearest, but he could do nothing with it. He tried to open two other doors, but could not, and kicked out the panels.

Mrs. Elvia D. Pinedo proved one of the most important witnesses. She said: "I was standing near the boxes on the extreme right of the main floor and in the rear of the seats people were standing four deep. I first saw sparks on the south side of the stage, back of the scenes and could see a man clapping his hands in an effort to put out the sparks. The moment I saw fire, I quietly looked about for an exit, and saw what I believed to be one near the boxes. The fire spread rapidly and people got up and urged everybody to remain seated as there was no danger. I never saw a man get up in my life. Half of the audience were women and they calmly sat there and saw the sparks change into flames without screaming or getting panic stricken. Suddenly a big ball of fire dropped from the top of the stage to the floor. It was burning scenery. I then thought it was time to leave, so I walked to the exit near the boxes. I tried to open the door but found it locked. A man came up and we demanded that the usher open the door. He either said that he would not or could not. Then suddenly there was a powerful

"Now that we have read over the list you will say that the entire board was controlled by you," asked Mr. Untermyer.

"Well, I have not said so," answered Mr. Schwab, laughing and laying emphasis on the "said."

"You had control of the shipbuilding company?"

"I did not."

"You had control of \$25,000,000 of stock?"

"I did."

"You considered yourself and Morgan as controlling Bethlehem? Did not you?"

"Yes."

"You considered you were entitled to control it even after you sold it?"

"I did, I was not going to leave, available property to go to wreck and ruin."

Adjournment was taken until next Tuesday.

SULLY BUYS A SEAT ON N. Y. STOCK EXCHANGE.

New York, January 7.—Daniel J. Sully, who gained fame in the recent bull campaigns in cotton, today closed arrangements with Edward Morrison for the purchase of his seat on the New York stock exchange, and the seat was posted for transfer on the exchange. It was said that Sully paid something in the neighborhood of \$88,000 for the seat. The committee on admissions will act on the case within a week or two.

STATUE TO DR. MCGUIRE.

Richmond, Va., January 7.—A bronze statue of the late Dr. Hunter McGuire who was General Jackson's medical director and one of the most celebrated surgeons in the south, was unveiled in the capitol square today. The veil was drawn by his little grandson. There was a parade, and the Howitzers fired a salute. A large crowd was in attendance.

Bronz Monument to Celebrated Surgeon and Confederate Veteran.

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(Continued on Fourth Page.)