

TOPAKYAN FIGHTING TO KEEP FAIR PLACE

**Insists He Is the Only Persian
Commissioner General for
the Exposition.**

ALI KULI KHAN HIS RIVAL

**Former Charge at Washington Also
Named for the Place—New Min-
ister Awaits Verdict.**

Mirza Ali Kuli Khan, the Persian Chargé d'Affaires at Washington, sailed from here for his home in Teheran, Persia, on Thursday, and now Gen. Mehdi Khan, the new Persian Minister at Washington, the first to hold that post since the revolution, is awaiting news from the Shah's capital as to who is the real Persian Commissioner General to the Panama-Pacific International Exposition. Anxiously awaiting the settlement of the Commissioner Generalship question, too, is H. H. Topakyan, the Persian Consul General in this city, who has lived in this country for twenty-three years.

Mr. Topakyan, on learning of the exposition to be held in San Francisco, sought to have himself appointed Commissioner General for his country at the Panama Fair. He formally offered for his Government, through the Chargé Mirza Ali Kuli Khan, to take charge of the Persian section of the exposition and to put up an adequate building and exhibits creditable to the Persian Government. Ali Kuli Khan assured him, Mr. Topakyan says, that he would at once request his appointment to the post of Commissioner General of Persia at the Fair. On this understanding, Mr. Topakyan says, he went to San Francisco to arrange for the building and exhibits, taking Mirza Ali Kuli Khan along.

The site for the Persian building was dedicated in November, 1913, and the deed to Persia was presented by the President of the Exposition, Charles C. Moore, to Mr. Topakyan.

On Nov. 23, 1913, the cabled appointment of Mr. Topakyan as Commissioner General came from Persia to the Chargé d'Affaires at San Francisco, who was ordered to notify the United States Government and also the exposition authorities. He did so. Mr. Topakyan has a letter from Mirza Ali Kuli Khan on that day notifying him of his appointment.

Gratified, Mr. Topakyan immediately began to set about the providing of the Persian buildings and exhibits. He enlisted two large American firms and one large Persian firm in America, each of which agreed to contribute \$10,000 for the erection of the building, and all of whom were to furnish exhibits valued at \$300,000. He signed the agreement. He signed it in his own name as Commissioner General. He also signed it for Persia. He gave the matter all his time, and the three firms prepared to give the money.

Then, suddenly, three months later, he received a communication from Ali Kuli Khan, notifying him that he, the Chargé d'Affaires at Washington, had been appointed Commissioner General for Persia at the exposition, and that Mr. Topakyan was appointed a Commissioner, a minor official under him.

"I could not believe my eyes," said Mr. Topakyan. "I thought surely this was a dream. I had his letter notifying me of my appointment as Commissioner General in my pocket. And now, after I had gone about all the preliminaries, lending my time, my name, my heart, and my soul to the project, he suddenly came in and announced himself Commissioner General instead of me."

Pressing for an explanation as to the sudden and radical change in condition, he said, he was told by Ali Kuli Khan that the Persian Minister of Foreign Affairs, on a visit in Europe shortly before, had unwittingly promised the post of Commissioner General to a third man, a Persian Commissioner at the Exposition of Ghent.

"I remonstrated," said Ali Kuli Khan, "as soon as I learned of this. I told them of your prior appointment. And, lo! my friend, I was appointed instead. See, I received this cable from his Excellency the Foreign Minister: 'You are appointed Commissioner General and

Mr. Topakyan is named Commissioner.'"

It was clear to Mr. Topakyan, he says, that the Persian Government could not have intentionally committed such a blunder. But how was he to explain to the United States Government and to the exposition authorities? He wrote to the State Department, asking it to communicate with the American Minister at Teheran and find out who was who. The State Department, through Assistant Secretary of State Osborne, replied, telling that it had been notified first of Mr. Topakyan's appointment, and then again of the appointment of Mirza Ali Kuli Khan. In both cases it had been notified by Mirza Ali Kuli Khan, as Chargé d'Affaires. Under the circumstances the State Department, having its hands full enough with Mexico, suggested that Mr. Topakyan take the matter up with the new Persian Minister. It was Persia's business, not ours, the State Department concluded, with evident relief.

And Mr. Topakyan has been taking it up ever since, and thoroughly. It was one of the first things the new Persian Minister had to deal with. He is dealing with it still. Gen. Mehdi Khan has not inclined to either side of the shaken fence, but with the skill of a trained diplomat has remained exactly and successfully on top. He promised to communicate with his home Government, and the answer has not yet arrived.

Next, Mr. Topakyan sent a letter to Gen. Morteza Khan, Momtagel Molk, a high dignitary of Teheran, and another to the Minister of Foreign Affairs, Wosoughed Dowleh, telling them of his "great distress" and loss and asking redress.

He wrote also to Abdul Baha Abbas himself, whose eminence and influence are second to none in all Persia, and who was once his guest. The Baha has sent him a letter in reply, assuring him of his remembrance of the great hospitality and patriotic work of Mr. Topakyan, and beginning and ending his assurance with eloquent benedictions. The friendly attitude of the Baha being thus ascertained, a cable was sent him last week by the Baha Society of this city, urging him to advocate the retention of Mr. Topakyan.

NEEDN'T DRILL FOR PARADE.

**Appellate Division Restores Bluecoat
Who Was Dismissed for Refusing.**

Policemen all over the city yesterday were discussing a decision handed down by the Appellate Division of the Supreme Court, in Brooklyn, in which the court declared that police officials had no right to punish a patrolman who refused to drill for the annual parade out of his own time. The decision restored to his place in the department Patrolman Robert MacNish of the Flatlands Precinct, who was dismissed by Commissioner Waldo because he refused to drill last Spring.

MacNish contended that the Commissioner was violating the law in compelling the men to drill in their own time. When ordered to do so he refused. Charges were made against him and he was dismissed from the force. He summoned Capt. Nedwell and Lieuts. Himmell and McConville to the Flatbush Police Court and charged them with violating the eight-hour law. The charge against the three officials was dismissed.

MacNish took his case to the Appellate Division. In discussing the case, Justice Stapleton in his opinion declared that the drill for the police parade was not in the list of emergencies for which policemen might be called upon to do extra duty, and that superiors in the department had no authority to compel patrolmen to drill in their hours off.

"With the policy of this legislation," (the eight-hour law) wrote Justice Stapleton, "or the effect upon the administration of the Police Department we have no concern. We are to decide the law. The Commissioner and the commanding officers are the creatures of the written law, and have no authority except that which is expressly conferred by the law. A member of the police force may not be dismissed for disobedience of an order which violates the provisions of the law."

TO BRING TRAVELERS HERE.

**Merchants' Association Will Help to
Get 1915 Convention.**

The New York State Division of the Travelers' Protective Association, at a meeting at the New Grand Hotel last night, was informed by a representative of the Merchants' Association that the latter organization offered the co-operation of 3,700 of its members in an effort to bring the 1915 national convention of the Travelers' Protective Association to New York City. Consequently a delegation, consisting of ten members and seven alternates was appointed to represent this State Division at the National Convention to be held in Dallas, Tex., in June, and invite the body to hold its convention in this city next year.

The New York Division of the Association elected the following officers: C. O. Winnie, New York, President; H. B. Bernhardt, Buffalo, First Vice-President; A. D. Scholz, Brooklyn, Second Vice-President; and L. C. Gosselin, Secretary-Treasurer. The new Board of Directors is composed of H. B. Hunt, F. D. Greene, A. D. Simmons and Neil McCoull, all of New York.