KING'S OLDEST GUARD

Sir Seymour Fortescue Appointed Royal Sergeant-at-Arms.

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Sir Seymour Fortescue, who has just been appointed to the lucrative, honorable and altogether agreeable office of Sergeant-at-Arms in Ordinary to King George, delegated by the latter to attend the Lord Chancellor, the Lord Keeper of the Great Seal of Great Britain, is perhaps one of the best known of the equerries of King Edward, to whose household he was attached for some twenty years. In fact, there are few Americans possessed of any personal acquaintance with the late King who do not know Seymour Fortescue, who was knighted by King George shortly after his accession for the services rendered to his predecessor on the throne.

Seymour Fortescue is a captain of the Royal Navy, was present at the bombardment of Alexandria, was with Wolseley in the unsuccessful expedition up the Nile, undertaken for the rescue of General Gordon at Khartoum, and was naval aide-de-camp to Field Marshal Lord Roberts throughout the South African war. He is the brother of the present Earl of Fortescue, and another brother, the Hon. John Fortescue, is the royal librarian at Windsor Castle, and as such in charge of all the family archives of the reigning house of England which are preserved there.

The Fortescue family, which has always been renowned for its good looks, was founded by Richard le Fort, a Norman knight, who was cup bearer to William the Conqueror, and who had three horses killed under him at the battle of Hastings. Indeed, so great was his valor in that battle and so great was his defence of the Duke of Normandy in the melee, that he was thenceforth known as Richard le Fort-Escu, or Richard the Strong Shield. His son, Sir Adam, known as Sir Adam Fortescue, obtained, according to Doomsday Book, a grant from the crown of Winston, in Devonshire, with which county the Fortescues have been ever since identified. Sir John Fortescue was Lord Chief Justice of England in the reign of King Henry V, and but for the negligence of a forbear, namely, Sir Hugh Fortescue, the present Earl of Fortescue would to-day be Earl Clinton, an older title. This Sir Hugh was summoned to Parliament in 1721 as co-heir of the very ancient Barony of Clinton, at that time in abeyance, and as fourteenth lord of the line. He was subsequently created Lord Fortescue of Castle Hill, in Devon, with remainder to his half-brother, Matthew Fortescue, and still further on was created Earl of Clinton without any remainder. But he neglected to marry, and the consequence was that his earldom became extinct, his Barony of Fortescue going to his half-brother Matthew, while the ancient Barony of Clinton again went into abeyance, and being heritable in the female line, is now held by a member of the Trefusis family. Matthew Fortescue's son was created Earl of Fortescue, and the present Lord Fortescue is the fourth earl of his line and one of seven brothers, of whom another perished as a naval officer at sea, and still another was killed in the war in South Africa.

The principal country seat of the Lords of Fortescue is Castle Hill, which has been in the family since the reign of Henry VI and was rebuilt in the early part of the reign of George II, when the gardens as they now exist were laid out. Lord Fortescue also owns the whole of Exmoor, and, indeed, his estates in Devonshire and Somersetshire are very large and valuable.

As sergeant-at-arms, Captain Sir Seymour Fortescue, who is an influential member of the Turf Club, will receive a salary of $5,000 a year. Formerly the holder of this office enjoyed an excellent residence in the Palace of Westminster. But as Sir Seymour has apartments allotted to him for life by the late King in St. James's Palace, he will not lose anything by the absence of a residence at Westminster.

The sergeants-at-arms are the most ancient kind of guard of the Kings of England, and were first instituted by Richard Cœur-de-Lion, in imitation of a corps of the same name formed by King Philip Augustus of France. Their duty originally was to watch round the King's tent, in complete armor, with a mace, bow, arrows and sword, and occasionally to arrest traitors and other offenders about the court, for which their mace of office was deemed sufficient authority. They are required to be men of excellent birth and wear a collar of office, with which in ancient times they were invested with a good deal of ceremony.

Mme. Curie as French Academician.

Mme. Curie's impending election to membership in the French Academy of Sciences, in recognition of her discovery of radium and of many other services to the scientific world, has led to an almost universal assertion on the part of the European and American press that this distinction bestowed upon her will be without precedent, every newspaper apparently taking it for granted that never before has any woman been elected to any of the five academies that constitute the Institute of France. But this is not the case; for, as few persons, even in France, are aware, prior to the great Revolution of 1793 there were a number of female academicians. Most of them belonged to the Academy of Fine Arts, which was founded by Louis XIV in 1648, under the title of L'Academie Royale des Beaux Arts, and it has always been composed of the most eminent painters, sculptors, engravers and architects, as well as musical composers. From among its members is selected the director of the French School at Rome, and painting, sculpture and music owe a deep debt of gratitude to this most useful of all the five academies. Its women members have included Catherine Duchemin, painter, wife of the sculptor Girardon, elected in 1663, and Louise Lebrun, who on the proposal of Joseph Vernet, the painter, was elected to membership in 1783. No less than six hundred of her paintings remain in existence. They are to be found in most of the leading national museums of Europe, as well as in the Metropolitan Museum of New York.

I have before me a list of at least a dozen other women academicians, but they were all elected in the eighteenth century, and there is no record of any election of a woman within the last hundred years.

That Map of America.

Prince Maximilian Waldburg, who has just made an offer, through President Taft, to the United States to loan to the nation the celebrated Carta Marina of America, the first in which the name of the explorer Amerigo Vespucci was used to designate this continent, owes his succession to the title which he now bears and the possession of his vast estates, of his ancient castles and of this famous map of America to the death of his elder brother, who spent a considerable time in America, not as a prince possessed of vast wealth, nor even under his own name, but as a Jesuit priest, under the name of Father Frederick. An unfortunate love affair impelled him to forsake the world and to enter holy orders, joining the Society of Jesus, where, after the completion of his novitiate, he speedily acquired celebrity through his eloquence. He died in England in the Jesuit institution of Ditton Hall.

The Waldburg family traces back its descent to Werner von Tanne, who flourished in the year 1100, and who was the first owner of that grand old stronghold, the Castle of Wolfegg, on the Danube, in Würtemberg, where those wonderful maps have been found. They were discovered there some nine years ago by the Jesuit professor and priest, Father Fischer, when searching for materials for his history of the early voyages of the Norsemen.

This Carta Marina, or map of America, as well as one of Africa, known to the scientific world as the Waldseemuller map, are the work of Waldseemuller, who was the most famous geographer and cartographer of his day and librarian to the lords of Waldburg. He carried on his work in the immense library of Wolfegg, which is full of all sorts of wonderful treasures, and it was when Father Fischer was rummaging among them, some of them untouched for two hundred years, that he found, along with the Carta Marina, a map of Africa, which, dated 1507, delineates with amazing accuracy the great lakes that constitute the sources of the Nile, and which, according to all modern geographers, encyclopædias and other standard contemporary works of reference, were first discovered little less than half a century ago by the explorers Speke, Grant and Sir Samuel Baker. Yet Aristotle, in speaking of the cranes of lower Egypt, declares that they "migrate from the Scythian regions to the lakes lying above Egypt from which the Nile arises"; while Herodotus also makes mention of these lakes. From this it will be seen that there is nothing new under the sun, and that the sources of the Nile were perfectly well known at the time of the discovery of America, and that in some strange way they had become lost to the geographers and scientists of the seventeenth and eighteenth centuries, and had to be discovered afresh in the nineteenth century by the explorers Speke, Grant and Baker.

Prince Maxmilian Waldburg has made some rather foolish conditions in connection with his offer to loan the Carta Marina of America to the United States, demanding that a warship should be sent to fetch it in state from Europe, and that his courtesy in the matter should be acknowledged by Congressional action. These demands, however, appear less extraordinary when it is explained that the prince might possibly be induced to sell the map to the United States, and that the conditions which he imposes for the loan may be in order to enhance the value of the map in the event of its purchase.

MARQUISE DE FONTENOY.

PLAN FOR OPERA TICKETS

Management Invents a Scheme to Thwart Speculators.

A new plan to prevent seats from falling into the hands of ticket speculators is to be tried at the Metropolitan Opera House for the first performance of Puccini's new opera, "The Girl of the Golden West," on Saturday evening. The plan originated with John Brown, the business controller of the opera company, and Earle Lewis, the treasurer.

Each purchaser of a seat for the performance will be asked for his name. He will not get a ticket, but he will be told to give his name at one of the four entrances of the opera house on the evening of the performance, and that when he does so the gateman will hand him his ticket in an envelope. He must then pass directly into the house, so that he will have no chance of selling the ticket on the sidewalk.

Mr. Brown, in discussing the plan yesterday, said that the speculators had raised a fund of $10,000 expressly for the initial performance of "The Girl of the Golden West," and that the opera company was determined to prevent tickets from falling into their hands.

"We intend to protect the public," said Mr. Brown. "The doors will be opened at 6:45 o'clock, and we hope in order to expedite matters that the public will arrive as early as possible. The new plan is a little more complicated than the usual way, but we feel that its beneficial results will be worth the trouble.

"Of course, the subscription seats for this performance have already been sent out, but so far we have heard of only two of these getting into the hands of speculators. They are demanding $75 each for these two seats. Luckily we know the person who was responsible for these tickets falling into the hands of speculators."

MME. SARAH BERNHARDT

"La Dame Aux Camelias" at the Globe Theatre.

Bernhardt as Marguerite Gauthier! For the lover of the dramatic stage there is little to add to this simple sentence. All that can be said of the great French actress's impersonation of Dumas's frail yet ever womanly heroine is part of the history of the modern theatre, and in years to come, as in the present and past, "Camille" will be identified with the personality of Sarah Bernhardt.

The performance at the Globe Theatre last night, was a most satisfactory one, the members of Mme. Bernhardt's company giving her intelligent and finished support. M. Low Tellengen, as the "Armand," again exhibited rare sympathy and delicacy of touch.

But after all, it was, as always, Bernhardt in one great moment after another, and when the curtain fell upon the death of Marguerite the wonderful art of the actress had been seen at its greatest power.

CAST OF "LA DAME AUX CAMELIAS."

Marguerite Gautier	Mme. Sarah Bernhardt
George Duval	M. Maxudian
Gaston	M. Denenbourg
Armand Duval	M. Tellengen
Gustave	M. Barry
St. Gaudens	M. Favieres
Le Docteur	M. Canroy
Narville	M. Coutier
De Giray	M. Dorval
Arthur	M. Dieck
Un Domestique	M. Pierrat
Nanine	Mme. Seylor
Prudence	Mme. Boulanger
Nichette	Mme. Duc
Olympe	Mme. Desroches
Un Groom	Mme. Thomas
Anais	Mme. Ringer
Une Dame	Mme. H. Romain
Adele	Mme. Laurent
Le Commissionnaire	M. Ruben

MISS ANGLIN'S THROAT BETTER.

Miss Margaret Anglin, who was obliged to give up her work on the stage on account of throat trouble, is said to be so far recovered that she will be able to appear in a comedy about Christmas time.

Her physician says that instead of the very severe operation on her throat which was at first contemplated, only a minor one will be necessary, and that it need not be performed until the patient's strength is fully restored. Miss Anglin is resting in the suburbs of Chicago.

NEW HAMMERSTEIN PRODUCER.

Arthur Hammerstein is shortly to produce a new comic opera entitled "The Maestro's Masterpiece," by Edward Locke.

BIPLANE CARRIES FIVE

German Aviator with Four Passengers Circles a Field Twice.

Johannisthal, Germany, Dec. 7.—Aviator Brunsuber circled the field here twice today, carrying four passengers with him, in a Farman biplane.

NEW YORK FROM THE SUBURBS.

New York's new Police Commissioner, Mr. Cropsey, has decided that there must be less noise in New York. Mr. Cropsey hails from Brooklyn.—Syracuse Herald.

New York is talking of a "250-pound shrimp," but fails to say to what office he was elected.—Memphis Commercial Appeal.

New York is to have the world's largest drydock. We didn't know that New York would support anything that is dry.—Detroit Journal.

New York proposes to be a civilized city, accepting Carlyle's idea that "the dislike of noise is the measure of civilization," and so it has issued an order forbidding the running of flat wheeled trolley cars, the blowing of new fangled automobile horns and other disturbers of the city's peace. That is in the direction of progress.—Ohio State Journal.

Over 65 per cent of the 9,771,512 immigrants arriving in this country in the last nine years landed at New York City. Average amount of money possessed by each was $22. When New York gets through with them the average may be so high as 22 cents, if they are lucky. And some of them will go to Chicago.—Philadelphia Evening Star.

Two more tong murders were done in New York last night and the assassins escaped, though the police were on the scene of the crime within ten seconds. This is one kind of murder which the police of the big city, as clever as they are, fail to ferret out. Twelve murders in a little more than a year and not one murderer caught is a record that must make the force blush.—Rochester Union and Advertiser.

UNVEIL STEUBEN STATUE

Miss Helen Taft Releases Flags Covering Monument.

ADDRESS BY PRESIDENT

He Tells How Much Country Owes to Aid of Baron—German Ambassador Speaks.

[From The Tribune Bureau.]

Washington, Dec. 7.—In the presence of a large and distinguished gathering Miss Helen Taft this afternoon pulled the silken cord which released the two large American flags covering the monument erected by the American people to General Baron von Steuben, of Revolutionary fame. President Taft, accompanied by Mrs. Taft and Miss Taft and the White House military and naval aids, was escorted to and from the unveiling exercises by Troop B of the 15th United States Cavalry. The Secretary of War presided at the ceremonies and the German Ambassador, Representative Bartholdt and Dr. Charles J. Hexamer, president of the National German-American Alliance, delivered addresses.

Following the address of Count J. H. von Bernstorff, the German Ambassador, the statue was unveiled, while Battery E of the 3d Field Artillery fired a salute of thirteen guns and the members of the North Eastern Singers' Association sang "The Star Spangled Banner," the Marine Band playing the accompaniment. The base of the monument was completely hidden by wreaths and bunches of flowers. The Rev. Dr. Charles F. Steck said the opening prayer and the Rev. Dr. William T. Russell pronounced the benediction. Every branch of the American army and navy was represented in the unusually long parade which followed the unveiling. Representatives from all the large German-American associations in the Atlantic states, including six hundred from New York, took part in the parade.

"The effect of Steuben's instruction in the American army," said President Taft in the course of his address, "teaches us a lesson that it is well for us all to keep in mind, and that is that no people, however warlike in spirit and ambition, in natural courage and self-confidence, can be made at once, by uniforms and guns, a military force. Until they learn drill and discipline they are a mob, and the theory that they can be made an army over night has cost this nation billions of dollars and thousands of lives."

The statue to General Baron von Steuben was erected at a cost of $50,000 appropriated by act of Congress approved February 27, 1903. The model submitted by Albert Jaegers, of New York, was selected by a committee of experts headed by the late Augustus St. Gaudens, and shows the general standing on an eminence inspecting the great manœuvres of 1778. He is heavily cloaked to endure the hardships of the rigorous winter campaign at Valley Forge. The sash is reminiscent of his service on the staff of Frederick the Great; his hand lightly at rest on the hilt of his sword, he is following with keen interest the unfolding movement of the troops.

A group, "Military Instruction," on one side of the pedestal, represents Baron von Steuben's life work, the work for which this nation honors and remembers him—the drilling and training of the American army. An experienced soldier is shown instructing a youth in the use of the sword. On the opposite side is a group "Commemoration," which depicts America teaching youth to honor the memory of her heroes. A foreign branch is grafted into the tree of her national life. She welds to her heart the foreigner who has lent his life and fortune to the weal and woe of her people, embodying the idea of unity and fraternity of all nationalities under the guidance of a great republic.

FAVORS SIMPLE HARMONIES

Humperdinck Thinks German Music Will Take Middle Ground.

Engelbert Humperdinck, the German composer, who arrived yesterday on the Kaiser Wilhelm der Grosse to superintend the production of his new opera, "Königskinder," said that he had finished the incidental music to Maeterlinck's "Blue Bird," and that it would be played at a performance of the play in Berlin about Christmas time.

"I love the simple, naïve folk tales, and am no admirer of blood and murder," said Mr. Humperdinck. "I even hated to burn the Witch in 'Häsel und Gretel.' Music in Germany to-day has two tendencies, a radical and a reactionary one. I think a middle ground will be found that in the end will prevail. Richard Strauss in his latest opera, 'The Rose Cavalier,' has returned to melody and simple harmonies, and in the future I believe that he will have a large following.

"As to my own opera, 'Königskinder,' which will have its first production shortly at the Metropolitan, those who have heard the incidental music to the play will be able to follow the opera. The main themes are the same. I am now at work on a string quartet, and may afterward begin a new opera."

An amusing incident occurred during Mr. Humperdinck's interview. Enrico Caruso, who might have been famous as a caricaturist had he not become a tenor, heard of the projected interview and secreted himself behind some of the newspapermen. He had armed himself with a pad and a pencil, and while Mr. Humperdinck was talking the tenor drew a number of sketches of the composer. Finally some one asked the composer if he had ever heard Caruso sing.

"Yes, indeed," replied Mr. Humperdinck enthusiastically. "A beautiful voice!"

Though the composer spoke in German, Mr. Caruso heard him, and a broad smile spread over his face.

"Ah, maestro," he said, stepping out, and the next moment Mr. Humperdinck, grasping the situation, had thrown his arms affectionately around the tenor.

TALISMAN FOR EMMY DESTINN.

Miss Blanche Bates will be one of the spectators to-day at the dress rehearsal of "The Girl of the Golden West," Puccini's new opera. Miss Bates, who is now appearing in "Nobody's Widow," at the Hudson Theatre, was the creator of the title role in David Belasco's production of the play on which the opera was based.

Miss Emmy Destinn, who will sing the corresponding part in Puccini's opera has consulted Miss Bates on several occasions concerning her interpretation of the character. Miss Bates gave Mlle. Destinn a talisman in the form of a pair of white cotton gloves, which she wore in the cabin supper scene in the third act of the play. Miss Destinn will wear them when she sups with Caruso at the opera on Saturday night.

DE BEAUFORT AT THE THROTTLE.

Count De Beaufort, who is appearing at the American Music Hall, drove a West Shore freight engine in the railroad yards at Weehawken yesterday morning, switching cars and hauling trains about like a veteran engineer. The count has a contract with a moving picture concern to pose in some of the former occupations and scenes of his life. A number of years ago, while in the Belgium army, he was attached to the Engineer Corps, and in the course of his duties he became adept in the operation of a locomotive in Africa.

MRS. TAFT'S PORTRAIT ARRIVES.

Washington, Dec. 7.—The portrait of Mrs. Taft, painted at Beverly last summer by K. B. Kronstrand, the Norwegian artist, has arrived at the White House and is being exhibited privately. It will be hung later with the pictures of wives of other Presidents in one of the White House corridors.

LINCOLN'S PLACE IN HISTORY

Ambassador Reid Delivers an Address at Birmingham.

[By Cable to The Tribune.]

Birmingham, Dec. 7.—The American Ambassador's lecture on Abraham Lincoln, read to-night in the Midland Institute, was the last one of a series on "Makers of History in the Nineteenth Century."

This course was arranged by a joint committee of the University of Birmingham and the Workers' Educational Association. Previous lectures in the course were delivered in the Medical Theatre, but the pressure for seats at the ambassador's lecture was so great that a larger hall was necessary. The institute was filled with serious and attentive listeners, representing mainly the working people.

The lecture in subject and manner of presentation was well suited to the audience. It revealed the success of a poor, neglected, uneducated Kentucky boy in making a great thing of his life. The address was delivered in an easy, natural style, with frequent changes of tone. It produced a deep impression, as was shown by the prolonged applause at the close.

Among the prominent men present were Vice-Chancellor Beale, Vice-Principal Heath, Canon Masterman, Dr. Frankland, a dozen or more professors of the faculties of science, arts and medicine and as many of the local clergy and ministers. Mrs. Chamberlain sat beside Mrs. Reid on the platform.

The ambassador was introduced by Sir Oliver Lodge, principal of the university, and was warmly welcomed by the audience.

Mr. Reid began with a quiet demonstration of the impracticability of saying anything new about a subject already comprising libraries, and with a modest reference to his own acquaintance with Lincoln.

He speedily commanded attention by the emphatic declaration that Lincoln as a maker of history was greater than Bismarck Gambetta, Marquis Ito, or most of the eminent Englishmen of the nineteenth century, and by proving it in a few terse sentences. He exposed with vivacity and fine irony the distortions with which Lincoln's fame had been overlaid by unwise eulogists and thrilled his audience with a homely account of the early years and strenuous struggles of the future emancipator, who was always in touch with the plain people.

The ambassador's analysis of the slave power and his description of the momentous debate betwen Douglas and Lincoln were conspicuous for lucidity, and there were frequent outbursts of applause as the causes of the Civil War were explained; and the President's tact in the Trent affair and his sagacity in deferring emancipation until the nation was ready for it were extolled.

The ambassador's reference to Queen Victoria was heartily appreciated. The war period was summed up in a few glowing periods, and the address was closed with a short passage from Lincoln's second inaugural address and a simple but impressive peroration.

Appreciative speeches of thanks followed a long round of applause, and the ambassador was heartily congratulated by Sir Oliver Lodge and the other dignitaries on the platform.

It was without doubt the most scholarly and thoughtful address which Mr. Reid has delivered in England.

Ambassador and Mrs. Reid took tea with Joseph Chamberlain and Mrs. Chamberlain before dining with their host, Sir Oliver Lodge. They will go to Dudley to-morrow, where the ambassador has promised to open the girls' high school, of which their daughter, Mrs. John Ward, laid the cornerstone some time ago.

The full text of Mr. Reid's address will be found on page 10.

NEW MUSICAL PLAYS SOON

Shuberts and Associates Promise Several for Next Month.

The Messrs. Shubert and their associates announce the completion of plans for the presentation of several new musical plays during the first fortnight of January. Perhaps the most important is "The Balkan Princess," which ran for an entire season at the Prince of Wales's Theatre, in London. Miss Louise Gunning will be the star and Bertram Wallis, Herbert Corthell, Joseph Herbert, Teddy Webb, Vida Whitmore and Kenneth Hunter will be prominent members of the cast.

Another play is "Mariage à la Carte," by C. M. S. McLellan, in which the leading parts are assigned to Emma Wehlan, the Viennese singer, who has appeared recently at the Gaiety Theatre, London, and to Harry Conor.

In the musical version of "Trilby," by Victor Herbert, the title role is to be sung by a foreign artist of high standing. "The Love Waltz" is the name of the piece in which Miss Ida Brooks Hunt is to be featured. The music is by O. M. Ziehrer, the Viennese composer. The American book is by Edgar Smith and the lyrics are by Matt Woodward.

Special interest should centre in the production of "The Man with the Three Wives," by Franz Lehar, composer of "The Merry Widow." This piece has been successful in Vienna. The American libretto will be by Paul M. Potter. Miss Mabel Barrison is to be starred in "The Girl from the Woods," the music of which is by Reginald De Koven and the book by R. Johnson Young, who wrote the book of "Naughty Marietta."

THEATRICAL NOTES.

Henry Miller will produce a new play by H. S. Sheldon entitled "The Havoc" at the Columbia Theatre, in Washington, on Monday night, December 19.

The complete cast of "We Can't Be as Bad as All That," the new play of English social life by Henry Arthur Jones, which the Authors' Producing Company will offer next month, consists of Katharine Kaelred, Charlotte Granville, Kate Phillips, Betty Martin, Fanny Jordan, Alice Wilson, Margaret Seddon, Charles Hammond, William Hawtrey, Ivo Dawson, Edward Bonfield, Wallace Erskine, Harry Braham and William L. Branscombe. Rehearsals are now in progress under the personal supervision of the author.

St. Cecilia's Guild will be strongly represented to-night at Wallack's Theatre, for the members have purchased nearly all the seats in the theatre to see May Irwin in "Getting a Polish."

Miss Grace Ellison will appear in a one-act play at the Waldorf-Astoria on the morning of January 7 for the benefit of the City History Club and the Women's Auxiliary of the University Settlement.

The Russian Imperial Court Balalaika Orchestra will give a concert in the New Amsterdam Theatre on Sunday night.

Miss Truly Shattuck is to play the part of Alma in "Alma, Where Do You Live?" the musical comedy in which Miss Kitty Gordon has been so successful at Weber's Theatre. Miss Shattuck will take the role on Monday. Miss Gordon has resigned from the cast.

JUSTICE DAYTON DEAD

Supreme Court Jurist Succumbs to Attack of Pneumonia.

Justice Charles W. Dayton, of the Supreme Court, died yesterday morning at his home, No. 13 Mount Morris Park West. He had contracted a severe cold about two weeks ago, and was forced to remain away from his place on the bench. About a week ago pneumonia set in. He had been in poor health since last spring, when he had a nervous breakdown.

At midnight on Tuesday it became evident that death was near. His physicians, Dr. William A. Dayton, brother of the justice; Dr. John Thatcher and Dr. Max Schlat, administered oxygen, but he failed to respond to it. When the justice became unconscious early yesterday morning his wife, a daughter, Miss Laura Dayton; his son, Charles W. Dayton, jr., and his sister, Mrs. Benjamin Fessenden, were at his bedside.

CHARLES W. DAYTON.
Who died yesterday.

The funeral will be held Saturday morning at St. Andrew's Protestant Episcopal Church.

The receipt of the news in the County Courthouse of the death of Justice Dayton caused general sorrow among the justices, clerks and attendants, with whom the dead jurist was popular, and the expressions of regret were many. Wherever it was possible the justices adjourned the part of the court over which they presided out of respect to the memory of their colleague. Nearly all the justices delivered eulogies from the bench, speaking of the ability of Justice Dayton as a lawyer and of the qualities that endeared him to his acquaintances. The justices will attend the funeral.

Justice Dayton was born in Brooklyn on October 3, 1846. His grandfather, Charles Willoughby Dayton, of Stratford, Conn., came to New York, married a daughter of Francis Child, a Huguenot, and lived in Washington Square. Justice Dayton's father, Abraham Child Dayton, was a member of the New York Stock Exchange and a man of letters.

Justice Dayton came to New York at an early age, and after attending the public schools, entered the College of the City of New York in 1861, but left that institution to study law, later attending the law school of Columbia University, from which he was graduated in 1868.

In 1893 President Cleveland appointed him postmaster of New York City, and he remained in office until April 14, 1897, when he resigned to President McKinley. He introduced the system of carrying mails on streetcars. Justice Dayton had been active against Tammany in the early 80's and later, but about 1891 he became allied with that organization, and his appointment as postmaster was considered a concession to the "Tiger."

In 1897 he made the race for Controller as the nominee of the Thomas Jefferson Democracy. In 1904 he was a delegate to the Democratic National Convention, and two years later, in 1906, was elected a justice of the Supreme Court on the Democratic-Independence League ticket.

Justice Dayton was a trustee of and formerly counsel for the Empire City Savings Bank and a director of the United States Life Insurance Company. In 1885 he was counsel for the Erie Railroad. He was a member of the Sons of the American Revolution, Downtown Association, the state and city bar associations, the Society of International Law, the American Geographical Association, the New York Historical Society, the New England Society and the Harlem Democratic, National Democratic, Manhattan, St. Andrews Golf, the Players and other clubs.

JUSTICE W. D. BEARD.

Nashville, Tenn., Dec. 7.—Justice W. D. Beard, of the Tennessee Supreme Court, died suddenly at the Hermitage Hotel here this morning.

W. D. Beard had been Chief Justice of the Supreme Court of Tennessee since 1903. Before that he was for several years an associate justice. In 1904 he was a delegate to the Universal Congress of Lawyers and Jurists at St. Louis. He was a Democrat in politics.

He was born at Princeton, Ky., in 1837, son of the Rev. Richard Beard, a prominent clergyman of the Cumberland Presbyterian Church and professor in Cumberland University. The son was educated in the common schools of Kentucky and at Cumberland University, where he was graduated in 1859. He studied law and was admitted to the bar, but before he began practice the Civil War broke out and he enlisted in the Confederate Army as brigade quartermaster on the staff of General A. P. Stewart.

He was paroled on account of severe wounds in 1865 and on recovery went to Memphis, Tenn., where he went into partnership with W. P. Wilson. Later he was associated with W. L. Claff and rose rapidly to leadership in his profession. In 1890 he was elected Chancellor of Shelby County and in 1894 went on the Supreme Bench. He married in 1860 a daughter of Robert M. Henderson. They had two sons, Robert H. and William Lee Beard.

J. WILLARD BROWN.

Boston, Dec. 7.—J. Willard Brown, department commander of the Grand Army of the Republic of Massachusetts, and for forty years an educator in the public schools of greater Boston, died suddenly of heart failure at his home in Stoneham late to-day. He was born in 1839, and was educated at Amherst College, graduating from the institution in 1858. When the Civil War broke out he went to the front with the 7th Massachusetts Regiment. He served four years in the United States signal corps, and then became chief signal officer of the Pewder River Valley Indian expedition in Wyoming and Montana, where he served a year. Mr. Brown was the organizer of the United States Veteran Signal Corps Association, and was president of the association in 1879 and 1880, and had been its historian since. He was the author of the history, "The Signal Corps, U. S. A., in the War of the Rebellion," which was published in 1897.

MRS. JAMES M'KINNEY.

Washington, Dec. 7.—Mrs. Mary McDonald McKinney, wife of Congressman James McKinney, of Aledo, Ill., died at the Emergency Hospital here late to-day. She was stricken with apoplexy last Thursday while walking on Pennsylvania avenue. Though she made a vigorous fight for life, Mrs. McKinney never regained consciousness from the time she was stricken. Her husband and her brother, Robert J. McDonald, were with her at the time of death.

Mrs. McKinney was born at New Concord, Ohio, on December 5, 1855, and received an academic education. She married in 1878, but no children survive her. The body will be shipped to Aledo, Ill., for burial.

COMMANDER ROBERT PLATT.

Washington, Dec. 7.—Commander Robert Platt, U. S. N., retired, died at his home here late to-day following an attack of cerebral embolism, with which he was stricken three weeks ago. He was a native of North Carolina. Commander Platt was rendered partially unconscious by the attack, and was not able to control his speech. He recently returned here from Wrightsville Beach, N. C., where he had been spending his summers.

Commander Platt was born at Southport, N. C., seventy-six years ago. Entering the naval service in the volunteer navy March 1, 1863, as a lieutenant, after one month's service he performed conspicuous service. For his skill, coolness and intrepidity he was specially commended by Admiral Du Pont, serving on the vessel which led the admiral's fleet into Charleston harbor, April 1, 1863. Commander Platt was retired from the naval service in 1903.

The funeral will be held Friday and burial will be in the Congressional Cemetery here.

PROFESSOR LUDWIG KNAUS.

Berlin, Dec. 7.—Professor Ludwig Knaus, the genre painter, died to-day. He was born at Wiesbaden in 1829.

Ludwig Knaus, the celebrated German genre painter, first studied under Sohn and Schadow in the Academy at Dusseldorf. He perfected himself in the technical part of his art by close study of the modern French masters at Paris. He was Professor at the Berlin Academy from 1874 to 1884. His more important pictures were "Funeral in a Hesse Village," "His Excellency Travelling," "The Village Musician," "The Inn," "The Refractory Model," "Solomon's Wisdom" and "A Peep Behind the Scenes." Knaus received many decorations and medals of honor.

ROBERT PRESCOTT BROWN.

Robert Prescott Brown, postmaster of West New Brighton, Staten Island, since he was appointed to that position by President Chester A. Arthur in 1882, died at his home there yesterday from heart failure. Mr. Brown had lived on Staten Island since he was eighteen years of age. He was born at Rahway sixty-seven years ago.

At the outbreak of the civil war he returned to Rahway, joined a regiment and served throughout the war. Mr. Brown was a prominent Mason, and also a member of the Trinity M. E. Church. He leaves a widow and six children.

THE REV. DR. JOSEPH E. SMITH.

Washington, Dec. 7.—The Rev. Dr. Joseph Edmund Smith, secretary of the American Society of Education, died at his home in this city last night from heart disease, at the age of eighty-one years. He had served fifty years as a minister of the Methodist Church up to the time of his retirement three years ago. He had filled pastorates in Baltimore, Philadelphia, Lancaster, Scranton, Wheeling, Buffalo, St. Paul and Trenton. The burial will take place in Philadelphia.

FUNERAL OF ISAAC STERN.

The funeral of Isaac Stern was held yesterday morning in Temple Emanu-El. William C. MacFarland played an organ voluntary. Prayer by Rabbi Joseph Silverman followed. Dr. Henry M. Leipziger, a lifelong friend of Mr. Stern, paid a brief tribute to the late merchant, and the ceremony ended.

The temple was decorated with flowers, which were sent later to hospitals and charitable institutions. Many of the institutions Mr. Stern had assisted during his life were represented at the temple.

Mr. Stern's wife and his three children and a brother, Louis Stern, followed the coffin to Cypress Hills, where the burial took place in the family vault.

BRADY DOESN'T PAINT SCENERY

Everything Else in Theatrical Line Embraced by His Duties, He Says.

William A. Brady, the theatrical manager, made a lively witness in his own behalf yesterday in the Supreme Court, where he is suing the New York Taxicab Company for $15,000 damages.

Brady's counsel asked him what value he placed on the time he lost from his business as a result of the accident. Brady replied:

"I couldn't put it in figures. No employe could fill my place."

The theatrical manager added that he read plays, rehearsed them, did many things.

"In fact," he said, "I do everything relating to the production of a play except paint the scenery."

"DIE WALKURE" A THIRD TIME.

"Die Walküre" received its third performance of the season last night at the Metropolitan Opera House. The cast was as at previous performances, Mr. Burrian singing Siegmund; Mr. Hinckley, Hunding; Mr. Soomer, Wotan; Mme. Morena, Sieglinde; Mme. Weidt, Brünhilde, and Miss Wickham, Fricka. Mr. Hertz conducted. The audience was of good proportion.

WHAT IS GOING ON TO-DAY.

Bazar of the Sunbeam League, Plaza Hotel, 10 a. m.

Joint meeting of the American Academy of Arts and Letters and the National Institute of Arts and Letters, The New Theatre, 10 a. m.

Luncheon of the National Society of New England Women, Waldorf-Astoria, 1 p. m.

Meeting of the West End Women's Republican Club, Hotel Astor, 2 p. m.

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

Lecture on "The Panama Canal and Its Influence on Southern Commerce" by G. Grosvenor Dawe, under the auspices of the Woman's Welfare Department of the National Federation, Waldorf-Astoria, 4:30 p. m.

Dinner of the Paper Association of New York, Hotel Astor, evening.

Dinner of the Society of Gas Lighting., Hotel Astor, evening.

Dinner of the American Institute of Chemical Engineers, Hotel Astor, evening.

Receptions of Columbian Commandery, No. 1, Knights Templar, Hotel Astor, evening.

Methodist convocation, under the auspices of the General Conference Commission on Evangelism, Calvary Church, 129th street and Seventh avenue, evening.

Dinner of the Christian Socialist League of America, St. Denis Hotel, 6:45 p. m.

Annual dinner of the Canadian Society of New York, Delmonico's, 7 p. m.

Annual dinner of the New York Commandery of the Military Order of Foreign Wars, Waldorf-Astoria, 7:30 p. m.

Professor David Gordon Lyon, of Harvard University, on "Explorations in Samaria, 1908-1910," before the Archæological Institute of America, No. 215 West 57th street, 8:30 p. m.

Meeting of the Aeronautical Society, No. 1999 Broadway, 8:30 p. m.

Meeting of the New York Canoe Club, Hotel Astor, 8:30 p. m.

Annual meeting of the Guild of St. Luke, Catholic Club, 8:30 p. m.

Meeting of the Negro Men's and Women's Branch of the Political Equality Association, Abyssinian Baptist Church, No. 240 West 40th st., 8:30 p. m.

Free lectures of the Board of Education, 8 p. m.: Public School 33, No. 418 West 28th street, "Unconsciousness," Dr. Frederick Knowles; Public School 64, 10th street, east of Avenue B, "The Making of a Newspaper," Frank L. Blanchard; Public School 100, 138th street and Fifth avenue, "The Texan and His State," R. Cornelius Raby; Public School 114, Oak and Oliver streets, "The New York Zoological Park," Miss Mary V. Worstell; School 119, 133d street, east of Eighth avenue, "Earthquakes," Professor William Libbey; Public School 135, First avenue and 51st street, "The Unification of Italy," Edward M. Sait; Public School 159, No. 241 East 119th street, "American Song Writers," Frederic Dean; Public School 165, 108th street, west of Amsterdam avenue, "Modern Ways of Helping Others," Orlando F. Lewis; Institute Hall, No. 218 East 106th street, "The Rolling and Forging of Iron and Steel," Professor Bradley Stoughton; Public Library, No. 112 East 96th street, "The Sociologists of the Church," Dr. Paul Klapper; St. Luke's Hall, Hudson and Grove streets, "The Dyeing of Cotton Fabrics," Dr. Charles E. Pellew; Wilson School, No. 239 West 69th street, "Napoleon," William J. Tilley.

VAUDEVILLE AT THE CITY

14th Street House to Make a Change in Policy.

The City Theatre, in 14th street, after a brief existence devoted to the presentation of Broadway plays at popular prices, will soon be given over to first class vaudeville.

This house is owned by Timothy D. Sullivan, George Kraus, William Fox and others, and is leased by Mr. Fox, who is also lessee of the Academy of Music and the Dewey Theatre, in the same street. The change of policy is due to the fact that the City Theatre has not been as successful financially as was expected. Musical plays have paid there, but other attractions, with few exceptions, have not drawn large audiences.

The people of the lower East Side appear to prefer the Academy of Music, where they may see popular melodramas for 10, 20 and 30 cents. In spite of the enormous rental of $100,000 a year, Mr. Fox is said to be making a substantial profit at this house.

The City Theatre is an ornate structure, seating 2,600 people. It was formally opened on April 18, when Miss Anna Held was seen in "Miss Innocence." Kyrle Bellew, who is playing at the City Theatre this week in "Raffles," will end his engagement on Saturday night. On Monday, December 12, the "two-