ASPHALT SECRETS OUT.

KINLEYSIDE ON STAND.

Lawyer Says Barber Planned to Get Bermudez Property.

Interesting testimony was given yesterday before George Gordon Battle, referee, by William Young Kinleyside, a lawyer, of Edinburgh, Scotland, in the libel suit for $250,000 damages, brought by Amzi L. Barber against the General Asphalt Company. Mr. Battle was appointed by Justice Dowling, on the request of General Avery D. Andrews, vice-president of the defendant company, who declared that Mr. Kinleyside intended to leave the country and could not be on hand when the case was called for trial, which will probably be in the winter.

Mr. Barber sued the General Asphalt Company because the latter in its last annual report charged him with responsibility for the failure of the trust a few years ago, and also with entering into a conspiracy with President Castro of Venezuela to deprive the New York and Bermudez company, a subsidiary concern of the General Asphalt Company, of its asphalt lake at Guanoco, Venezuela, which was seized by Castro in July, 1904, and of which property Mr. Barber's partner, Ambrose Howard Carner, is receiver.

Mr. Kinleyside was called to help substantiate the conspiracy charge. The witness acted for some time as the plaintiff's attorney, and in that capacity, he said, knew considerable about the conspiracy against the General Asphalt Company.

John D. Lindsay appeared yesterday as counsel for the defendant and W. W. Niles represented the plaintiff. General Avery D. Andrews was also present at the hearing.

In his affidavit to the court General Andrews says:

I am informed and believe that William Young Kinleyside, whose permanent residence is in Edinburgh, Scotland, is a necessary and material witness for the defendant, the General Asphalt Company, upon the trial of this action, and that his testimony will tend to establish that the plaintiff, in conjunction with others, formed a conspiracy with President Castro of Venezuela to rob and despoil the New York and Bermudez Company of its property.

The said Kinleyside informed me as follows:

From about the beginning of 1903 and throughout 1904 Kinleyside acted as attorney for John Gordon Douglas, of Edinburgh, who had formerly been in the asphalt business in Trinidad and intimately associated with the plaintiff, with whom in 1903 Douglas had certain transactions in connection with the shares of a corporation called the Pan-American Company, which, according to the plaintiff, had been organized under the laws of Delaware to develop and work valuable asphalt lands in Mexico. Matters having reached a stage unsatisfactory to Douglas, Kinleyside came to the United States, arriving in New York on January 1, 1904, to endeavor to arrange an adjustment with the plaintiff.

In the course of several interviews the plaintiff told Kinleyside that he was engaged in a better scheme than the Pan-American enterprise; that the New York and Bermudez Company had rendered aid to the Matos revolution in Venezuela by the contribution of large sums of money to General Matos; that when the facts were made known to President Castro the property of the New York and Bermudez Company would be taken from it; that he and his associates would step in; that the plan was for Ambrose H. Carner, one of the directors of the Pan-American Company and formerly managing director in Venezuela of the New York and Bermudez Company, to go to Venezuela, see President Castro, with whom he was on friendly terms, have himself appointed receiver of the property, take possession of it and continue the operation of the property until a permanent title could be obtained, meanwhile receiving the Bermudez asphalt.

Mr. Kinleyside testified that he had come to understand, even before Carner was appointed as receiver, what the outcome of the litigation in Venezuela against the asphalt trust would be.

J. Gordon Douglas, it was brought out by Mr. Niles, wrote a letter to Mr. Barber, warning him that there was afoot an effort to wreck the Pan-American Company, which was being engineered by Kinleyside. The Pan-American Company is an asphalt company with unworked property in Mexico, in which Barber and Carner are jointly interested.

The witness explained that he placed his knowledge of the alleged conspiracy because he had had a row with Barber. His expenses here, he said, were being defrayed by friends. He said he had also received money from Clyde Brown, treasurer of the General Asphalt Company.

In answer to questions by Mr. Lindsay, the witness said that he understood that the defendant company paid money toward the insurrection led by General Manuel A. Matos, in Venezuela for the protection of its property. He said also that there was no mention of monetary damages in the suit of the Venezuelan government against the New York and Bermudez Company, but that there was a demand of $10,000,000 made on the company. The money was not paid, and the property was seized in sequestration proceedings.

It also developed that some of the testimony gathered by the Venezuelan government was suppressed. One of these affidavits was by Captain Willis, of the filibustering steamer Ban Righ.

This steamer, it was said, had been purchased by the Asphalt Trust, and Captain Willis went even so far as to say that General Francis Vinton Greene, then president if the Asphalt Trust, was a passenger on the Ban Righ.

Carner later learned that General Greene was not on the Ban Righ, and he had the affidavit of Captain Willis suppressed.

Mr. Kinleyside testified that he saw Barber in Washington, who told him, he said, that any judges in Venezuela who opposed the scheme to sequester the Bermudez asphalt lake would be deposed.

The witness also declared that Barber told him that he was anxious to get evidence against the New York and Bermudez company, and lay it before President Castro.

In the exchange of stock by J. Gordon Douglas with Mr. Barber, the witness said that the stock which Mr. Douglas delivered to Mr. Barber was in other subsidiary companies, and what Mr. Douglas received in return was stock in the Pan-American company to the amount of $160,000. The witness said that asphalt stock at the time had greatly depreciated.

REPUBLICAN EDITORS MEET.

Protest Against Rate Law Ruling Cutting Off Railroad Transportation.

Saratoga, N. Y., Sept. 24.—The New York Republican Editorial Association met here to-night, about one hundred strong, and adopted a resolution proposed by John I. Platt, of "The Poughkeepsie Eagle" protesting against the ruling of the Interstate Commerce Commission relative to advertising space being exchanged for transportation.

A copy of the resolution is to be sent to President Roosevelt.

BROWN TO GET CORTHELL LIBRARY.

[By Telegraph to The Tribune.]

Providence, R. I., Sept. 24.—Elmer L. Corthell, a New York civil engineer, informs President Faunce that he has made provision in his will for his entire scientific library of several thousand volumes to become the property of Brown University at his death. The library is one of the most extensive collections of scientific works in the world.

Mr. Corthell was seen at the Marie Antoinette last night and said that his library contained ten thousand scientific books and pamphlets, many of which could not be duplicated. One of the most important features of the library, he said, was its collection of charts of and reports on harbors all over the world.

CHARLES FROHMAN BACKS MISS MAY.

London, Sept. 24.—As an outcome of Miss Edna May's action in severing her connection with the "Belle of Mayfair" at the Vaudeville Theatre, Charles Frohman has seceded from the joint control of that house. Messrs. Gatti, managers of the Vaudeville, have given Miss May's part to her understudy.

Miss May left the cast because of the prominence given to Miss Camille Clifford in the playbills after her recent marriage to the Hon. Henry Lyndhurst Bruce. Mr. Frohman's action signifies his allegiance to Miss May, who has been one of his stars for several seasons.

CONRIED ENGAGES ANTON SCHERTEL.

A gap in the organization of the Metropolitan Opera House has now been filled by the engagement, as German stage director, of Anton Schertel, who last summer acted in the same capacity at Bayreuth, and who before that had been in charge of the stage at the Bremen Stadt-Theater. Last season there was much complaint about the stage management of the "Ring" performances, and Mr. Conried is resolved, if possible, to do away with the complaints this year.

ARMY AND NAVY NEWS.

[From The Tribune Bureau.]

Washington, September 24.

FOR FOREIGN LANGUAGE TOURS.—The War Department authorities are impressed with the recommendation made by Major General Wood that army officers have language leaves, for the purpose of living for periods in foreign countries, on the way to or from the Philippines, including China and Russia, to the end that they may become familiar with the languages of other countries. It is realized that this is the best and quickest way to acquire an intimate knowledge of a foreign language, and that army officers who were permitted to enjoy such a tour of duty would be benefited measurably by the system; at the same time it is pointed out that such a method of allowing officers to delay in their travels would take from active duty officers who could not be spared, to say nothing of the extra cost in the way of mileage. It is General Wood's idea that officers should see more of foreign armies also, and that they should come to know at first hand and by personal observation what is being done in other services. This is a good scheme, too, and the War Department officials would adopt it if it were possible to do so without incurring criticism from Congress that army officers are doing altogether too much running about and hobnobbing with foreigners. It is thought that the right view of it would not be taken by the people, who refuse to understand the value of the opportunity of observation. It is proposed that by way of reward to the officer who acquires a foreign language he be examined as to his ability to write and speak it, and then have the fact entered to his credit on the records. The whole idea is regarded as an excellent one, but there are too many things in the way to make it possible to adopt it just yet, it is said.

ORDERS ISSUED.—The following army and navy orders have been issued:

ARMY.

Captain CHARLES G. DWYER, paymaster, from Chicago to New York City, relieving Captain CHARLES E. STANTON, paymaster.

NAVY.

Midshipman A. C. READ, to the Indiana.
Surgeon O. D. NORTON; detached the Yankee, to the Missouri.
Surgeon R. M. KENNEDY, detached the Missouri, to bureau of medicine and surgery, Navy Department.
Passed Assistant Surgeon W. SEAMAN; detached navy yard, Boston, to the Prairie.
Passed Assistant Surgeon P. F. MURPHY; detached navy recruiting station, Omaha, to the Georgia.
Passed Assistant Surgeon J. R. DYKES; detached navy yard, New York, to naval station, New Orleans.
Assistant Surgeon F. W. S. DEAN, to navy yard, New York.
Assistant Surgeon C. C. GRIEVE, to navy recruiting station, Omaha.
Acting Assistant Surgeon W. H. BLOCK; detached naval station, New Orleans, to navy recruiting party No. 4.
Paymaster R. HATTON, to the Georgia.

MOVEMENTS OF VESSELS.—The following movements of naval vessels are reported:

ARRIVED.

September 22—The Uncas, at Newport; the Hannibal, at Lambert Point; the Yankee, at Portsmouth, N. H.; the Minneapolis and the Newark, at Havana; the Helena, at Shanghai.
September 23—The Wolverine, at Erie; the Cincinnati, at Kobe; the Glacier, at Port Said; the Saturn, at Bremerton; the Dixie, at Monte Christi.

SAILED.

September 22.—The Lawton, from Guam for Midway; the Cleveland, from Havana for Cienfuegos; the Uncas, from Newport for Provincetown; the Celtic, from Navy Yard, New York, for Havana; the Princeton, Blaine for Santa Barbara; the Apache, from Navy Yard, New York, for Provincetown; the Potomac, from St. Pierre, for Sydney, N. S.; the Arethusa, from Bar Harbor, for Provincetown; the Wolverine, from Cleveland for Erie.
September 23.—The Columbia, from Colon for Cartagena; the West Virginia and the Pennsylvania, from Gibraltar for Naples; the Maryland and the Colorado, from Gibraltar for Palermo; the Chicago, from Bremerton for San Francisco; the Saturn, from Blaine for Bremerton; the Maine, the Missouri, the Kentucky, the Kearsarge, the Alabama, the Illinois, the Indiana and the Iowa, from Bar Harbor for Provincetown; the Wisconsin detached Asiatic fleet.

BATTLESHIP GEORGIA COMMISSIONED.

Boston, Sept. 24.—The new United States battleship Georgia was commissioned to-day at the Charlestown Navy Yard. Captain Richard G. Davenport took command. It is expected that it will sail in a few days. The Georgia may be sent to Cuba, it is thought here.

THE WARRIOR SAILS FROM LEGHORN.

Leghorn, Sept. 24.—The American steam yacht Warrior, with F. W. Vanderbilt, owner, and a party of friends, including Lord Duncan and the Duchess of Manchester, on board, arrived here to-day, and sailed later for Marseilles.

KNICKERBOCKER THEATRE.

"The Red Mill."

"The Red Mill," a contrivance of songs, dances and comical situations, made by Henry M. Blossom and furnished with music by Victor Herbert, for the purpose of showing Montgomery and Stone as stars, was played at the Knickerbocker Theatre last night, where it met with instant and unqualified popular favor. Mr. Herbert has written better music, and music that was better—very much better—sung. But his music for "The Red Mill" has frequent moments of rhythmic felicity, especially in the dances, and on the rare occasions where a touch of something more is called for he has not been unwilling to respond. To carp at the artistic shortcomings of the piece is folly, anyway. It was written frankly to display the Tin Woodman and the Scarecrow as droll, acrobatic comedians, and in this purpose it admirably succeeds. From Mr. Stone's first entrance down a ladder to his comic assumption of the character of Sherlock Holmes in the last act, this funny fellow, all joints and legs and angles, and his funny companion keep the merriment at unflagging pitch, and without the aid of grotesque makeup, either. It is not a great work of art, this "Red Mill," but it is novel, ingenious, wholesome and often pleasantly absurd, like a nonsense rhyme. It is prettily mounted, too. Its success is deserved.

NOTES OF THE STAGE.

"The Walls of Jericho" Again—"The Wild Duck" Coming.

The sudden withdrawal of "Man and His Angel" has enabled Mr. Hackett to play a short engagement in "The Walls of Jericho" at his own theatre before beginning his tour through the country. The engagement will be for ten days only, beginning on Thursday night. On Monday, October 8, there will be a return visit for one week only of "Mr. Hopkinson," with the original cast, which sailed on Saturday last from Liverpool on the steamship Philadelphia.

Wright Lorimer, in Ibsen's "The Wild Duck," will come to the Manhattan Theatre for a series of special matinees in October.

Henri De Vries, the Dutch protean actor, is going to star here again in a play by the De Mille brothers. He will be managed by the Sires, who have been quiescent in theatrical affairs of late. His rehearsals will begin immediately.

Mrs. Lily Langtry will open the Keith-Proctor Fifth Avenue Vaudeville Theatre next Monday in a dramatic sketch, with the scene laid in South Africa. The stock company at the Fifth Avenue Theatre is no more, "continuous" vaudeville taking its place.

TRANSATLANTIC TRAVELLERS.

Among the passengers who will sail to-day for Europe are:

CARMANIA, FOR LIVERPOOL.

E. L. Corthell.
Mr. and Mrs. Walter Phelps Dodge.
Captain and Mrs. E. S. Turner.
Mrs. H. Dillon Ripley.
Mary Lady Graham Montgomery.
Mr. and Mrs. W. C. Wallace.
Mr. and Mrs. J. F. King.

CARPATHIA, FOR NAPLES.

Mrs. A. C. Clarke.
Mrs. E. Herrick Dresser.
Mr. and Mrs. John A. McLane.
Henry M. Kemper.
Mr. and Mrs. H. Phelps.
Mr. and Mrs. George H. Story.

CRETIC, FOR NAPLES.

Mr. and Mrs. George W. Bacon.
Mr. and Mrs. W. E. Maxwell.
Henry Taylor Gray.
Dr. and Mrs. Oscar Pards.
Mrs. W. H. Bishop.
Mrs. J. H. Packard.

BARBAROSSA, FOR BREMEN.

Mr. and Mrs. J. P. Bruck.
Mrs. C. P. Champion.
Mrs. J. J. Monell.
Mrs. Francis Nicholson.
Herbert S. Walker.

Travellers who arrived yesterday from abroad were:

FINLAND, FROM ANTWERP.

Mr. and Mrs. F. P. Bellamy.
Mrs. A. de Navarro.
Colonel and Mrs. Robert I. Fleming.
Mr. and Mrs. H. R. Childs.
Colonel and Mrs. Joseph W. Hawley.
George Jay Taylor.

PRINZ ADALBERT, FROM NAPLES.

C. Howard Walker.
James Keely.
Mrs. Robert P. Parker.
Mr. and Mrs. C. C. Ford.
Mr. and Mrs. George H. Carpenter.
O. C. Joline.

RYNDAM, FROM ROTTERDAM.

S. C. Bennett.
Mr. and Mrs. W. Cunningham.
Professor and Mrs. Charles M. Bakewell.
W. P. Chambers.

LA SAVOIE, FROM HAVRE.

Mrs. W. Cowles.
J. W. Lawton.
Professor W. R. Martin.
Mr. and Mrs. G. N. Torrey.

THE DRAMA.

"THE PRINCE OF INDIA."

Broadway Theatre.

In the Broadway Theatre, last night, a spectacle play was represented, called "The Prince of India," and the representation gave pleasure to a multitude of spectators. So much has been said about this piece, in advance of its presentment here, that there is little, or nothing, left to be said about it now. As a play it is of no special importance. So many postures of circumstance, part religious, part amatory, part martial, and part historical, are suggested in it that no one of them is distinctly displayed or can be fully viewed. Persons who have read the late General Wallace's rather prolix and sluggish story can, perhaps, follow the movement of Mr. Clarke's play. Others must grope for its drift. The style of the piece is florid fustian, variegated with tumid bombast. Invention is conspicuous by its absence. The chief incidents are as old as the hills. The intrepid warrior who goes disguised into the camp of his enemy has figured in fiction ever since "The Scottish Chiefs" and "The Talisman." But the story has already been told in this place, and there is no need of a rehearsal of it. Acting ceases to be possible when players are deployed in platoons, but Mr. Emmet Corrigan, as the Prince of India, who is the Wandering Jew, was effective in exhortation, and at one point—when uttering his menace on Byzantium—fine in action and stirring in eloquent delivery; and Mr. William Farnam imparted vigorous animation to a most artificial character, and recited a symbolical lyric with fine fervor. Each actor, indeed, tried to be, and seemed to be, in earnest, but nobody produced the effect of really being so—one reason being that all the situations are unnatural and improbable. It is loosely constructed, go-as-you-please melodrama, with a pious twist toward universal benevolence. As a spectacle it is opulent with light and color, while some features of it are notable for barbaric splendor. The theme is the demolition of the Byzantine dynasty. The fall of Constantinople,—one of the greatest of historic incidents, considering the frightful carnage with which it was attended and the far-reaching consequences that ensued upon it,—is the central event, toward which the action tends. The production will indeed be a benefit, if it should send its admirers to the splendid pages of Gibbon, in which there is a narrative, surpassing all spectacles. The house was crowded. The spectacle will please many, and will abide with us for some time.

ACADEMY OF MUSIC.

"Mizpah."

A spectacle play entitled "Mizpah," manufactured by Mrs. E. W. Wilcox and Mr. Luscombe Searelle, was performed last night at the Academy of Music. It is remotely based on the Bible story of Esther, but to the dignity and simplicity of that story it does not even pretend to do justice. The book of it has been printed. Haman and Vashti are lovers, and they conspire to murder King Ahasuerus, but their plan is thwarted by Mordecai, who slays their emissaries of assassination, in the King's chamber, and then departs,—enabling the wily Haman to incriminate Esther. In the sequel Esther is vindicated, Haman is hanged, and Vashti is bitten by a poisonous serpent, so that she dies. The play is written mostly in blank verse, variegated with inflammatory lyrics. A superficial acquaintance with the Muse of Mrs. Wilcox is amply sufficient to assuage curiosity. The cast includes Miss Elizabeth Kennedy as Esther, Miss Lillian Lamson as Vashti, Mr. Charles Dalton as Ahasuerus, and Mr. Frank Losee as Haman. There is abundance of stage picture.

STAGE AFFAIRS IN GENERAL.

Mr. Billy B. Van can be contemplated at the West End Theatre, where he appeared last night, as Patsy, in "Politics."

Miss Fritzi Scheff, performing in "Mlle. Modiste," illumines the Harlem Opera House, this week. She was duly welcomed there last night.

Messrs. Montgomery & Stone appeared last night at the Knickerbocker Theatre, in "The Red Mill."

Mr. J. K. Hackett will appear at the Hackett Theatre, on Thursday evening, September 27, in "The Walls of Jericho." Mr. Dark's play, "Man and His Angel," was a failure.

Mr. N. C. Goodwin will appear at the Bijou Theatre next Monday, October 1, in his new farce called "The Genius."

Mr. H. B. Irving and Miss Dorothea Baird will act at the New Amsterdam Theatre next Monday, in "Paolo and Francesca."

Mr. Thomas W. Ross will perform at Wallack's Theatre next Monday, in Mr. G. M. Cohan's play called "Popularity."

The Garden Theatre will be opened next Tuesday, October 2, with a play called "The Stolen Story."

Miss Eleanor Robson will come forth at the Liberty Theatre, on October 3, in Mr. Israel Zangwill's play, called "Nurse Marjorie."

The stirring drama by Mr. Franklyn Fyles, called "The Girl I Left Behind Me," occupies the stage of the Keith & Proctor Theatre in Harlem this week, Miss Beatrice Morgan and Mr. Paul McAllister acting conspicuous parts in it.

Miss Viola Allen and her dramatic company went to Washington yesterday. Miss Allen's production of "Cymbelline" will be made at the National Theatre in that city next Monday.

W. W.

BARS WESTMINSTER CHURCH.

Brooklyn Presbytery Refuses Dr. Lee's Application for Membership.

The application of the Rev. Dr. John Lloyd Lee, pastor of the Westminster Presbyterian Church, in West 23d street, for admission to the Brooklyn Presbytery, was refused yesterday.

Dr. Lee's application was received at the June meeting of the Brooklyn Presbytery, and was placed in the hands of a committee composed of the Rev. Dr. T. C. McClelland, of the Memorial Church; the Rev. Dr. E. D. Bailey, of the People's Church; the Rev. Dr. R. H. Carson, of Grace Church; William Warnock, of the Central Church, and Walter MacDougall, of the Bedford Avenue Church.

The committee did not prepare a report on the merits of the case, but considered simply the ecclesiastical law involved. At yesterday's meeting of the Presbytery the report of the committee was presented. It advised the Presbytery "To affectionately recommend that the Rev. John Lloyd Lee, D. D., withdraw his application to be received, and that the matter, so far as it concerns the Presbytery of Brooklyn, be closed."

The report of the committee was unanimously adopted without discussion.

MANY EAGER FOR ART TUITION.

Large Registration for Academy of Design Examinations.

There was a large registration for examinations for admission to the free schools of the National Academy of Design, at 109th street and Amsterdam avenue, which began yesterday and will be continued during the week. Every applicant was required to make a drawing from the antique in the rooms of the academy, without instruction. Upon the approval of these drawings by the school committee, comprising Will H. Low, J. C. Nicoll and William Sergeant Kendall, on Saturday, the applicants may be admitted.

Philip C. Süs, clerk of the Academy, said last night that the registration compared favorably with that of former years in point of numbers, and indicated generally a better quality of students, with higher ability. The next examinations will be held during the week beginning January 28, 1907.

Announcements were sent out from the academy last night regarding its two forthcoming exhibitions in the Fine Arts Building, in West 57th street. Pictures will be received on Monday and Tuesday, December 3 and December 4, for the winter exhibition, which will open on December 20 and close on January 19, and pictures will be received on Wednesday and Thursday, February 27 and February 28, for the eighty-second annual exhibition, which will open on March 20 next and close April 20.

TO MEET MR. ROOT.

Orders for the Sylph to Go to Norfolk to Await His Arrival.

[From The Tribune Bureau.]

Washington, Sept. 24.—Secretary Bonaparte has sent hurry orders to the captain of the Sylph, at Oyster Bay, directing him to proceed to Norfolk to meet Secretary Root. Mr. Root and his party are coming home on the Columbia from their extended South American tour, and it is expected that the Sylph will meet them at sea. If the Columbia and the Sylph meet in time Secretary Root will be brought to Oyster Bay for a conference with the President over Cuban problems, but if the transfer of the Secretary does not take place until near the end of the week the Sylph will come to this city. President Roosevelt will return to the capital on Monday afternoon, and it is expected he will at once call a Cabinet meeting to discuss the troubles of the Cuban Republic.

THE NEXT PARLIAMENT.

Government Acts to Prevent Election of Former Deputies.

St. Petersburg, Sept. 24.—By order of the Governor of Tver, three of the most prominent Constitutional Democratic members of the former parliament, Ivan and Michael Petrunkevitch and Dmitri Yakovlevitch Metviedieff, have been suspended from office in the provincial zemstvos because they are under indictment for promoting rebellion by signing the Viborg manifesto. Corresponding action has been taken by the marshals of the nobility of Kursk against A. N. von Rutzen, M. Sherkoff and V. A. Yakushkin.

This action is taken to indicate that the government is determined not to abandon proceedings against all the signers of the manifesto, and will disqualify these men for election to the new parliament, unless the cases are brought speedily to trial.

POLES READY TO STRIKE.

The Socialist Campaign Among the People and Troops.

Mannheim, Sept. 24.—Herr Rotter, a delegate of the Socialist party of Russian Poland, in the course of a speech before the national convention of German Socialists here to-day said:

I come from the land of the bloodiest measures against the people. Let me tell you what we have done since the declaration of martial law at Warsaw in August, 1905. The masses in the city and country are organized; we have freedom of the press, never before known, and boys sell our papers in the streets. It was a rare thing before the declaration of martial law for a private person to have arms. To-day thousands are armed. We have purged the police of their worst elements. We have not risen against the autocracy, but we have laid the foundations for a general arming of the people.

We have gone still further. We have made a beginning by organizing the soldiers by whole regiments to stand by our side. They will not declare themselves by open mutinies, but they belong to us. We do not expect to win over the whole army. Some soldiers will be true to the Emperor, but we expect to shake their morale to such an extent that they will easily come over. All this followed the declaration of martial law at Warsaw.

Frau Balabanoff, a delegate of the Russian Social Democrats, said the members of that party fought for a constitution as preliminary only to the realization of ideal economic aims.

ANOTHER WRECK ON PANAMA R. R.

One Man Killed and Three Injured—Third Accident in Week.

Colon, Sept. 24.—Another serious head-on collision between a Panama freight and a Colon passenger train occurred yesterday morning within a mile of Friday's accident at Mamei, resulting in the loss of one life, the serious injury of three persons and the wreck of two new locomotives and several freight cars. The fault is said to have been with the freight train. This is the third railroad wreck in the last week.

FRENCH DISTRUST OF GERMANY.

Dr. Rosen's Visit to Morocco Causes Fear Regarding Algeciras Agreement.

Paris, Sept. 24.—Although no official apprehension is expressed here in regard to the purpose of the mission to Fez headed by Dr. Rosen, the German Minister to Morocco, which left Tangier on September 22, in advance of the appearance before the Sultan of the representatives of France and Spain, considerable mistrust exists. The mission of the American Minister, Mr. Gummere, to the Moroccan capital has not excited the slightest suspicion, but in the present disturbed state of Morocco it is feared that a hint to the Sultan from Dr. Rosen might greatly prejudice the work of the two powers which received European mandates at Algeciras. The last ratification necessary to permit France and Spain to act is expected to take place at the end of December, immediately after which the representatives of France and Spain will start for Fez. In the mean time neither power is in a position to do anything to quell the turbulence in Morocco. France can only prevent the troubles from spreading beyond the Algerian frontier.

SCHISMATICS MEET AT PARIS.

League of French Catholics Prepares to Oppose Papal Views.

Paris, Sept. 24.—As a result of a movement started by Henri Des Houx, favoring the formation of cultural associations to take over church property in defiance of the Pope's refusal to recognize the separation law, the first meeting of the newly constituted League of French Catholics was held this afternoon. The attendance was not large, but by-laws were drawn up and approved, and efforts to organize branches of the association in every parish will at once begin.

The movement is intended to create a schism at Rome by the formation of a distinct Gallican Catholic Church.

PURSUING AMERICAN YACHT.

Canadian Cruiser Seeking Vessel Suspected of Smuggling Chinamen.

St. John's, N. F., Sept. 24.—An American yacht, said to hail from New York, left Placentia on Saturday, having on board forty-two Chinamen, whom, it is supposed, she is trying to smuggle into Canadian or American ports. The colonial cruiser Neptune has been dispatched in quest of her, and has been instructed to seize her for alleged violation of the colonial laws in embarking passengers without a permit. This is the third yacht in these waters this summer suspected of this practice.

BODY OF BISHOP HOARE FOUND.

Hong Kong, Sept. 24.—News comes from Hacao that the body of Bishop Hoare, who was drowned in the recent typhoon, has been recovered.

The Viceroy of Canton has contributed $3,000 to the typhoon relief fund and has sent two gunboats to assist in the recovery of bodies.

HEIRS MUST WAIT UNTIL FORTY-FIVE.

An unusual restriction is contained in the will of Henry L. Mayer, which was filed in Brooklyn yesterday. It is said that Mr. Mayer's two daughters shall not receive their full share of his estate until they are forty-five years old. They are to receive one-half of their shares when they are forty. The widow also is restricted. If she marries again her one-third is to go to the daughters. The reason for the restriction on the daughters' shares is that "they shall be free from possible influence in the management of their property." The estate amounts to about $25,000.

RESPECT FOR UNIFORM.

President Aids Suit to Test if Man Can Be Excluded for Wearing It.

President Roosevelt has contributed $100 to be used by Rear Admiral Thomas in a legal suit to determine whether or not a man may be excluded from a public place of entertainment because he wears the uniform of the United States army or navy. The President has sent the following letter to Rear Admiral Thomas:

Oyster Bay, Sept. 21, 1906.

Dear Admiral Thomas: I inclose $100 to be used in that suit which, thanks to you, has been so wisely undertaken to test the legality of excluding any man from any public place of entertainment because he wears the United States uniform. I feel that it is the duty of every good citizen to endeavor in every shape and way to make it plain that he regards the uniform of the United States army and navy just as much when worn by an enlisted man as when worn by an officer as a badge of honor and therefore entitling the wearer to honor so long as he behaves decently. There is no finer body of men in all our country than the enlisted men of the army and navy of the United States, and I cannot sufficiently express my indignation and contempt for any man who treats his uniform save with the respect to which it is entitled. If a man misbehaves himself then, no matter what uniform he wears, he should be dealt with accordingly; but the fact of wearing the United States uniform should be accepted as presumptive evidence that the man who wears it is all right, and any discrimination against the uniform as such is more than presumptive evidence that the man thus discriminating is all wrong.

Sincerely yours,
THEODORE ROOSEVELT.

Rear Admiral Thomas is reported to be paying half the expenses of a suit for $500 as damages brought by Chief Yeoman F. J. Buenzle against the Newport Amusement Company, of Newport, on the ground that he was excluded from a dance hall while in uniform. Buenzle is on duty at the naval training station at Newport. The suit will not be tried until October 2 or later.

Officers at the Brooklyn Navy Yard yesterday joined with the enlisted men in expressing their gratification with the news that the President has shown the whole country in his decisive way that he means to stand by the men of both the army and the navy in this matter. Captain William H. Reeder, acting commandant of the Brooklyn Navy Yard, said yesterday, when shown the President's letter: "The President is speaking right out, as he generally does, when there is something that needs plain speaking, and this subject is one that compels plain speech. The discrimination which is sometimes shown soldiers and sailors—especially sailors—in times of peace, is nothing short of an outrage. Every officer in the service feels this keenly, and they have felt it for a long time. It should be stopped at once, and for all time. I say discrimination in time of peace, because, as every one knows, in war time nothing is too good for the man in blue—he is a hero, the champion of his flag and his country, and all the rest of it."

Speaking of the action of the people of Portland, Me., when the ships of Rear-Admiral Evans were there recently, Captain Reeder called attention to the fact that Rear-Admiral Evans complained to the Navy Department of the treatment of his men, and asked that the ships be not sent there again. He also referred to the fact that all the time that the fleet has been at Bar Harbor, where thousands of men went on shore on liberty, there was only one man reported for intoxication. "Would the record be higher or lower," said he, "among landsmen in the same numbers bent upon pleasure?" At the present time the enlisted man of the navy is above, rather than below, the average of citizenship in the walks of life from which he is drawn. He has a right to expect respect for himself as well as for the uniform he wears."

"I hope," said Captain Reeder, in conclusion, "that this action will be successful, and that it will result in bringing those people to their senses who discriminate against a sailor in the uniform of the United States Navy."

MAKES MANY BEQUESTS TO CHARITY.

The will of Henry I. Barbey, of No. 17 West 38th street, was filed for probate yesterday. The value of the estate was not given. To St. Luke's Hospital is left $25,000, and a similar amount goes to the Domestic and Foreign Mission Society of the Protestant Episcopal Church. The American Bible Society, the Home for Incurables and St. Luke's Hospital for Indigent Christian Females will receive $10,000 each. The New York Hospital will get $20,000, and a like sum is left to the American Episcopal Church of Geneva, Switzerland.

Mr. Barbey left $2,000 to William Freeth, the engineer of his yacht, and $2,000 to Eugene Martin, who was his gardener for thirty years. The widow, Mrs. Mary L. Barbey, is made the residuary legatee of the estate. The executors and trustees of the will are Henry G. Barbey, A. Lanfear Norrie and Adrian Iselin, jr.

PROMINENT ARRIVALS AT THE HOTELS

GRAND—Charles K. Field, San Francisco; E. V. Potter, Seattle. HOLLAND—Ratcliffe and Newton Dunn, London. HOTEL ASTOR—Captain Cain C. O. Grunwell, London; S. C. Probyn, London; W. M. Poer, London. MANHATTAN—F. H. McCormick-Goodheart, London; J. N. S. Williams, Honolulu. SEVILLE—G. Huselins, Stockholm. VICTORIA—Henri de Vries, London.

UNUSUAL GREEK CHURCH FESTIVAL.

The Festival of the Elevation of the Cross will be celebrated at St. Nicholas's Greek Cathedral, this city, beginning with Pontifical Vespers to-morrow evening at 7:30 o'clock. This is the first time this festival has been celebrated in the United States. The festival harks back to "the discovery of the true cross" in 325 A. D. at Jerusalem, and the anniversary is a red letter day in the Eastern Church.

THE WEATHER REPORT.

Official Record and Forecast.—Washington, Sept. 24.—The tropical disturbance has passed into the Gulf of Mexico from the Yucatan Channel. Its influence on the Gulf coast has not been felt as yet, except on the Southern Florida coast, where high southeast winds are blowing. The strong area of high pressure that overlies the northeastern part of the United States will serve as a check to the rapid movement of the tropical disturbance northward.

A disturbance of some strength is moving northeastward from the Dakotas into the British possessions.

In the last twenty-four hours rain has fallen in the Gulf and South Atlantic States, in Florida and on the North Pacific coast. The temperature has fallen sharply in northeastern districts and in the Rocky Mountain and plateau region.

Rain is indicated for Tuesday and Wednesday in the Gulf States, probably overspreading Tennessee and the South Atlantic States by Wednesday. Showers are probable in the upper Mississippi Valley and the western portion of the upper lake region Tuesday; elsewhere generally fair weather will prevail.

Temperatures will rise slowly in northern and central districts, and will fall in the central Rocky Mountain region, the Dakotas, Kansas and Nebraska.

Storm warnings are displayed on the Southern Florida peninsula, and advisory messages have been sent to all Gulf ports. Storm warnings are also displayed on Lake Superior.

The winds along the New England coast will be light to fresh north; along the Middle Atlantic coast fresh northeast; along the South Atlantic coast fresh northeast to east, brisk to high on the Florida coast; along the east Gulf coast fresh to brisk increasing; along the west Gulf coast fresh northeast, increasing; on the lower lakes fresh southeast and on the Upper Lake fresh to brisk southeast.

Steamers departing Tuesday for European ports will have fresh west winds and fair weather to the Grand Banks.

Forecast for Special Localities.—For New England and Eastern New York, fair to-day and Wednesday; warmer Wednesday; diminishing north winds.

For Eastern Pennsylvania, New Jersey and Delaware, fair Tuesday and Wednesday; warmer Wednesday; fresh northeast winds.

For the District of Columbia and Maryland, fair to-day and Wednesday; slightly warmer Wednesday; fresh northeast winds.

For Western New York and Western Pennsylvania, fair to-day and Wednesday; warmer Wednesday; light northeast shifting to southeast winds.

Local Official Record.—The following official record from the Weather Bureau shows the changes in the temperature for the last twenty-four hours in comparison with the corresponding date of last year:

	1905.	1906.		1905.	1906.
3 a. m.	55	64	6 p. m.	66	65
6 a. m.	53	59	9 p. m.	62	63
9 a. m.	56	58	11 p. m.	60	62
12 m.	62	63	12 p. m.	60	—
4 p. m.	66	65			

Highest temperature yesterday, 65 degrees; lowest, 58; average, 62; average for corresponding date last year, 60; average for corresponding date last twenty-five years, 63.

Local Forecast.—Fair to-day and Wednesday; warmer Wednesday; diminishing north winds.

Married.

Marriage notices appearing in THE TRIBUNE will be republished in The Tri-Weekly Tribune without extra charge.

MACKENZIE—HOLLINGSWORTH—By the Rev. Allan MacRoskie, on September 24, Robert Cameron Mackenzie and Cora Hopkins Hollingsworth, at the home of the bride, 118 West 126th st., New York City.

Notices of marriages and deaths must be indorsed with full name and address.

Died.

Death notices appearing in THE TRIBUNE will be republished in The Tri-Weekly Tribune without extra charge.

Berge, Caroline C.
Bishop, Garetta T. C.
Burden, James A.
Cunningham, Frederic G.
Maintyre, Lorraine T.
McIntyre, Lucie V.
Otis, William K.
Sheldon, Henry L.
Stillman, Thomas E.
Thomas, Rev. Joseph C.
Von Hemert, Constance W.
Wooster, Noyes C.
Wright, Stephen M.

BERGE—At Lakeville, Conn., Sunday, September 23, 1906, Caroline C., widow of Christian Berge. Funeral from her late residence, No. 119 West 28th st., thence to St. Leo's Church, Wednesday, September 26, at 9:30 a. m. Interment private.

Died.

BISHOP—At her home, Bishop Place, New Brunswick, N. J., Sunday, September 23, 1906, Garetta Tibout Cowenhoven, wife of the late David Bishop. Funeral services on Tuesday, September 25, 1906, at 7 p. m. Pennsylvania Railroad train from 23d st. at 12:28 p. m.

BURDEN—On Sunday afternoon, September 23, 1906, at his late residence, 908 5th ave., James A. Burden, in the 78d year of his age. Funeral service from Collegiate Church of St. Nicholas, 5th ave. and 48th st., on Monday morning, October 1, at 9:30 o'clock.

CUNNINGHAM—On September 23, 1906, at Ridgefield, Conn., Frederic Guthrie Cunningham, youngest son of Sarah M. and the late William Cunningham, aged 41 years. Funeral services will be held at First Presbyterian Church, 5th ave. and 37th st., on Wednesday, September 26, at 12 o'clock.

MABIE