# ST. GILES'S CHOSEN

## *Edinburgh's Old Cathedral for the Order of the Thistle.*

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Thanks to King Edward's initiative, the Scottish Order of the Thistle is, after all, to have a chapel of its own once more. It may be remembered that the late Earl of Leven and Melville left at his death a sum of $200,000, to be devoted to the restoration of the ancient Chapel of Holyrood, where in the olden times the Knights of the Thistle were wont to perform their devotions. It was found, however, that the restoration of Holyrood Chapel was impracticable, since it could not be accomplished without the complete disappearance of all the ancient portion of the architecture of the ruin, which dates from the thirteenth century. Public feeling, indeed, throughout Scotland was against the idea of the restoration. It was argued that the romantically picturesque ruin in its present condition constitutes a great historical monument, harmonizing with the sentiments of the scene in which it stands, and that any attempt to tamper with it in the way of restoration would partake of the nature of vandalism. Consequently the bequest was declined, and reverted to the estate of the earl, being divided among his heirs.

It was felt, however, that the Order of the Thistle should have a chapel of its own, in the same way that the Knights of the Garter have their stalls in St. George's, Windsor Castle; the Knights of the Bath in Westminster Abbey, the Knights of the Order of St. Michael and St. George in St. Paul's Cathedral and the Knights of St. Patrick in St. Patrick's Cathedral at Dublin, and accordingly King Edward placed himself in communication with the authorities of St. Giles's Cathedral, at Edinburgh, asking them whether they would be willing to convert a portion of that ancient fane into a chapel of the Order of the Thistle. The Kirk Session at once expressed its readiness to co-operate with the monarch in the matter, and, learning this, young Lord Leven has placed at the disposal of the King his share of his father's unused bequest—that is to say, about $130,000—which will be devoted toward fitting up a portion of the cathedral as a chapel for the knights of the ancient Scottish Order of the Thistle.

St. Giles's Cathedral is familiar to all Americans who have visited Edinburgh and sacred to the patron saint of the Scottish capital, and dates in part back to the year 1359, when mention of it appears in certain charters of King David II. It contains the tombs of the Regent Murray, the famous Marquis of Montrose, of Napier of Merchiston and of many other Scottish worthies. It was within its walls that King James VI delivered his farewell address to the people of his northern kingdom on proceeding to England to assume Queen Elizabeth's throne as James I, and in 1637 it was the scene of the memorable protest of that choleric old lady, Jennie Geddes, who was so enraged at the attempt to inaugurate the obnoxious liturgy of Archbishop Laud that, when the dean announced that he was about to read the collect for the day, she exclaimed: "Colic! The de'l colic the wame o' ye! Wud ye say mass at my lug!" and, lifting the three-legged stool on which she had been sitting, and which, in accordance with the custom of the times she had brought with her from her home, she hurled it flying at the dean's head. Fortunately the dean ducked or the consequences might have been serious; and the stool figures today in the Antiquarian Museum at Edinburgh.

The Order of the Thistle, which is thus to have its chapel in St. Giles's, with stalls for its knights, from the open canopy of which their banner will be suspended, their names and dignities being inscribed on a brass plate let into the back of the seat, is asserted by Scottish tradition to have antedated the foundation of the Order of the Garter by several hundred years. It is said to have originated in the vision of a bright cross in the heavens seen by Achaius, King of the Scots, and by Hungus, King of the Picts, while they were engaged in prayer the night before their battle with Athelstane, King of England, in the eighth century. What is historic, however, is that in 1540 James V of Scotland revived the order and assigned to its knights stalls in the now ruined Chapel Royal of Holyrood, at Edinburgh. King James II, the last of the Stuart kings, Queen Anne and, in later years, George IV modified its statutes.

Its membership is restricted to great Scottish nobles, and just before King Edward left for the Continent he held a chapter of the Order at Buckingham Palace, when the establishment of a special chapel for the knights in St. Giles's Cathedral was determined upon.

### GWYDYR'S NEW LORD.

Gwydyr's new lord, fifth of his line, has had somewhat long to wait for the family honors and estates, and for his seat in the House of Lords. For, older than King Edward, he is nearly seventy. But, in spite of this, he is justified in looking forward to the enjoyment of his newly acquired property and dignities for at least a quarter of a century, as his race is long lived; indeed, his father, who has just passed away rather suddenly and unexpectedly, in enjoyment up to the very last of extraordinary mental and physical vigor, was on the very threshold of his hundredth year.

Those who saw the late Lord Gwydyr attending the debates in the House of Lords within the last few months, and who caught a glimpse of him driving to the meets of the hunt in the vicinity of Stoke Park, his charming place in Suffolk, near Ipswich, found it difficult to realize that the wonderful old gentleman was already five years old at the time of the battle of Waterloo, and four when the British troops marched into Washington; that he had attended as page the coronation of King George IV, and had witnessed the subsequent coronations of William IV, of Queen Victoria and of King Edward, and that up to the time of his death he was able, thanks to a marvellous memory, to discuss these coronations and other great pageants and historical scenes in which he had taken part, either as an actor or as a spectator.

The new Lord Gwydyr represents the senior line of the ancient house of Burrell, the head of the junior branch being Sir Merrick Raymond Burrell, who, since the dissolution of his marriage with Wilhelmina, daughter of Walter Winans, of Baltimore, has married a very pretty Irish girl, Miss Coralie Porter, of Belle Isle, County Fermanagh, descended from the famous Bishop Porter, of Clogher. The Burrells claim descent from Burrell, a Goth who flourished greatly in Barcelona in the ninth century. John Burrell, a direct ancestor, is on record as having fitted out a ship and equipped a company of archers for his king in 1414. Randolph Burrell, another direct ancestor of Sir Merrick, married the only daughter and heiress of Sir Walter Wodeland, who bore Edward's (the Black Prince) banner at the battle of Poictier. The baronetcy dates from 1774, and was conferred upon a Merrick Burrell, who was governor of the Bank of England.

The ancestral home of Sir Merrick is Knepp Castle, near Horsham, in Sussex, one of the great feudal fortresses built by the Brahosi family, to defend the rapes of Sussex, and King John, of evil memory, often stayed there, a number of official documents bearing his mark and seal being still preserved at the office of records and in the British Museum, documents which are dated from "Apud Chapp." A few years ago the castle was seriously damaged, and, indeed, partially destroyed, through fire, on which occasion Sir Merrick lost many of the art and historic treasures of his house, including a magnificent collection of pictures, the features of which were eight very fine Holbeins.

### HOW HE BECAME A PEER.

Peter Burrell managed, in 1779, to secure the hand of one of the greatest heiresses of the day, namely, Lady Priscilla Bertie, eldest sister of the fourth Duke of Ancaster, who was likewise Baron Willoughby d'Eresby, and hereditary Great Chamberlain of England. When he died a few months later without issue his sister, Lady Priscilla Burrell, became a peeress in her own right as Baroness Willoughby d'Eresby, while the hereditary office of Lord Great Chamberlain was divided by a decision of the House of Lords between herself and her sister Charlotte, married to the Marquis of Cholmondeley. Sixteen years later Peter Burrell, thanks to his wife's territorial possessions and the political influence pertaining thereto, was able to secure through Prime Minister Pitt a peerage of his own as Lord Gwydyr, Pitt taking the ground that every English gentleman possessed of landed estates yielding an income of over $100,000 a year was ipso facto entitled to a seat in the House of Lords.

This first Lord Gwydyr was succeeded by his son, as second Lord Gwydyr, who on the death of his mother inherited her peerage as twenty-first Lord Willoughby d'Eresby. He married Lady Clementina Drummond, heiress of the great Drummond estates of her father, the eleventh Earl of Perth, and had by this marriage a son, Alberic, who succeeded him as third Lord Gwydyr, who died childless, and a couple of daughters. On Alberic's demise without issue the Gwydyr barony went to his second cousin, Peter Robert Burrell, grandson of the first Lord Gwydyr, who has just died. But Alberic's barony of Willoughby d'Eresby went to his eldest sister, Clementina, who thus became Lady Willoughby d'Eresby in her own right, and married Sir Gilbert Heathcote, afterward created Lord Aveland. Her younger sister, Charlotte, became the wife of the second Lord Carrington, and both of them received a share in the hereditary right of their father and brother's share in the office of Lord Great Chamberlain. Lord Aveland's son was advanced to the rank of the earldom of Ancaster, and is, through his mother, twenty-fourth Baron of Willoughby d'Eresby, the latter title being borne as a matter of courtesy by his eldest son and heir, who has as wife a New York girl, Miss Eloise Breese, of New York.

MARQUISE DE FONTENOY.

# *OBITUARY.*

### GEORGE HERBERT M'CORD.

George Herbert McCord, the landscape and marine artist, was stricken with apoplexy in his studio, No. 108 East 23d street, yesterday afternoon. He died shortly after he had been taken to Bellevue Hospital. Mr. McCord lived at No. 75 Washington Place. He returned only a short time ago from an extensive tour of Europe.

Mr. McCord was born in New York on August 1, 1848, the son of George and Matilda McCord. He was educated at Quackenbos Collegiate School and New York and Hudson River Institute, Claverack, N. Y. He studied art under Professor Moses Morse in this city, and in England, Scotland, Canada, France and Holland. He was a painter of landscapes and marine subjects, many of his pictures being in public and private collections. Mr. McCord received a silver medal and diploma from the Charleston Exposition, a bronze medal and diploma from the Massachusetts Charitable Mechanics' Association; the Shaw prize of the Salmagundi Club, New York, for black and white drawing, and the medal of the Louisiana Purchase Exposition, 1904. He was made a life member of the Lincoln Club, Brooklyn, for his picture "The Haven Under the Hill." He was an associate National Academician, National Academy of Design; a member of the Artists' Fund Society, the American Water Color Club, the Black and White Club, the Brooklyn Art Club, the Lotos Club and the Salmagundi Club.

### REUBEN MAPELSDEN.

Reuben Mapelsden, for many years a real estate lawyer of this city, died yesterday morning at his home, No. 881 Union street, Brooklyn. He was a Columbia Law School graduate of the class of '74. For over twenty-five years he was counsel for the Harlem Savings Bank, of which he was a trustee at the time of his death. Mr. Mapelsden drew the act in relation to the registry tax on mortgages; his practice was entirely outside the courts. He was a member of the Manhattan and Montauk clubs. He leaves a wife and five children. The funeral will be held at his home on Thursday afternoon at 3:30 o'clock.

### MRS. GEORGE BRINLEY MORGAN.

Mrs. George Brinley Morgan died at her home in New Haven yesterday. Mrs. Morgan was the widow of the rector of Christ Church, in that city, a cousin of J. P. Morgan. Dr. Morgan was run down by an automobile and fatally injured on November 14 and died the next day. At the time of the accident Mrs. Morgan was in a sanatorium. After the death of her husband she travelled, but never recovered from the shock. She leaves three daughters and one son.

### EX-CONGRESSMAN S. S. KIRKPATRICK.

Fredonia, Kan., April 6.—S. S. Kirkpatrick, member of the 54th Congress from the 3d Kansas District, died here yesterday from paralysis, aged sixty-one years. He had served in the State Senate and held other political offices.

### OBITUARY NOTES.

DR. LUIGI GALVANI DOANE, a physician of this city, died on Sunday at his home, No. 552 West 58th street, where he was born fifty-nine years ago. He was a son of Dr. A. Sidney Doane, at one time Health Officer of the Port of New York. He was graduated from the University of Michigan. His wife and one sister survive him.

JAMES B. WILSON died Monday night at his home, No. 573 Lorimer street, Brooklyn, at the age of ninety-two. He was born in West Farms, where his father, Nicholas Wilson, settled in Revolutionary times. When he was twenty-two years old he moved to what is now Williamsburg and put up a building at what is now Broadway and Bedford avenue. He afterward built many buildings in that section. His wife died seven years ago. Two sons survive him.

HUGH A. WETMORE, formerly a well known newspaper man, but of late years engaged in the theatrical business, died in Chicago yesterday of congestion of the brain. He was a brother-in-law of Colonel W. F. Cody (Buffalo Bill).

JOHN J. WARBURTON, for thirty years a temperance lecturer, died at his home in Chicago yesterday, aged seventy-eight years. He was born in England.

### MAJOR THOMAS W. SCOTT.

Fairfield, Ill., April 6.—Major Thomas W. Scott died to-day from heart disease at his home here.

Major Scott in the Civil War served in the 8th and 98th Illinois Infantry. Jefferson Davis was captured by a detail under Scott. He was promoted several times, and in 1865 was appointed brevet major of volunteers for meritorious conduct in battle.

### THEATRICAL NEWS.

Mr. Mantell will begin on next Monday night an indefinite engagement at the Academy of Music, during which he will appear in a number of plays in his excellent repertory. "Julius Cæsar" will be the opening bill, and it will be lavishly staged. Mr. Mantell will personate Brutus.

The announcement is made that Guy Bates Post will shortly appear under the management of Harrison Grey Fiske in a play called "The Bridge," by Rupert Hughes.

Anna Held, Charles Bigelow, Thomas Wise, Douglas Fairbanks, Robert Mantell, Raymond Hitchcock and other well known players will contribute to the benefit performance for New York Lodge, B. P. O. E., which will be given at the New York Theatre on the afternoon of Thursday, April 22.

Jack Lorimer, the Scotch performer, leads the merriment this week at the American Music Hall. George Primrose, Clarice Vance and the Royal Musical Five are in the bill.

Laurence Irving and Mabel Hackney are features of the entertainment given this week at Blaney's Lincoln Square Theatre. A number of well known variety performers appear.

Vesta Tilley, always popular with audiences at music halls, is the special attraction at the Colonial Theatre. She has several new songs, which she sings well, and one of them, "My Word, He's a Naughty Boy," gives great joy to the gallery. Minnie Seligman is in the bill. She appears in a sketch called "Public Opinion."

A notable incident of the forthcoming benefit performance for Clara Morris at the New York Theatre on April 16 will be the presentation of the second act of "Lady Windemere's Fan." It will engage the services of Frances Starr, Virginia Harned, Elsie Janis, Dorothy Tennant, Ellta Proctor Otis, E. M. Holland, Edwin Arden, Robert Warwick, Lawrance d'Orsay and Edgar Norton.

Claire Romaine, Ryan and Ritchfield, Belle Gordon, Laddie Cliff and the Avon Comedy Four are the chief performers this week at Hammerstein's Victoria Theatre.

### WHAT IS GOING ON TO-DAY.

Free admission to the Metropolitan Museum of Art, the American Museum of Natural History, and the Zoological Garden.

Ringling Brothers' Circus, Madison Square Garden.

Convention of the Professional Photographers' Society, No. 1 Madison avenue.

Devotional meeting of the Ladies' Christian Union, chapel of the Collegiate Church, Fifth avenue and 48th street, 11 a. m.

Annual meeting of the National Society of Patriotic Women of America, Waldorf-Astoria, 2 p. m.

Social meeting of the Rainy Day Club, Hotel Astor, 2:30 p. m.

Robert W. de Forest on "Tenement House Sanitation," College of Physicians and Surgeons, No. 437 West 59th street, 5 p. m.

George Ellery Hale on "Cosmic Evolution," Havemeyer Hall, Columbia University, evening.

The Rev. Dr. Charles A. Eaton on "How Men Know That They Know God," parish house, Madison Avenue Baptist Church, No. 30 East 31st street, 8 p. m.

Meeting of the Liberal Club, No. 105 East 19th street, 8:15 p. m.

# THE DRAMA

### "THE SCHOOL FOR SCANDAL."

#### Theatrical Sheep.

Announcement was made some time ago that Mr. H. Beerbohm-Tree would revive the great comedy of "The School for Scandal," in London, with an exceptionally interesting cast. Mr. Tree, a good, eccentric comedian, and an ambitious, industrious, shrewd manager, has long been accustomed to make the plays produced at His Majesty's Theatre occupy more or less the position of a clotheshorse,—turning them to lavish spectacle, in which, erroneously, he thinks that he is following the example of his great predecessor, Henry Irving. Mr. Tree's intention, with regard to Sheridan's famous play, seems to be in line with that custom. It was made known on Monday that he would reduce the play to four acts and change the period of it. Yesterday Mr. William A. Brady disclosed an intention of reviving the same play, and,—in that sheep-like spirit of imitation which often characterizes theatrical management,—his intention, it is intimated, is to follow Mr. Tree's bad example, in rearranging the play, and in changing the period of it, so as to "give ample opportunity for picturesque settings and costumes."

Does anybody know why such a course should be followed? If "The School for Scandal" could be improved by a radical rearrangement of its contents, that would be a sufficient reason for the purposed changes. There is no element of sanctity in the "Old Comedies," any more than there is in the plays of Shakespeare. "The School for Scandal," like many other old English plays, contains some indelicate and even vulgar passages, and such passages should always be expunged, in the representation,—as they always were by Joseph Jefferson and by Augustin Daly. But the construction of "The School for Scandal,"—which is the greatest comedy of manners in our language, and likewise is the product of dramatic genius and the most sedulous labor,—cannot be improved, while the project of changing its period, so as to "give ample opportunity for picturesque settings and costumes" is absurd. No period provides more ample opportunity for "picturesque settings and costumes" than the period of the play,—1777. The fact that Mr. Tree has undertaken to improve "The School for Scandal" will not surprise any person acquainted with that actor and his career, any more than it would surprise such a person to learn that he had undertaken to improve the Sermon on the Mount; but it is surprising to find Mr. Brady imitating that example of conceit and folly.

A theatrical manager who should endeavor to restore some of the masterpieces of old English comedy to the contemporary stage would be doing a public service. Such a work cannot, however, be accomplished without the exercise of taste and judgment. The essential requisite for a presentation of "The School for Scandal" is neither a rearrangement of its scenes, nor any attempt at novelty in the matter of scenery and dress; the essential requisite is *Acting*. When competently acted, that play always causes a delightful effect. When badly acted, it is one of the dreariest things ever revealed to mortal vision. The advent of Miss Grace George as Lady Teazle will be viewed with interest by every lover of the dramatic art. A great representative of that sparkling part has not been seen here since Ada Rehan left the stage. Miss George's present company includes the most accomplished light comedian of this period, Mr. Frank Worthing, whose performance of Charles Surface was long ago made known, and is remembered as a superb achievement. Judges of acting, familiar with the brilliant personations of Charles Surface that were given by such actors as Lester Wallack and Charles Coghlan, have commended Mr. Worthing's personation of that part as the best within the memory of the present generation. The appearance of Robert Mantell as Sir Peter Teazle cannot fail to be a dramatic event of the first importance. Since the time of John Gilbert, William Warren, and Charles Fisher, no entirely competent representative of Sir Peter has appeared here, and no contemporary actor is so well qualified as Mr. Mantell is to meet the requirements of that exacting character. There is not a weak part in the comedy, unless, perhaps, that of old Rowley. Fine acting is required in every one of the parts,—not pother about periods or picturesque settings. Acting, throughout, if you love us, William, Acting!

W. W.

### BUDDHA HEADS BRING $1,650.

#### Charles L. Freer Obtains Sixth, Fourteenth and Sixteenth Century Examples.

Charles L. Freer paid $1,650 for four lifesize bronze Buddha heads of the sixth, fourteenth and sixteenth centuries, at a sale at the American Art Galleries yesterday afternoon of Siamese and Cambodian antiquities, curios and relics. Thomas E. Kirby said that Mr. Freer probably would add these bronzes to the collection he has given to the National Galleries at Washington. That was the highest price of the sale, which was conducted by Otto Bernet, representing Mr. Kirby, and realized $3,871 50.

When the bidding on the Buddha heads had been started at $500 for the lot by Miss Lorenz, acting for Mr. Freer, Frank G. Macomber, a trustee of the Boston Art Museum, asked the auctioneer to sell them separately. He said the Boston Art Museum did not have a great deal of money to spend and could not afford to buy the lot, but if the bronzes were put up separately the museum could afford to buy one or two. It was explained to him that it was the owner's wish that the four heads be sold in one lot. Mr. Macomber bid on the bronzes up to $1,100, and then quit.

Mr. Macomber, however, obtained some other noteworthy objects for the Boston Museum. For $125 he bought two executioners' swords used for decapitating criminals, for $28 a pair of brass ornaments for a temple flagstaff, for $13 a small bronze Buddha head, and for $10 a bronze statuette of Buddha in deep meditation. The Metropolitan Museum of Art paid $18 for two Cambodian musical drums.

Other buyers were Mrs. Robert W. de Forest, F. R. Kaldenberg, J. B. Trevor, Mrs. J. G. McLaughlin, Dr. Burgess and W. C. Hill. The sale will be finished this afternoon.

### ANOTHER HENRY W. POOR SALE.

#### Hakluyt Society Publications Bring $742 50 from F. W. Morris.

What is said to be the most complete collection ever offered for sale in America, and probably in the world, of the Hakluyt Society's publications—152 volumes—containing the observations of Sir Richard Hawkins in his voyage in the South Seas in the year 1593, brought the top price at the afternoon session yesterday of the sale of the Henry W. Poor library at the Anderson Auction Company's rooms. F. W. Morris was the buyer, and he paid $742 50 for the set.

George D. Smith was an extensive purchaser. He paid $150 for a Grolier Club copy by John Milton of "Areopagitica, a Speech for the Liberty of Unlicensed Printing to the Parliament of England," and for a Grolier Club copy of "The Poems of John Donne," from the text of the edition of 1633, revised by James Russell Lowell, he paid $130. He also obtained, for $130, Hawthorne's copy of the New England Primer, and for twenty-three volumes of John Heneage Jesse's works he paid the same price. The total sales for the day amounted to $3,500.

### SPEAKERS FOR MEN'S CLUB.

Justice Goff, William H. Allen, director of the Bureau of Municipal Research; the Rev. Dr. Wilton Merle Smith, one of the founders of the "Big Brother" movement, Patrick F. McGowan and the Rev. John P. Peters will address the Men's Club of Holy Trinity Church, at the second annual dinner of the club, which will be held in the parlors of the church, at Lenox avenue and 122d street, Thursday evening. Dr. Peters is chairman of the Committee of Fourteen, which is advocating a bill before the Legislature aimed to regulate the so-called Raines law hotels, and is expected to discuss the work of that committee. Mr. McGowan will speak on the revision of the city charter.

### CELEBRATE GOLDEN WEDDING.

Mr. and Mrs. S. H. Semon celebrated the fiftieth anniversary of their marriage at the home of Mr. Semon's niece, Mrs. S. P. Steiner, No. 415 Central Park West, last evening. Mr. Semon was born in this city on July 27, 1835, at Canal and Elizabeth streets. He was a member of the Volunteer Fire Department. Four of their seven children are living—Dr. Joseph Semon, of New Rochelle; Lawrence Semon, of Philadelphia; Mrs. B. L. Richmond and Mrs. E. G. Tuttle, of New York.

Mr. Semon had been for thirty-five years contracting agent for the Forepaugh and Barnum & Bailey circuses and Buffalo Bill's "Wild West," retiring this season.

# *LETTERS TO THE EDITOR.*

### NEW 26,000-TON BATTLESHIPS.

#### Should Not Be Confounded with the Florida and the Utah.

To the Editor of The Tribune.

Sir: In to-day's Tribune there is an editorial on our new 26,000-ton Dreadnoughts and their armament, in which appears an incorrect statement. The names of the two ships referred to are the Arkansas and the Wyoming, not the Utah and the Florida, which are 21,000-ton ships, and sisters of the Delaware and the North Dakota, now building. The principal reason for the armament of these 26,000-ton ships of ours being the same (12-inch) as the 19,000-ton Brazilian ships, is that the seven thousand tons additional weight is taken up mostly in an increase in length, so that our six turrets could be mounted on the centre line. So, while the Brazilian ships appear as strong as ours, they are not, for they can only fire ten guns on a broadside (having two wing turrets) to our twelve, and it is broadside fire that counts. Then, as you say, our vessels are a little heavier armored. The British St. Vincent and Vanguard only have ten 12-inch guns, and even the 20,250-ton Neptune, completing a squadron of eight Dreadnoughts for England, has only that number, but probably disposed so that all may fire on broadside. In the eight new ships to be laid down by England, we may look for larger displacement, twelve 12's, and an entirely new design.

HAROLD M. KENNARD.

Brooklyn, April 5, 1909.

[Mr. Kennard has our thanks for correcting what was a slip of the pen in naming the 26,000-ton battleships about to be built for the United States. The reason he gives for providing the Arkansas and the Wyoming with only two more guns than the Dreadnought carries, in spite of a difference of more than 8,000 tons in displacement, is plausible, to say the least. The American government has aimed at such an arrangement of its guns on ships of the new type that all of them can be brought to bear in broadside fire. That arrangement is made possible only by placing all of the turrets on the centre line of the ship, and thus departing from the precedent established by the original Dreadnought. The Brazilian ships follow the British prototype. To accommodate twelve guns, therefore, the designers of the Arkansas and the Wyoming evidently found a longer and heavier hull necessary, and regarded the remarkable displacement adopted none too great for their purpose.—Ed.]

### OPPOSES CONTINGENT FEE BILL.

#### Lawyer Asserts Measure Is a Piece of Corporation Legislation.

To the Editor of The Tribune:

Sir: Permit me to call attention to a bill introduced in the Assembly by Charles F. Murphy, the effect of which is to hold attorneys responsible for costs and requiring them to file an undertaking for such costs in actions for damages for personal injuries, or for death resulting from such injuries, and for damages to personal property by reason of negligence, if the attorney has a contingent interest for his fee in such action.

This bill should be killed for the following reasons: In the overwhelming majority of such cases the plaintiffs are poor persons, who are unable to pay a retainer to an attorney, or even the actual expenses required to bring the case to trial, such as calendar fees, jury fees, witnesses' fees, etc. Now, if attorneys are to be held personally responsible for the costs they will simply decline to accept such cases on a contingent basis, with the inevitable result that our courts of justice will be closed to the poor who are unfortunate enough to meet with an accident in their daily course of employment, or otherwise. Owing to the complexity of our civilization and to the intensity of our industrial life, the number of people who sustain personal injuries has, during the last half century, increased at an appalling rate. Since none of these claimants, whether rich or poor, are willing to lay out any money for a result as uncertain as a lawsuit for damages for injuries usually is, the conclusion is inevitable that, should this abominable piece of proposed corporation legislation become law, justice will be denied to all the thousands of people who meet with accidents.

This bill has been fathered by the receiver of a railroad corporation, and will undoubtedly have the great support of all railroad corporations, accident insurance companies and unscrupulous and reckless employers. But how about the masses whose daily vocation may at any moment bring a misfortune by way of an accident to them, very often without any fault of their own? Shall justice be denied them at the behest of corporations? Shall the right of the toiler, crippled or maimed at work, to demand compensation for his injuries be sacrificed on the altar of Mammon? I hope to God that our government has not yet degenerated to that extent.

I am fully aware that the contingent fee practice has produced, at the hands of unscrupulous attorneys, fraudulent litigation, and the scandal of the ambulance chaser system. But not in the direction of the above mentioned bill does the true remedy for these abuses lie. The contingent fee practice should be regulated and strictly watched by the courts as well as by the various bar associations, and every crook lawyer be hounded out of the profession. But because there are some black sheep in the legal profession, and some fake claimants among litigants, justice should not be denied to the thousands of worthy, innocent and honest sufferers who sustain injuries.

I protest against the above bill in the interests of justice and out of personal motives. I am not an accident lawyer, and I doubt whether I prosecuted half a dozen such cases during the last three years.

JACOB BERNSTEIN.

New York, April 5, 1909.

### TARIFF ON HOSE.

To the Editor of The Tribune.

Sir: The change in tariff increases the duty on the very small quantity of infants' socks that are now imported to retail at 15 cents a pair from the present duty of 120 per cent (which surely seems sufficient) to 162 per cent, and on ladies', misses' and men's hose, to retail for 25 cents, from 65 per cent (the present duty) to 85 per cent (the proposed duty). On all hosiery to retail from 75 cents a pair up and on all kinds of silk hosiery the duty is not changed, or, in other words, remains at 55 per cent on expensive cotton hose and 60 per cent on silk hose. So this proposed bill adds an excessive duty to the kinds of hose worn by the poor and medium classes, and allows the "rich people" to buy their stockings at the same old price.

Why should we wonder at the increase of socialism?

W. L. TUCKER.

New York, March 31, 1909.

### A SOLDIER'S GRAVE.

To the Editor of The Tribune.

Sir: A charge upon the enemy—and the city:

WANTED.—Young men, willing to fight for their country, to lead charges against the enemy. Applicants should remember, however, that they must not endanger their lives—the enemy's bullets must be avoided. By following these directions you may become Governor and perhaps President. Otherwise you may become a charge upon the municipality, which cannot be tolerated under any circumstances.

The City of New York opens a street through a cemetery and robs a young soldier of his grave. Rather than see a hero's remains consigned to Potter's Field a charitable citizen has the body reinterred in an undisturbed part of the abandoned cemetery. The tombstone reads:

WILLIAM J. RASBERRY,
1st Lieutenant, Company C, Sixth
New York Heavy Artillery,
Killed at the Battle of Cedar Creek, Va.,
October 19th, 1864.
At the head of his Company,
Age, 26 years.

At the first call for volunteers he enlisted as a private and marched to the defence of his country. He led a charge against the enemy and died fighting. The funeral of the young captain (he was acting captain and adjutant of the regiment) was one of the most impressive ceremonies in the history of The Bronx, about forty-three years ago. There were military services, bands, flowers and orations.

The owner of the grave offers to give it to the city of New York, free of charge, and the Comptroller writes, under date of March 26, 1909:

"If the deed is accepted, will it be a charge upon the city in the future to take care of the plot?"

WILLIAM STONEBRIDGE.

The Bronx, April 5, 1909.

**Are you a pessimist? Read "The Market Value of Optimism," by Herbert Kaufman, and you will become an optimist. See the Sunday Magazine of next Sunday's Tribune.**

# MUSIC

### MR. MAHLER'S LAST CONCERT.

The second, and also the last, of the extra concerts by the Philharmonic Society, under the direction of Mr. Gustav Mahler, took place in Carnegie Hall last night. Before discussing its features a contribution to its history may be made, because it has been requested by one of the ladies who was largely instrumental in bringing the concert about and also the reorganization of the Philharmonic Society, of which the two concerts which Mr. Mahler has conducted have been the harbingers. The statement is sent to The Tribune ostensibly to correct a statement which appeared in this journal last Monday, but which is not materially affected by it. Mr. Mahler, it is stated, signed a contract last April for two concerts which he intended to give last fall. After the terms of the contract had been agreed upon and all preliminary arrangements made it was discovered that the Symphony Society "had a prior claim upon his services, morally if not legally." Thereupon a change was made, and two spring concerts were arranged, at which the seventh and ninth symphonies were to be given, without a thought or desire to provoke comparison between Mr. Mahler's reading of the works and that of any other conductor. These concerts have now been given. Also, Mr. Mahler conducted three fall concerts of the Symphony Society, the Philharmonic Society, under Mr. Safonoff, played the seventh symphony, and the Symphony Society, having announced its intention to that effect long before, performed the ninth twice in a single evening.

So much for the question of history which may be considered disposed of, at least for the present. It need have no bearing upon last night's concert, which was devoted to the choral symphony to which the "Egmont" overture was made to serve as an introduction. There was enough of interest in the performance of the symphony to make comparisons unnecessary, instructive as they might be to technical students. For their information it may briefly be said that Mr. Mahler made as free with the text of the symphony as modern conductors are in the habit of doing, and thereby achieved effects both good and bad as might be set forth by a technical study of them. Obviously his purpose, like that of his predecessors who have done similar things, was to "make more definite and certain" (as the lawyers say) the thoughts of the composer, who is supposed, for several reasons, not to have been able to express himself as clearly as he ought or might. With many of them there is no inclination to quarrel. With one it would be a waste of time. Those who think that Beethoven wished to have the ears of his auditors assaulted as they were last night by the kettledrum player must have been delighted by the bombardment to which they were subjected; others must have felt outraged. Traditions extending over two generations have not prepared New York's lovers of the symphony for such a reading.

For the rest the performance was extremely stirring and, in portions, delightfully uplifting—especially in the Trio of the Scherzo (in which the drums are silent) and the solo parts of the finale, which were sung with beautiful lucidity and expressiveness by Mrs. Rider-Kelsey, Miss Janet Spencer, Mr. Daniel Beddoe and Mr. Herbert Watrous. The Bach Choir, of Montclair, also placed an effective performance to its credit, and an audience, superb in numbers and character, applauded Mr. Mahler and his performers to the echo.

H. E. K.

### "DIE WALKURE."

If the pleasure of performing "Die Walküre" before an audience gathered specifically to see and hear this music drama may fairly be measured by the number and the enthusiasm of the spectators, then those concerned in last night's performance at the Metropolitan Opera House had every right to be happy. After the first act of this, the second chapter of "The Ring of the Nibelung," had been brought to a glorious climax under the compelling leadership of Mr. Hertz, there was a demonstration so sincere and so insistent, by the fine assemblage in the theatre, that not a vestige of doubt was left of the depth to which the music and its presentation had stirred the hearers. There was another expression of appreciation and delight after the second act, while the conductor received a special tribute of his own. Such was the spirit that animated the performance of "Die Walküre" last evening, and by every discernible sign, the same enthusiasm bids fair to heighten the potency of the two remaining "Ring" dramas in the current series.

While chief honors last evening must be awarded to Mr. Hertz for the splendid impulse and energy he imparted to the orchestra and to the other forces under his control, there was much to enjoy in the personations of certain of the singers. Mr. Soomer's Wotan had weight and power in large measure, and his singing was never without beauty of tone. Mr. Anthes achieved more of the virility of Siegmund in his acting than in the quality of his voice, which was none too certain in attack and was sadly deficient in sensuous warmth. He made much of the sword episode in Hunding's hut, and he was intelligent throughout. Miss Morena's Sieglinde was tender in spirit and of uncommon loveliness to the eye. She sang always with sympathetic insight, though the great outburst of Act III had not the climactic intensity that could have been wished. Of Mme. Gadski's Brünnhilde, it is enough to say that her reappearance in this familiar role showed her at her best, which means that in voice and action she was admirable. Mr. Hinckley's Hunding had the requisite heaviness, and Mme. Kaschowska was a competent Fricka.

For the sake of consistency, the Waltraute last night was Mme. Homer, who will personate the same character in "Götterdämmerung" on Saturday. Her voice and art helped to make the ensemble of the Valkyr choir effective.

### WILL NOT SING AT METROPOLITAN.

In spite of many reports to the contrary, Miss Gerville-Réache will not sing at the Metropolitan Opera House next season. The contralto's manager, George M. Robinson, announced yesterday that Miss Gerville-Réache had a contract with Oscar Hammerstein to sing at the Manhattan Opera House and in Philadelphia.

### MISS LORRAINE SINGS AT THE HAGUE.

The Hague, April 6.—Miss Alys Lorraine, the American singer, who has been successful in the parts which she has sung this season at the Royal Opera House here, appeared for the first time tonight as Madam Butterfly in Puccini's opera. Many persons prominent in society in the capital attended the performance. The critics praise highly Miss Lorraine's work.

### THE WEATHER REPORT.

**Official Record and Forecast**—Washington, April 6.—The western disturbance has assumed definite formation and since Monday night has moved from the Texas Panhandle to Iowa with increased intensity. As a consequence there have been general showers over the northern and central districts east of the Rocky Mountains except along the Atlantic Coast; there were numerous thunder storms from the Central and Upper Mississippi Valley eastward, and some snow in Eastern Minnesota and Northern Michigan. Fair weather continued in the South, but in the extreme West there was more unsettled weather, with light local showers. There has been a considerable fall in temperature in the central plains states, the Missouri, Mississippi and Lower Ohio valleys and the Upper Lake region, but in the East high temperatures continued. In the Rocky Mountain region temperatures are still low, while in the Far West they have risen somewhat.

There will be showers Wednesday from the Upper Ohio Valley and the Lower Lake region eastward, and probably on Thursday in New England and the north portion of the Middle Atlantic states. An extensive area of high pressure covers the Northwest and its eastward movement promises a period of generally fair weather, with moderate temperatures over the north districts after the showers indicated for Wednesday and Wednesday night. In the South, while the weather will be fair, temperatures will continue comparatively high. The winds along the Atlantic Coast will be moderate south to southwest; Gulf Coast, moderate south; Lake Michigan, brisk to high, and shifting, becoming northwest.

Steamers departing Wednesday for European ports will have moderate south to southwest winds, with unsettled showery weather to the Grand Banks.

**Forecast for Special Localities.**—District of Columbia, showers, probably thunder storms to-day; Thursday fair, cooler; winds mostly south and moderate shifting to west Thursday.

For Eastern New York, thunder storms to-day; Thursday clearing and cooler, moderate to brisk south to southwest winds.

For New England, showers to-day and probably Thursday, cooler Thursday; moderate to brisk south to southwest winds.

For Western New York and Western Pennsylvania, thunder showers and cooler to-day; Thursday fair.

**Local Official Record.**—The following 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:

| | 1908. | 1909. | | 1908. | 1909. |
|---|---|---|---|---|---|
| 3 a. m. | 42 | 49 | 6 p. m. | 64 | 62 |
| 6 a. m. | 42 | 48 | 9 p. m. | 54 | 60 |
| 9 a. m. | 52 | 49 | 11 p. m. | 53 | 60 |
| 12 m. | 58 | 56 | 12 p. m. | 52 | — |
| 4 p. m. | 64 | 64 | | | |

Highest temperature yesterday, 64 degrees; lowest, 48; average, 56; average for corresponding date last year, 53; average for corresponding date last thirty-three years, 44.

Local Forecast.—Thundershowers to-day; Thursday, clearing and cooler; moderate to brisk south to southwest winds.

# *A PLAYHOUSE TRANSFER.*

## *Broadway Theatre Passes Under New Management Saturday.*

The final performance at the Broadway Theatre of the musical play called "A Stubborn Cinderella" will take place next Saturday night, and with that production the well known theatrical firm of Litt & Dingwall will close a long, successful management of that playhouse. Jacob Litt, the senior member of the firm, died about a year ago.

"Sandy" Dingwall is one of the most popular managers in town, and reputed to be a shrewd calculator of the financial worth of a theatrical production. Since the death of Litt he has formed a partnership with Joseph Brooks, the booking agent for Klaw & Erlanger. They will continue their activity, and, it is intimated, may have a house of their own before many moons. They have a fine theatre in Chicago, and direct several popular productions. Under