

COLQUHOUN WON'T LET MEXICAN TROOPS PASS

Permission Notified by State Department Withdrawn by Governor of Texas.

OWING TO 70-MILE MARCH

Thinks Movement Would Invite Difficulties—Senator Fall Denies Favoring Intervention.

Washington, Sept. 30.—Brigade of Mexican troops in Northwestern Mexico, and once again the Department of State has given its approval to a plan to permit Mexican federal troops to pass through American territory in order that they may get behind the revolutionists and rout them from the vicinity of the boundary line.

Permission has been given to General Blanquet, a Mexican federal officer, to take his brigade from Eagle Pass, Texas, west to Del Rio and Marathon. Governor Colquhoun of Texas, however, sent a message to the Department of State to-day announcing his withdrawal of permission for Mexican troops to march over Texas soil. The Governor's message was as follows:

Concerning the moving of Mexican troops through Texas from Eagle Pass to Del Rio and Marathon, my adjutant-general calls attention to the fact that it will be a seventy mile march over rough territory from Marathon.

Officials here do not concede the right of any state authority to prevent the free movement of United States troops, nor the performance of such an international obligation as that imposed upon General Steever by the State Department in this case.

IN HONOR OF "LORD BOBS"

Congratulations to General on Attaining Age of 80.

London, Sept. 30.—Earl Roberts, England's greatest living soldier, affectionately known as "Lord Bobs," celebrated to-day his eightieth birthday at Englemere, his country place, near Ascot. He received hundreds of congratulatory letters and telegrams from all parts of the British Empire.

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Nicaraguan General to Testify Before Senate Committee.

New Orleans, Sept. 30.—Sensational revelations touching the recent intervention of the United States in Nicaragua are promised by General Juan Leizaola, who arrived here to-day from Salvador to appear before the Senate committee which will investigate revolutionary matters in Nicaragua.

FOR THE GOOD OF PERSIA

England and Russia Desirous of Strengthening Her.

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BULGARIA AND SERBIA MOBILIZE

Continued from first page.

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CHINESE LOAN FIZZLE

Underwriters Left with 60 Per Cent of It on Their Hands.

PUBLIC REMARKABLY COY

Situation Looks Bad for Birch Crisp When Second Half Comes To Be Offered.

[By Cable to The Tribune.] London, Sept. 30.—Another chapter has now been written in the story of the \$50,000,000 Chinese loan, which was so loudly acclaimed as a daring defiance to the six powers. According to the latest developments, it seems the coup was more daring than wise.

The public seems to have taken warning from the intimations of the six power group to China that the proceeds of the \$50,000,000 loan would be demanded for the satisfaction of obligations already overdue, and held off from subscribing. While first reports were to the effect that the loan had been largely oversubscribed, careful examination shows that the underwriters' subscriptions and the public subscriptions were both included in the early report.

The facts are that the public has subscribed for less than \$10,000,000, and that the underwriters have more than 60 per cent of the loan left on their hands. As only half the amount of the loan is included in the present offering, which received a tremendous advertisement from the dramatic circumstances attending the making of the contract, the situation looks very bad for Birch Crisp when he comes to offer the second half of the loan.

Not only has the public failed to come in, but it has also been discovered to-day that by an error in the notices of the payments the loan is allotted to those who subscribed at 90 instead of 95. Bankers accordingly have been busy all day trying to correct the error, and not lose more money thereby than absolutely necessary.

In a statement on the subject Mr. Crisp added that the number of applications, including those of the underwriters, was 5,890, and the amount asked for in these was \$34,925,000. The loan is quoted to-day at 4 discount.

Dispatches from Berlin state positively that a \$10,000,000 Chinese loan is being placed in that city and in Belgium, but all knowledge of such loan is denied by Birch Crisp and others interested.

London, Oct. 1.—A Brussels dispatch to "The Daily Mail" says that a contract was signed on Saturday for a \$50,000,000 loan to China by a Belgian syndicate. This money will be expended on the extension of the Kai-Feng Railroad to Ho Nan-Pu, in Kan-Su.

Berlin, Sept. 30.—The German government is inclined to disapprove strongly the issue of the \$10,000,000 "independent" Chinese loan in Hamburg, of which the authorities first learned from the newspapers.

The Ministry of Finance, which is investigating the matter, is doubtful of the success of such a flotation, although it admits that government control is perhaps less effective in Hamburg than in other financial centers.

The Chinese Legation here disclaims any knowledge of the loan.

AVIATOR DIES OF HURTS

German Army Airman Fails to Rally After Smash.

Sonnenberg, Germany, Sept. 30.—The death of another German army airman, Lieutenant Willy Hefer, occurred to-day. He was injured during the Imperial maneuvers in Saxony, when his aeroplane came into collision with a tree while he was making a reconnoitring flight.

It was at first believed he was not seriously hurt, but his body was so shaken in the accident that he never rallied, and expired to-day.

The death of Lieutenant Hefer constitutes the eighteenth aviation fatality for the month of September, and brings the total deaths from heaven to air flying up to 121.

ANSWERS PARTITION SUIT

Mrs. Ethel J. Conkling Says Her Dower Rights Are Violated

Mrs. Ethel J. Conkling, who is suing Alfred B. Conkling, lawyer, politician and author, for a separation, filed her answer yesterday in a partition suit in which she and her husband are the defendants and Howard Conkling, a brother of the latter, the plaintiff. Mrs. Conkling asked that the action be dismissed because three properties in which she has dower interest were not included.

A judgment was given because Mrs. Conkling failed to answer in time. She had the default opened which enabled her to file her answer. Mrs. Conkling said the properties that were not included in the partition were No. 115 East 63rd street, No. 32 East 30th street and No. 146 East 77th street.

VALPARAISO IN PANIC

Population Under Canvas, Fearing Earthquakes.

Valparaiso, Chili, Sept. 30.—Panic in consequence of the prediction of earthquakes in Chili caused most of the inhabitants to pass last night in tents pitched on the open spaces and in the parks, where bands played to cheer them, while troops patrolled the streets.

BISHOP STIRS METHODISTS

New Head of Church Here Greets Ministers at Meeting.

MORAL REFORM NEEDED

Missions and Unity Discussed—Minister Attacks Gaynor—Dr. Wilson Has Unusual Powers.

Bishop Luther B. Wilson, the new Methodist superintendent of the New York district, greeted the ministers of this district yesterday at their Monday meeting. There were present ministers from New Jersey, Brooklyn, Manhattan and The Bronx and the Hudson counties. The new Bishop comes from Philadelphia, assigned to this district by the last General Conference.

The subjects he emphasized on taking charge were three: The moral conditions of New York, the part of Methodism in teaching and helping people born in foreign lands and the necessity for unity among Methodists if much is to be accomplished.

Bishop Wilson, in his address to the pastors, said: "The moral condition in New York at the moment is not what Christians could wish it to be. It is discouraging to Christian workers. If political power is being prostituted to base purposes that fact is disheartening. I want to give and want you to give, all possible doubt to tales we hear."

"A political job is a most difficult one. There are many ways to fail. There are many stories about that are not true. But, after expressing all reasonable doubt and making all needed all-givances, it seems to me the situation is one to give us pause."

"New York is a city set on a hill. All the world takes note of what it does. It is regarded abroad as essentially a Christian city. Is it? Do we wish it to stand in the world's eyes on its record of the moment? It seems to me that as men, as Methodists and as ministers it is time we lent a hand to correct some of these wrongs."

The Bishop, who is president of the Foreign Mission Board of his Church, spoke of foreign missions, but added immediately: "We have sympathy for darkest Africa, and would help. We have no less sympathy for darkest New York. We have no right to leave over New York's needs in a feverish excitement to relieve China. Has Methodism done all it might do for foreigners in New York?"

He added that he did not know, but pointed out that tremendous tasks confront here. The Bishop's third appeal was for unity among Methodists. He said he had heard from many quarters that Methodists had not accomplished much of late years in New York, and he also heard it openly declared that it was not probable it would accomplish much in the near future. He disclaimed agreement with these statements, but said he feared it to be true that Methodism had not advanced greatly here within the last few years.

"Yet Methodism is not decadent," he added, and several times thereafter in his long talk on this matter of Methodist unity, co-operation between churches and organizations he repeated this statement: that Methodism was not failing here or elsewhere. He feared, he said, that Methodism in New York too often separated the classes and the masses, with a not infrequent leaning toward the classes. He warned the ministers, both in his address and in his long prayer, that Christ's cause would succeed in New York only if they sacrificed themselves to the general good.

Bishop Wilson comes to New York as Methodist resident superintendent for four years under conditions different from any of his predecessors. Because of a clamor for bishops with permanent supervision over given fields, as in the case of Catholic and Episcopal bishops, the last General Conference made a concession and gave the superintendent a charge of a district and Bishop Wilson's jurisdiction includes a considerable number of conferences.

Immediately following the address of the Bishop the Rev. Dr. F. C. Ignatich attacked the record of Mayor Gaynor in failing to close saloons on Sundays. He said he told the Mayor two years ago such a course on his part would lead to open crime and a riot of murder, and it had done so. Had the Mayor enforced the law, declared the minister, he and not Governor Wilson would now be a candidate for President. He said Theodore Roosevelt had closed New York's saloons, and it was that that made him President.

THE ILLINOIS POWDERS UP

Battleship Beautifies Herself by Filling Magazines.

All hands—and that means every mother's son of the crew now on board the Illinois—battleship Illinois lying at anchor in the North River off 7th street—turned to early in the morning yesterday to take aboard powder and ammunition for the main and secondary batteries from lighters sent down from the navy storehouses at Iona Island.

A big red flag, hoisted at the fore soon after 8 bells, warned passing craft bound up or down the river to give the battleship a wide berth. They did so from then until sundown, for a warship loading powder commands the universal respect of the skipper and crew of every vessel under steam or sail.

If it were not for the fact that the Illinois is actually in commission it is in what is known as the "first reserve," she would have had her full complement of 68 officers and men on board to help the powder divisions hoist and stow the powder and ammunition in the magazines. As it is, there is only a skeleton crew of about one hundred and seventy-five men, some of whom are short-time enlistments shipped at Newport, from which harbor the ship arrived on Sunday. About a third of the crew belong to the engine and fire room force, under the immediate command of Chief Engineer and First Lieutenant J. H. Blackburn.

These and all the rest of the enlisted men and petty officers went to work with a will yesterday under the direction of Lieutenant Commander Pope Washington and the watch officers, Lieutenant W. T. Smith and Ensigns C. S. Roberts and Rush Fay, and by the time the "liberty call" was sounded, at 5 o'clock, a full supply of powder and ammunition was stowed in the big ship's shell rooms and magazines, which had been thoroughly inspected by the ordnance officer, according to navy regulations.

Speaking of the present status of the ship Lieutenant Blackburn said yesterday: "She was not put in full commission when we left Boston, but she could be placed in full commission now in twenty-four hours, for we have our regular supply of coal, powder, ammunition and stores except fresh provisions, and all we need is our complement of men."

PRESBYTERY FOR PUBLICITY

Hereafter Quarterly Meetings Will Be Open to All.

The members of the New York Presbytery held their quarterly meeting yesterday afternoon in the council room of the Old First Presbyterian Church, at Fifth avenue and 11th street, and decided that from now on the doors of their meeting rooms should be open to the public, theological students of all cults and reporters. Hereafter only officers of the various committees and members of the Church have been permitted to attend the quarterly meetings of the Presbytery. It was stipulated yesterday, however, that executive meetings should remain as private as ever.

There was not one vote against the proposed change. Later motions were made and seconded to send a little more money to their missionaries who have been doing work among the deep sea fishermen of Labrador, the plague-ridden natives of Middle China, the fishermen of Sitka, Alaska, and other far-off and little visited lands. Appropriations were suggested and approved for the reconstruction and repair of various buildings of the Old First Church.

DEVER'S CLASSIC GINKS

"Them Statues" That Made Life a Pastoral Go Roaming.

SO HE SUES A FURRIER

"Best Chief Ever" Had Bought Ten Town Lots to Flirt with Thalia and Thalestris.

Persons who had the privilege in the old days of entering the house which William B. Devery occupied on the lower West Side, near Eighth avenue and the famous pump, will be prepared to believe that he is now a lover of fine art. When "Big Bill" was "the best chief of police New York ever had," as Mr. Van Wyck was wont to say, could tell Chinese porcelain from Satsuma ware, and he had so much of that sort of stuff about his front parlor that visitors were afraid to sit on the gilded chairs, upholstered in old rose brocade. So they simply stood before the white marble mantel and gazed admiringly at the big portrait of "Bill" in his blue uniform, holding his cap, on which the artist, with attention to detail, had painted the word "Chief."

Everything was in that parlor—teakwood tables with porphyry tops, ormolu chairs and little Turkish taburets that would have made jealous the proprietor of the finest smoking parlor in the old Tenderloin. Mr. Devery knew what was what then. Since he has quit being a policeman he has learned more.

Most everybody knows that Mr. Devery has been living down at Far Rockaway in the summer time for years now and, in fact, his place there is about one of the best in the neighborhood. That is one reason why he appeared yesterday in the Far Rockaway police court against Edgar Lehman, who is a furrier in West 23d street, Manhattan, and has a regular mansion at Elstow Park, which, as is well known, is one of the most exclusive sections of Far Rockaway.

New Lanes and Penates. Mr. Lehman did own a lot of property along Summit Drive, in the middle of which there was a fountain. About the fountain there were statues. They were not marble statues, but like those wonderful ones that they put up when Dewey came here to town and marched down Fifth avenue. Mr. Devery bought ten town lots a-running and abutting along Summit Drive, just on account of those statues and the fountain, because in his leisure moments, since he has quit thinking of things appertaining to police and touching on politics, he has studied ancient history and Greek mythology. Those statues appealed to him.

One day last week Mr. Devery arose and looked out of his bedroom window over toward the fountain and the statues that were wont to gladden his eyes in the early morning. The statues were not there and the fountain was dry.

"By heck," said Mr. Devery, "without those things this place will look like Goldberg's deserted town, sweet Auburn, where the Dannemora prisoners are held. He went out to see where the statues had been. He had an idea that Galatea-like they had come to life and walked away; they were that natural.

And where do you suppose Mr. Devery found the masterpiece? They were sitting on the lawn of the mansion which Samuel Welner, who is also a furrier, has built in Mott avenue. Mr. Devery knew how they got there, he thought, and straightway went for a summons for Mr. Lehman to come to court and tell why he should interfere with a public highway's ornaments.

Chief Magistrate Otto Kemper, who was sitting in the Far Rockaway court yesterday, said that Mr. Devery's case was not a good one, and dismissed the complaint. Mr. Devery told his lawyer to take it to the grand jury.

SOME CLASSIC, BELIEVES BILL

"I'll tell you about them statues, or rather those, I should say," said Mr. Devery later. "One of them was Thalia. She was the muse of pastoral verse of which I have got to learn a lot down here. She inspired gaily and was the patroness of the banquet. Later she became the muse of comedy, and if you will go over and take a look at her you will see some mack, her shepherd's crook and her wreath of ivy. But this ain't no comedy—it's going to be tragic.

"Then there was Thalestris, the Queen of the Amazons. She was some girl, I thought, seen down here in their fancy bathing suits this summer. Another was Thesus. Sounds something like the name of that place they used to run up there in 14th street which some pronounced 'Tice,' but he was an Attican. That gink induced a lot of little Attican boroughs to go into a sort of Greater Attica and made the same blaméd mistake that we did when we latched up New York and Brooklyn and Queens and the rest of the bunch.

"The last was Shaddai, who made war on Diabolus. That guy was some scrapper, as you will perhaps remember, but what he did will be sham battles to the war I'll make if them statues don't get back.

A LABOR SAVER

The Tribune's Room and Board Register will save you money a step—Advt.

PERJURY, SAYS McNAUGHT

Learns of Stipulation Exempting Witness from Liability.

E. W. CLARKE IS ACCUSED

Body Judgment Issued When Defendant Refused to Pay for Alleged False Testimony.

Roy H. McNaught, former president of the Erkins Company and son of Colonel James McNaught, formerly general counsel of the Northern Pacific Railroad, has not only appealed to the Appellate Division in the action on which judgment was given against him and an execution issued against his body—because of which he surrendered to the Sheriff Friday—but has made allegations that false testimony was given against him by Erastus Weeden Clarke, a promoter and treasurer of the Erkins Company, who was one of the defendants.

The suit against McNaught and Clarke was brought by Joseph F. Eastmond, who alleged that he was induced by false representations to invest \$5,000 in the company. A peculiar situation arose at the time of the trial of the action, which was not included in the accounts of the case as heretofore published set forth. This was the fact that McNaught, who was compelled to stand the brunt of the responsibility in the action, did not make the alleged false representations. The contract among McNaught, Clarke and Eastmond was drawn up by Clarke. Yet the latter was released from liability in the action by the plaintiff upon Clarke becoming a witness for Eastmond.

After the trial McNaught learned of the existence of a stipulation between counsel for Eastmond and counsel for Clarke which read as follows: It is stipulated and agreed by and between Marshall A. Barney, attorney for the plaintiff in the above entitled action, and Roy H. McNaught, attorney for the defendant Erastus W. Clarke, that a stipulation bearing date February 10, 1912, this day delivered to said Weeden Clarke, which is upon the condition that the same shall be delivered to the defendant Clarke if the said Barney is satisfied that the evidence furnished by the said Clarke will be reasonably sufficient to insure each of the said plaintiffs to recover judgment against the defendants upon the trial. It is understood that said Barney shall determine within three days before the date of the trial of the above actions whether the aforesaid evidence is sufficient as hereinbefore provided. Said Weeden shall thereupon be at liberty to deliver to said Clarke said stipulation.

MARSHALL A. BARNEY, Attorney for Plaintiff. New York, March 13, 1912.

Also there arose a disputed point about an inventory, to which Clarke had testified. The inventory was lost, but upon its recovery Clarke acknowledged that its testimony against an alleged deficiency in the company was not accurate. Upon the additional evidence produced by McNaught he obtained an order of a new trial. However, McNaught refused to take the advice of his father, Colonel McNaught, to comply with the terms of the court's order, which taxed him \$20 as costs. McNaught, including \$10 for the taking of Clarke's alleged false testimony before trial.

A memorandum filed in court by counsel for McNaught on the matter of filing a bond for the payment of costs said in part: The giving of a bond to secure the payment of a judgment under such circumstances would be aiding and encouraging perjury and conspiracy. The legal and moral effect of such a stipulation was carefully considered by the court in a case discharging a lawyer, reported in "The New York Law Journal," July 27, 1911. The courts uniformly condemn all agreements tempting a witness to commit perjury, and would certainly say that a party inducing a witness to commit perjury or entering into an agreement to indemnify a witness for costs or other conditions incurred in such a proceeding.

McNaught has appealed from the judgment obtained against him by Eastmond and also against the order of the court granting the motion for a new trial only on condition that he pay the costs. McNaught's counsel argued that Clarke gave the testimony upon which the verdict was rendered against McNaught under the influence of the stipulation by the terms of which he was to escape liability as a co-defendant, which could legally have included arrest.

As to the execution against the person of McNaught, his counsel moved to vacate it because it had not been issued within three months after the date of entry, but was unsuccessful because of entry of proceeding formerly granted by the court. In the meantime, as early as June 3 last, Colonel McNaught went to the office of a bonding company and placed there ten \$1,000 bonds of the Atchafalaya & Santa Fe Railroad as security for a bond for his son when sued by the defendant. McNaught did not at any time seek to avoid the service of the execution. His son fell from a tree in Stone Island, where he was visiting, and McNaught and his wife immediately went there. McNaught returned to New York last Thursday, and the next day he was arrested by the Sheriff. He has the execution served on him, giving the bond for which his father had arranged.

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OPPOSES YERKES APPRAISAL

Executor Files Many Objections with Surrogate.

Louis S. Owsley, executor of the estate of Charles T. Yerkes, the Chicago street railway builder, filed several objections in the Surrogate's Court yesterday against the transfer tax appraisal on the estate filed several months ago by Frank K. Bowers, formerly a transfer tax appraiser.

Mr. Yerkes died in 1905 at the Waldorf-Astoria. His will set aside a fund of \$200,000 for the establishment of a Yerkes hospital in The Bronx. The estate, however, was much smaller than the testator had estimated it and there was not enough left to carry out the public bequest. Mr. Bowers stated in his appraisal that there was available for the hospital \$400,000.

This is one of the things in the report to which Mr. Owsley objects. He also says the appraiser erred in saying the testator had estimated it and there was not enough left to carry out the public bequest. Mr. Bowers stated in his appraisal that there was available for the hospital \$400,000.

Another ground for objection is that the appraiser failed to deduct the debts of Mr. Yerkes (owing to non-resident creditors and certain administrative expenses.

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