NEW STRIKE IN CAPITAL.

TREPOFF'S RULE IGNORED

Russian Workmen Insist on Shorter Hours—Employers Hesitate.

St. Petersburg, Feb. 9.—A partial strike at the Putiloff Iron Works and the complete tie up of the St. Petersburg Car Factory gave rise to rumors yesterday of a general resumption of the strike here, but the movement has not extended to other establishments, and the success of the manager of the Putiloff works in preventing the great body of workmen from following the example of their comrades in two of the shops gives basis for hope of an amicable settlement.

The present trouble involves the questions of pay for the time the men were out on strike and the eight hour day, which were discussed at a meeting of employers last night. The employers came to no decision, but determined to adopt a conciliatory attitude. They probably will concede a nine hour day, which will satisfy the employes pending general legislation on the matter of an eight hour day, to be binding upon all employers in Russia.

At present six government factories and thirteen private establishments are working fifty-seven hours or less weekly, and twenty-eight other large enterprises more than fifty-seven hours.

The question of allowance for time on strike is not so easy of settlement. Some works, including the American Westinghouse Company, have voluntarily paid their men for the whole week they did not work, but several large establishments, including the St. Petersburg Car Factory and the Putiloff Iron Works, refuse to do so, alleging that it would swallow up the most of their yearly profits. The Putiloff payroll during the strike would amount to $130,000. The St. Petersburg Car Factory already has paid for three days, but is unwilling to concede more.

Governor General Trepoff does not wish to interfere, this question being a purely economic one, but he has intimated to the masters that it is desirable that they should reach a settlement with their men. It is hoped, in view of the conciliatory attitude of the masters and the apparent readiness of the men to listen to argument, that another crisis will be avoided.

The students of the Military Academy of Medicine to-day struck on the ground that, owing to police intervention, it is impossible to carry on their education. They demand that the academy be closed until freedom is granted them.

The police have forwarded to the employers of labor a list of prominent strikers, and have demanded their immediate dismissal. The director of the Nevski Naval Construction Yard refused compliance, and other employers are similarly disposed, because many of the blacklisted men are skilled artisans, who cannot easily be replaced.

The police of Odessa have seized consignments of revolvers and cartridges intended for the strikers in the Caucasus.

POLAND UNAPPEASED.

No Sign of Strike's End—Employers Not United—Warsaw Quiet.

Lodz, Feb. 8.—The situation here remains uncertain, and nothing definite will be known until Friday morning, when some of the largest manufacturers have decided to open their mills and give the men a last chance to return to work. The masters say that if there is no response to the whistle on Friday they will close their mills indefinitely.

The masters are utterly unable to gauge the situation to-night, as the strikers appear to have no leaders, and it is impossible to ascertain whether they intend to accept the offer of a ten hour day and increased wages.

Little hope is expressed that the strike will be settled, though the men apparently are frightened by the violence of the agitators. The masters themselves are still not united. Many of them oppose concessions on account of competition with the mills of Moscow and St. Petersburg, where wages already are lower than at Lodz and the hours of work longer.

It is reported that the strikers have decided to resort to serious violence in case the mills are shut down. Everything is quiet here to-day.

Warsaw, Feb. 8.—Quiet prevails here to-day. The strike still continues.

HOHENTHAL SCHAUMANN'S FRIEND.

Crimes at Helsingfors Connected—Police Search Not Yet Begun.

Helsingfors, Feb. 8.—The assassinations of Bobrikoff and Soininen have been linked by the discovery that Schaumann and Hohenthal lived at the same boarding house and were warm friends. Hohenthal approved of Schaumann's deed.

Hohenthal reloaded his automatic magazine pistol to exchange shots with Soininen's son and a detective. So many shots were fired in little more than a minute that the apartment was filled with smoke. The police as yet have not made any arrests, but domiciliary visits and searches are expected soon. The city is calm and the newspapers give brief details of the shooting, but, under orders, do not discuss it.

PEACE RUMORS UNCONFIRMED.

Paris, Feb. 8.—The Foreign Office here is not aware that there is any basis for the renewed peace rumors. The Russian Embassy specifically denies statements contained in dispatches from St. Petersburg to the effect that instructions have been given to the Russian Ambassador at Paris discreetly to learn Japan's peace terms.

Tokio, Feb. 8.—A report emanating from London to the effect that the grand dukes of Russia, determined to obtain peace, had asked the friendly offices of Great Britain was published in Tokio to-day. The Foreign Office denied any knowledge of the matter.

GENERAL STOESSEL'S RECEPTION.

St. Petersburg, Feb. 8.—Great preparations are being made at Odessa for the reception of General Stoessel and the other officers returning from Port Arthur, but the "Razviedchik," a semi-official military weekly, contains an article declaring that it is more than ever necessary to hold a court martial, in view of the statements in the foreign press that the surrender was not forced by conditions within the fortress.

IN CALIFORNIA

They Use Fruit and Grape-Nuts.

Out at Los Angeles, Cal., they have people who give some attention to food as a sure way out of sickness.

A lady says: "Husband has been a sufferer from dyspepsia and biliousness together with indigestion for a great many years. He kept getting worse in spite of all the medicine he took.

"We did not know what to do for he was steadily running down, and whether he ate meat, bread, eggs, or anything of that sort, he kept losing flesh, until he got down to a skeleton, and, of course, was a physical wreck.

"One day a friend advised him to quit his regular breakfast entirely and use only Grape-Nuts and cream together with a little fruit.

"He took the advice and begun to grow better at once. It was only a short time when he began to fatten up and grow stronger. Now he is the picture of health and his old troubles have disappeared.

"We give Grape-Nuts to our baby boy. He is very fond of the food and is healthy and strong. We think he is the happiest year-old baby in California." Name given by Postum Co., Battle Creek, Mich.

Look in each pkg. for the famous little book, "The Road to Wellville."

TOGO ON THE MIKASA.

Admiral Resumes Command—Oyama's Lines Shelled.

Tokio, Feb. 8.—Admiral Togo arrived at Kure to-day, and immediately raised his flag on the battleship Mikasa.

Reports from the Manchurian army headquarters say that the Russians shelled various parts of the Japanese lines last Monday and Monday night. Small forces of Russian infantry attacked various points, but all the assaults were repulsed.

It is further reported that the Russians continue to intrench in the direction of Wan-Chia-Yuan-Tsu, Lita-Jen-Tun, Chen-Chieh-pao and Hei-Kou-Tai.

The British steamer Eastry, bound for Vladivostok with coal, was captured off Hokkaido yesterday. She is being brought to Yokosuka.

The Eastry is a steel screw steamer of 2,998 tons register. She was built in 1892 at Furness, and belongs to the Imperial Steamship Company, Limited, of West Hartlepool. She is commanded by Captain W. T. Horsfield.

GORKY TAKEN TO COURT.

Public Prosecutor Examines Author—Life in Fortress.

St. Petersburg, Feb. 9.—The examination of Maxim Gorky by the public prosecutor began yesterday in the Court of Justice, to which he was driven in a carriage from the fortress of St. Peter and St. Paul. Gorky is well, and is subjected to only the ordinary regulations of prisoners in the fortress, which require the wearing of a special garb to prevent possibility of escape. It is said that the fare and accommodations at the fortress are better than at any other prison in St. Petersburg, several of which are models of their kind. Prisoners in the fortress are confined in roomy, well heated casemates and exercised daily. The stories of terrible hardships and privations are said to be baseless. The chief reason for the dread of being confined in the fortress is due to the fact that an inmate is unable in any way to communicate with his fellow prisoners, the casemates being soundproof.

Mme. Gorky, apparently, is not deeply worried. After her interview with her husband on Tuesday she asked the commandant of the fortress that M. Gorky be allowed to wear ordinary clothes and use writing materials, but she said that her husband was not anxious to write. "What is the use of writing," he said, "when, according to the fortress regulations, what I write must be burned when I leave here?"

SHANGHAI FILLED WITH REFUGEES.

Shanghai, Feb. 8.—This city is crowded with Port Arthur refugees. Most of them are orderly, and nearly all have plenty of money, but many are sleeping in the streets. Efforts are being made to provide shelter for them until they can be transported.

BAIKAL RAILWAY NOT RUNNING.

Irkutsk, Feb. 8.—The transport of troops, passengers and mails by sledges across Lake Baikal began to-day.

NORWAY NEAR A RUPTURE

Trouble with Sweden Threatened Over Consular Question.

Christiania, Feb. 8.—In the Storthing to-day Dr. Hagerup, the Norwegian Premier, made a significant speech announcing the failure of negotiations between Sweden and Norway on the question of separate consular representation. He said a most serious situation was thus created. The people of Norway were animated by a desire to continue the good understanding with neighboring nations, but the present conditions of the union were indefensible and could not continue without endangering these relations.

It was the duty, therefore, of the Storthing to make an unrestricted provision for the assumption by Norway of the national and international position to which she was entitled as a sovereign state, and more flexible forms of co-operation must be considered if the existing bonds of union between Sweden and Norway were to continue. Premier Hagerup asked for the full co-operation of the Storthing with the Cabinet, which, he said, was prepared to resign if retention of office was calculated to place difficulties in the way of co-operation of the various parties.

A REGENCY IN SWEDEN.

King Oscar Hands Over Government to the Crown Prince.

Stockholm, Feb. 8.—King Oscar, who is seventy-six years old, is indisposed and unable to transact state business. At to-day's session of the Council of State he handed over the government to Crown Prince Gustaf until further notice.

This is not the first time that King Oscar has intrusted his powers to the Crown Prince. The King was compelled by ill health to do so in January, 1899, and it was reported at the time that the people of Sweden and Norway wished him to abdicate. The King again assumed power in January, 1901, after visiting England and France. King Oscar was born on January 21, 1829. Crown Prince Gustaf was born on June 16, 1858, and married in 1881 Princess Victoria of Baden. They have three sons.

WILLCOX ASKS FOR MORE HELP.

Needs Additional Carriers and Clerks, He Tells the Postmaster General.

Washington, Feb. 8.—Postmaster Willcox returned to New-York to-day. He discussed the need for forty more carriers and forty more clerks in his office with Mr. Wynne, and the Postmaster General will base his action on this recommendation on a report which will be made, probably next week, by postal experts who are now in New-York taking up this question of the need of increasing the force to this extent.

TELLS OF HUBBARD'S LAST TRIP.

Dillon Wallace, Who Brought Explorer's Body Back, Relates Adventures.

Dillon Wallace, who accompanied Leonidas Hubbard through the wilderness of Labrador two years ago, and who brought back the body of that unfortunate explorer, was the principal speaker at the tenth annual dinner of the Booksellers' League, at the rooms of the Aldine Association, No. 111 5th-ave., last night. The story of the trip was illustrated by stereopticon views.

Quoting frequently from his book, "The Lure of the Labrador Wilds," which is just completed, Mr. Wallace told of their long tramps and sledge rides through the sparsely settled country before they plunged into the wilderness. He told of Hubbard's grit when all hope seemed lost, of their final abandonment of the trail, and the attempt to return with Hubbard sick and growing weaker every day, and finally of the sad leavetaking when Wallace and the Indian guide had to leave Hubbard alive, but dying, in his tent. He said to them: "Well, boys, I'm busted. I can't go any further. That's plain. I can't go any further. We've got to do something."

The trouble to get the natives to let them have dogs to bring Hubbard's body back over the snow and the ice was told by Wallace, and of the final arrival at home. "Who knows," said he in closing, "but what the sacrifice of Hubbard's life may lead to some good after all, for his was the kind of spirit that keeps the world moving on."

J. A. Buchanan made a brief address on the labor question.

MORE DEMANDS ON MARCH 1.

Elevated and Subway Employes, Outside of Motormen, to Ask for Ten Hour Day.

The organization to which the elevated and subway employes belong will demand from the Interborough company, on March 1, a ten hour day for ticket choppers, porters and ticket agents. George E. Pepper, president of the association, said last night:

I will insist that the association go slow on this matter. I think the company is willing to be fair in dealing with us, and I shall certainly oppose any radical action. We will not submit our request until March 1, because of the existing agreement with the Interborough company not to make any demands until March 1.

An official of the Brotherhood of Locomotive Engineers said last night that, in case of any trouble over the demands of the Amalgamated Association, his brotherhood and that of the locomotive firemen would take advantage of it to demand an eight hour day, an increase in salary and a modification of the physical examination of the motormen.

GERMAN HOLD ON TURKEY.

France Likely to Refuse Further Loans—An Official Statement.

Paris, Feb. 8.—Officials here say that the complications with Turkey over the proposed loan and the ordering of guns for the rearmament of the Turkish artillery are commercial rather than political, although the authorities are taking an active interest in the affair, owing to the magnitude of the French commercial interests involved. The official version of the situation is as follows:

Turkey, desiring a new loan, offered to give a contract for a hundred heavy guns as an inducement to secure the loan. Afterward a syndicate of German banks undertook to float a loan and arrange with the Krupps to furnish a hundred guns. It recently developed that the Krupps were not likely to be able to deliver the guns within the time Turkey desired, owing to the present demand for artillery. Thereupon Turkey again turned to French banking and commercial quarters, which were unwilling to furnish the loan without also furnishing guns.

The matter is now pending, with the expectation that the Porte at a meeting to-day or to-morrow may decide to reopen the question, with the view of placing both the loan and guns with French firms. In the mean time wide range of action was given to Ambassador Constans, the steps he has taken being in the main toward hastening a favorable decision.

The officials continue to regard the question as largely commercial, although they are seeking to assist French interests. They state positively that the question does not involve political complications.

Constantinople, Feb. 8.—Germany's contract for the rearmament of the Turkish artillery threatens to result in a serious disturbance of Franco-Turkish political relations. The French Ambassador here, M. Constans, expects to leave Constantinople soon for Paris, in order to consult with the Foreign Minister, M. Delcassé. In the mean while the Ambassador has informed the Turkish government that the French market is closed to any fresh Turkish loan.

Tewfik Pacha, the Foreign Minister, tried to compromise the matter, offering to settle the Syrian railways question in a manner satisfactory to the French claimants and to purchase military equipment to the amount of $2,300,000 in France. The Ambassador, however, demanded the expenditure of $6,000,000, one-third of the value of the new armament, with French gun factories, and complete satisfaction of the French demands regarding the railroads. These terms the Ambassador declared to be final, and, not having received a reply on February 6, the Ambassador informed the Turkish government that he refused to continue the negotiations, adding that the French market was closed to further Turkish loans.

As a result of this notification the Ottoman Bank withdrew its proposals for the projected loan, and notified to the Minister of Finance, Reshad Pacha, that it would not entertain any request of the government for advances. The Deutsche Bank then came to the Porte's aid with an offer to assist the Treasury. The Germans are thus for the moment in complete possession of the financial field, and an irade has already been promulgated ordering the purchase of all the new guns in German factories. It has been decided, however, to rearm only sixty batteries at present, instead of 142, as originally proposed.

ALL ON THE DAMARA SAFE

Missing Boat from Sunken Liner Reaches Shore—Hardships.

Halifax, Feb. 8.—After battling for twelve hours in an open boat, with the temperature two degrees below zero and a mighty gale lashing the sea, Captain Gorst, three passengers and ten of the crew of the sunken Furness liner Damara have reached Pleasant Point in safety. The news was brought to Musquodobolt after a day's travel through almost impassable snowdrifts by one of the crew, who landed in the first boat that left the wreck yesterday.

It was with the greatest difficulty that the shore was reached amid the heavy breakers, and all the occupants of the boat were incased in ice from head to foot. Most of them had to be dragged from their craft. They were taken into nearby homes and made as comfortable as possible, but whether all will survive cannot be determined to-night.

Mrs. Prowse, the woman passenger, bore up under the trying ordeal wonderfully well and endured the great hardship with fortitude. She encouraged the men when they were almost overcome by the cold and wearied with constant work at the oars. When near the landing the rowers were so fatigued that they could not force the boat through the surf, and the men on shore waded out and brought the boat in.

Captain Gorst said the Damara foundered at 10 o'clock yesterday morning. They had stood by her for six hours in the lifeboat, and it was only when the steamer plunged into the sea that they pulled away. Captain Harrison, the marine superintendent, has telegraphed to the Furness agency here that the tug sent out last night found the Damara sunk in ten fathoms off Pleasant Point.

YERKES TO MANAGE LONDON TUBES.

Robert W. Perks Will Resign as Acting Chairman To-day.

London, Feb. 8.—At to-morrow's meeting of the Metropolitan and District Railroad, Robert W. Perks will resign the acting chairmanship and Charles T. Yerkes will be elected chairman. Mr. Yerkes henceforth will take the active management of the entire road. The electrical installation is practically complete over the forty-eight miles of the system, and only awaits the delivery of the cars to begin work.

PRUSSIAN DIET PASSES CANAL BILL.

Berlin, Feb. 8.—The Prussian Diet to-day passed the third reading of the General Canal bill by 244 votes to 146.

COMERFORD EXPELLED.

Climax of Charges He Made Against Illinois Legislature.

Springfield, Ill., Feb. 8.—Frank D. Comerford, a Representative from the 2d Senate District of Cook County to the 44th General Assembly, was to-day expelled as a member of that body by a vote of 121 to 13, and his name stricken from the rolls of the House of Assembly. His expulsion was the climax of sensational charges of corruption and attempted bribery made in a lecture on January 31 before the Illinois College of Law by Mr. Comerford against members of the Illinois Legislature. These were investigated by a special committee of the House, which found that the charges brought by Mr. Comerford were unfounded.

To-day this committee reported its findings to the House. It made no recommendation, either for or against punishment to be inflicted on Mr. Comerford, but the reading of the report was followed instantly by a resolution providing for his expulsion. The resolution cited him to appear before the bar of the House to-morrow and show cause why he should not be expelled. He emphatically declined to "take up the time of the House" by further delay, waived his right to prepare his defence and stated he was ready right then to defend himself. He was taken at his word, and in a speech of more than an hour's duration reviewed the testimony taken before the investigating committee, fiercely scored the committee for so limiting the scope of the investigation that "God Almighty Himself, if He came here, would have been prevented from getting evidence against a self-confessed thief."

"This committee stands convicted before the country of resorting to subterfuges to prevent any real investigation," he said. Mr. Comerford had his speech in typewritten form, but frequently he departed from its text to denounce certain members of the House for the nature of their testimony before the committee, which he claimed was so far different from what they had told him that "they stood convicted as liars."

TRANSATLANTIC TRAVELLERS.

Among the passengers who will sail to-day on La Lorraine are.

The Count and Countess M. de Caserte.
Henri Fournier.
Mr. and Mrs. George Gar-ireaud.
Chevalier R. de Knyff.
Jules Levy.
Miss Anna Van Campen.
Mr. and Mrs. Y. W. Dunston.

NEW DOMINICAN PROTOCOL

Amended Convention To Be Hurried Before the Senate.

Santo Domingo, Feb. 8.—The task of revising and amending the convention of January 20 between the United States and Santo Domingo has been completed. The section concerning the administration of the customs is only slightly altered, while the second section is greatly modified, the American government simply agreeing completely to respect the territorial integrity of Santo Domingo. The convention specifically affirms the Monroe Doctrine.

The customs officials are to be subject to the civil and penal jurisdiction of the Dominican Republic without being considered subjects of that government. There is to be paid to the Dominican government 45 per cent of the total gross amount collected in all the custom houses of the republic, that proportion of the revenues being for the necessities of the administrative budget. The estimate in the protocol of January 20, that this 45 per cent shall be $900,000 for the first year, is eliminated, as is also the agreement "that the extraordinary expenses which may be occasioned in the collection of the customs duties shall be made for the account of the creditors of the republic (of Santo Domingo), without assigning to the latter any part thereof." Any reform of the Dominican tariff is to be subject to approval by the President of the United States. There shall be no increase of export duties or of the public debt of Santo Domingo, but export duties may be reduced or abolished by the authority of the American government on the request of the Dominican government.

The Dominican government pledges itself to give all necessary aid to the American government in carrying out the purposes of the convention as the latter may deem convenient.

The convention will not take effect until it shall have been ratified by the American Senate and the Dominican Congress, and will remain in force for such time as may be necessary for the amortization of the Dominican Republic's debt.

The country remains quiet.

Washington, Feb. 8.—Mr. Dawson has reported to the State Department from Santo Domingo that the new protocol was signed yesterday. The document is expected here early next week, and will be submitted immediately to the Senate.

A feature of the protocol is the omission of the provision in the original memorandum of January 21 guaranteeing the integrity of Santo Domingo. The new document simply binds the United States to respect the integrity of Dominican territory. The Monroe Doctrine is regarded as sufficient to convey the broader guarantee.

As the protocol is regarded as executive business, the State Department does not feel at liberty to make public the text pending its disposal by the Senate.

PREPARING FOR THE PRESIDENT.

Excitement Runs High in Little Hungary—To Be at Press Club Dinner.

All of Little Hungary will turn out next Tuesday when the President visits the quarter. At the cafe in East Houston-st., where the Hungarian Republican Club is to give a dinner for him, partitions have been torn down and the whole building altered.

Great excitement prevails in this quarter over the coming visit. Flag dealers of the neighborhood have sold out their stocks, and bunting is commanding a premium. Electricians have been working overtime preparing big electric signs and decorations for the night of the visit.

More than 450 members of the Hungarian Republican Club will attend the dinner. More members would attend if room could be found for them. Partitions have been knocked down to make room for even this number of guests in one large hall. Hundreds of electric lights are being strung about. Over the centre of the main table will be placed an eagle which will measure sixteen feet from tip to tip. The decorations of flowers will follow as closely as possible the decorative scheme of the inaugural ball four years ago.

Among those who will be present will be ex-Mayor Low, Lieutenant Governor Bruce, Attorney General Mayer, General F. V. Greene, F. Norton Goddard, District Attorney Jerome, St. Clair McKelway, Senator Elsberg, General F. D. Grant, Rear Admiral Coghlan, Dr. E. R. L. Gould, James H. Hyde, William Barnes, jr., William Halpin and Postmaster Willcox.

President Roosevelt will be at the annual dinner of the New-York Press Club in the Hotel Astor next Monday night. Among the acceptances are those of Monsignor Falconio, the Apostolic Delegate to Washington; Count Cassini, the Russian Ambassador; Governor La Follette, of Wisconsin; Senator Depew, Admiral Coghlan, Commander Robert E. Peary, Charles M. Schwab and D. Cady Herrick.

OPPOSED TO INCREASE.

Ex-Judge Parker Against Eleven Judges in Court of Appeals.

Accumulation of great wealth by individuals and the rise of corporate powers were both assailed as perils to the future of the nation at the annual dinner of the Brooklyn Bar Association, held in the Pouch Mansion last night. Assistant Corporation Counsel James D. Bell, president of the association, acted as toastmaster. The speakers and their toasts were Justice Joseph A. Burr, "The Brooklyn Bar"; the Rev. Edward McCarty, of St. Augustine's Catholic Church, "The Future of the Bar"; County Judge Frederick E. Crane, "The Presumptions of the Law," and ex-Judge Alton B. Parker, "Suggestions for the Bar." Seated at the speakers' table as special guests were also Chief Judge Edgar M. Cullen, of the Court of Appeals, and ex-Justice George G. Reynolds.

In his opening remarks, Mr. Bell predicted that in the future the individual "would take a, back seat that the good of all should rule." After Judge Cullen had responded to a greeting, Judge Burr spoke, saying in part:

If there is any danger that the legal profession will loose the supremacy it has had, it will arise from the fact of the growth of plutocracy. If the nation is to fail, it will be because of aristocracy; it will not be an aristocracy of breeding nor of culture, but the danger will come from the accumulation in the hands of the few of enormous wealth. I have no great fear of the growth of corporate power; it is, after all, only the aggregate of individuals. An experience in the last few months has taught us, in the case of one corporation, brought into being by a legislature, that by the act of a faithful Executive and a competent prosecuting officer, we may be afforded relief. But what do you say of the accumulation of enormous wealth in the hands of an individual, who is not a creature of the legislature? How are you to reach him? If there is a remedy, it is in the hands of the members of the bar, because, after all, the active practitioners control the whole situation. The judiciary is what the bar makes it. It is impossible to have a corrupt judiciary when you have a high minded bar.

We have recently seen a striking contrast. On the banks of the Neva is the reign of one man. Surrounded by a corrupt oligarchy of wealthy men, the government of Russia has demonstrated in a remarkable degree its weakness and impotence either to meet a foreign foe or subdue an uprising among its own people. On the banks of the Potomac there is another ruler, strong, virile, possessing the affection of the people to a remarkable degree. Few have been able to do so much for the welfare of civilization, because he stands for, not the reign of man, but for the reign of law.

Father McCarty differed from the preceding speaker regarding corporations, calling them "filthy toads on the fair face of our glorious land," who "can throttle legislation both in the State and nation." He made a plea for the individual.

Ex-Judge Parker, after speaking highly of the integrity and ability of the Court of Appeals, besought from the Brooklyn Bar Association aid in defeating the concurrent resolution of the legislature, which proposes a constitutional amendment increasing the number of the judges of the Court of Appeals to eleven, and giving the Governor the right to divide it into two courts and designate where each should sit, as he sees fit. He went on:

We need solidity in the Court of Appeals, and it should not be played with. This proposition of the legislature would do away with the power of the Governor to add additional judges to the Court of Appeals up to the number of four. I have not heard of any lawyer who is in favor of taking away that right.

He also said that, in his opinion, there should be some change in the Constitution which would further limit appeal as a right, so that when the Court of Appeals had a case before it, it would have the time to consider it in minutest details.

FIFTY-NINTH ANNUAL REPORT OF THE

CONNECTICUT MUTUAL LIFE INSURANCE COMPANY.

To the Members:—

The experience of The Connecticut Mutual in its fifty-ninth year was satisfactory and may be thus outlined: Some increase in the new business written, in the amount of business in force, in premium income, in interest and rents, in assets and in surplus; a somewhat heavier mortality than in the preceding year, though still considerably less than that expected, giving a saving of $252,823, with no outstanding contested claims; a considerable decrease in the amount and cost of foreclosed real estate; a recovery in the market value of other securities of over $576,000 as against the shrinkage of about $770,000 in 1903; a reduction in the ratio of expense to income; a sound condition throughout. The company continues in that steady, full tide of beneficent operation which has for so many years distinguished it among all others, by administrative methods which hold always one grand object in view: a maximum of result to its beneficiaries at a minimum of cost to its policy-holders, each and all.

All details will be found in the financial statement which accompanies this report.

An Interesting Summary.

A summary of the operations of fifty-nine years may be stated thus: Received from policy-holders, $232,759,264.33; returned to policy-holders and their beneficiaries, $234,353,488.98, or $1,594,224.65 more than the amount received from them; with assets in hand of $65,224,841.53, and a surplus of $4,828,696.64 with which to meet a liability, actual and contingent, of $60,396,144.89 on $167,167,515.00 at risk on 70,454 policies. Except in the possible case of some society or concern with only a local and slight membership, no comparable results have been accomplished by any other American life insurance company.

Persistence of Business.

As for many years past, a most gratifying feature of our experience has been the persistence of our business. It has been no small factor in the company's prosperity. Business which goes off rapidly can be replaced rapidly only at an undue cost. Business which stays costs little, and permits the taking of new business sufficient for a uniform good experience at such moderate cost as does not disturb the favorable average. That is one of the simple secrets of The Connecticut Mutual's unequaled success.

New Business: Its Character and Cost.

The new business of the year somewhat exceeded that of 1903, and also exceeded the amount of business ceasing; so that there was some increase in the amount in force. The new business was selected with our usual constant care to take only such risks as are likely to give the same favorable mortality experience which has been so large a factor in reducing the actual yearly cost of our insurance hitherto, and it has been taken on the same low basis of cost which has been directly reflected in our large dividends to policy-holders throughout the company's lifetime.

To the faithful agents who, in the midst of a thoroughly demoralized competition, and despite the always pressing temptation of much higher commissions and allowances from others, choose to abide steadfast in our service, because of its greater value to those whose need they sincerely seek to serve, there is due alike from the management and from the policy-holders benefited thereby, the distinct and constant recognition of the high, unselfish quality of their labor for the greater good of the whole membership.

Relation of Mortality to New Business.

The public is often given to understand that, as a large and rapid influx of new business tends for a time to keep down the average age of the business as a whole, and so to make the death losses appear a smaller percentage of the whole amount at risk, it really gives a comparatively better mortality experience, and therefore justifies its abnormal cost. This is not true. It belies the whole basis and structure of life insurance. It is worth a moment's examination:—

Take 10,000 sound men, aged 30, insured for $10,000 each, or $100,000,000, altogether. We know within safe limits how many of these men will die each year until all are gone; we charge each one the premium adequate to meet that rate of loss, and from the premiums make the proper reserves. The first year only 84 will die, the company will pay out $840,000, or only eighty-four one-hundredths of 1 per cent of the amount at risk; twenty years later there will be 8,180 of these men living, with $81,800,000 at risk; 124 of them will die that year, the company will pay out $1,240,000, or 1½ per cent of the amount at risk; in the fortieth year 4,418 will be living, with $44,180,000 at risk, 265 will die, the company will pay out $2,650,000, or about 6 per cent of the amount at risk; in the fiftieth year there will be 1,770 living, with $17,700,000 at risk, 230 will die, the company will pay out $2,300,000, or 13 per cent of the amount at risk; in the sixtieth year only 216 will be living, with $2,160,000 at risk, 63 will die, the company will pay out $630,000, or about 30 per cent of the amount at risk. But the mortality which in the sixtieth year of the the business calls for 30 per cent of the amount at risk is just as normal and just as favorable to the company as that which in the first year called for only eighty-four one-hundredths of 1 per cent; and if the company has charged the proper premiums and kept the proper reserves, it is just as well prepared to pay the 30 per cent as it was to pay the eighty-four one-hundredths of 1 per cent; and if the business was well selected and well located, the chances for a mortality more favorable than that calculated for, with a consequent saving on losses, have been equally good all the way through.

No amount of forcing at whatever cost can always keep the inflow of new business greater than the outgo of the old. In the nature of things the day will inevitably come with any company, when its amount at risk must come to a practical standstill and the age of its business, and the consequent ratio of its death losses to the amount at risk, reach the maximum average. In that day the greater the amount at risk and the higher the cost at which it was obtained, the greater will be the struggle and the higher the cost of keeping it at even a standstill.

Securities.

The corporate securities held by us are of the highest class. Their par value is $25,361,070; they cost $25,685,116, and are worth in the market $26,694,418, or $1,009,302 more than their cost and $1,333,348 more than their par value. The year 1903 saw an almost unprecedented shrinkage in the market value of such securities, that upon our own holdings aggregating $770,000. The past year has seen a large recovery toward what may generally be regarded as an average normal valuation. Some of our securities affected by the shrinkage have been sold; the recovery on those still held is over $576,000.

Real Estate and Loans.

One of the most remarkable, as it was the most unforeseen incident of the financial history of the last two decades, has been the changes wrought in the conditions affecting the values of city real estate, caused mainly by the development of street-car service. Before the advent of the electric trolley living at a distance from business centres was difficult and expensive. Population tended to gather compactly in their near proximity. It spread only as it was forced outward by the spread of business. This tended to both increase and steadiness in values and to certainty in their realization. To-day the electric street car, with its speed, its comfort and its accessibility, the free mail delivery and the telephone have largely reversed the conditions and are leading the population to spread out freely in search of space, light, air, more privacy and cheaper land. The older settled parts of most of our larger cities thus find themselves in an active competition which can be met only by a reduction in prices which but a few years ago were justified by every measurable condition then in sight. For obvious reasons this great change has caused individual losses which have led to many foreclosures of loans justifiably made under former conditions of higher and supposedly stable values, and the dulness of the real estate market, due in some part to the continued operation of the changes noted, has in many cases compelled the lender to become the owner of the security.

In all this experience this company has had its share along with others. It now has foreclosed real estate which cost it $8,678,593. This is being gradually absorbed; some at a profit, some at a loss. Among our liabilities we carry an item for contingent depreciation of about $350,000. We intend to make no unnecessary sacrifices. So far our profit and loss account on foreclosed real estate as a whole is $1,368,943 to the good.

In our present more limited loans upon this class of property we are taking such account of the conditions referred to as we believe will guard against a future repetition of past experiences.

Notwithstanding the conditions which have changed and unsettled real estate values in many localities, and which are still in progress, it may well be that when they shall have become more completely developed and their operations more fully defined and their inherent limitations better understood, real estate, on the resultant basis of values, may recover much of its former favor, especially in view of the growing difficulties in obtaining out of the great flood of corporate securities those of a thoroughly conservative character, and for which the future demand is likely to be far greater than any possible supply. The funds asking thoroughly safe investment, whether by savings banks, insurance companies, trustees of institutions and estates, or private individuals, need to have available every form of security that offers a stable basis of income and of ultimate value.

The Business Ideal of The Connecticut Mutual.

Every business or enterprise undertaken for a distinct and particular service to the public, and which assumes to offer men something they truly need, and something for which those who need it should be willing to pay its true and necessary cost, carries within itself an ideal of method peculiar and necessary to the purpose intended, appropriate and effective to the form of result intended and essential to its perfect realization.

Especially is this true of mutual life insurance. It takes note of the great fact that he who has married a wife and made her dependent on him, and brought into the world helpless children yet more dependent, has assumed toward them and toward society itself a responsibility not only for their daily bread, but for all the manifold needs of their whole dependent future, which he cannot shirk and remain a true man; a responsibility which, in the great majority of cases, it takes his whole normal lifetime rightly to discharge, and one which his earlier decease must leave unfulfilled, to the great loss and injury of his dependent ones. And the risk, the danger of this loss, rests upon them day by day and every day. In the great majority of cases there is in hand no financial provision fully adequate and available to replace for all their future that which his family would lose in his death. There is but one way in which that provision can be made at once and kept always ready and secure. He must insure his life for the benefit of those who will lose by its loss. In no other wise can his responsibility be fulfilled for their whole future, which is as much his to provide for as is their present.

And it is this which we offer to do for him, for them; to take his money while he lives, and, to the fullest extent that money, much or little, enables us to provide for them when he is gone. It is a sober undertaking; it is his duty; it is our trust. And because it is his duty, and a transaction whose benefit goes to others, but whose burden falls on him, and in order that the benefit may be as great as possible to those who need it, and that, in proportion to the benefit given, the burden on him may be as small as possible, we offer to do the business on the mutual plan; to make no profit out of it for stockholders, but to charge him a premium which is certain to be adequate, and then, year by year, by careful selection of risks, by proper investment of reserves, and by economy in expenses, to save as much of that premium as possible and return it to him year by year, so that each year he gets his insurance at its actual yearly cost to the company.

And the full meaning of mutuality is, that what the plan does for one it does equally for each one. It does not set up a scheme of deferred dividends for twenty years, make each man pay his full premium each year, regardless of what the actual cost has been for the year, make him leave with the company each year's surplus from his premiums, to be forfeited if he dies or lapses, and to be finally divided up by the one-third—more or less—of those who survive and pay throughout the term; a speculation by each one in what he hopes he may not lose, but some one else will; a pool to which all contribute, but which a few only will divide; a gamble as to who those few shall be. True, mutuality in life insurance does not thus seek to favor a few at the expense of the many—to give the few what the many have lost. It charges each man a premium proportioned to his risk, and so charges every man alike. It ascertains each year each man's like proportion of the actual cost of the whole year's operation, and, returning to each man what he has paid in excess of his due part of that cost, gives to every policy-holder alike his insurance at its actual cost, with no discrimination in favor of any one, with no hardship upon any one. Each pays his own actual cost; each gets back his own contribution to the surplus created by all alike.

That is the ideal purpose, and that is the ideal method—the actual "square deal"—of mutual life insurance.

How truly and steadfastly the Connecticut Mutual has held to these ideals, and in what unequalled measure it has realized for its members and for their beneficiaries their best result, is told through all its history, and each recurring year witnesses it anew.

Respectfully submitted,
JACOB L. GREENE,
President.

January 23, 1905.

City Hotels.

1.—ELEGANTLY FURNISHED APARTMENT.—Private baths, including meals, $15 weekly; two, $25. VAN RENSSELAER, 19 E. 11th-st., near 5th-ave.

Surrogates' Notices.

IN PURSUANCE OF AN ORDER OF HON. FRANK T. FITZGERALD, a Surrogate of the County of New York, notice is hereby given to all persons having claims against Elizabeth M. Bunker, late of the County of New York, deceased, to present the same with vouchers thereof to the subscriber, at its place of transacting business at No. 49 Wall Street, in the Borough of Manhattan, in the City of New York, on or before the 15th day of August, next.

Dated, New York, the 9th day of February, 1905.
METROPOLITAN TRUST COMPANY OF THE CITY OF NEW YORK, Executor.
PARSONS, CLOSSON & M'ILVAINE, Attorneys for Executor, 52 William Street, Borough of Manhattan, New York City, N. Y.

IN PURSUANCE OF AN ORDER OF HON. Frank T. Fitzgerald, a Surrogate of the County of New York, notice is hereby given to all persons having claims against Edward A. Newell, late of the County of New York, deceased, to present the same with vouchers thereof to the subscriber, at her place of transacting business, viz., the office of Robinson, Biddle & Ward, No. 79 Wall Street, in the City of New York, on or before the 16th day of March next.

Dated New York 30th day of August, 1904.
ELIZA A. NEWELL, Executrix.
ROBINSON, BIDDLE & WARD, Attorneys for Executrix, No. 79 Wall Street, Borough Manhattan, City of New York.

Proposals.

PROPOSALS FOR CONSTRUCTING BY contract three scout cruisers, Nos. 1, 2 and 3, will be received at the Navy Department until 12 o'clock noon on Saturday, the 15th of April, 1905, when they will be publicly opened. Circulars defining the chief characteristics of said vessels and the plans and specifications therefor are now ready for distribution among prospective bidders. Forms of proposal and contract may be had on application to the Department after the 1st of March next. PAUL MORTON, Secretary of the Navy. 2-4-'05.

OFFICE OF THE COMMISSIONERS, D. C., Washington, February 2, 1905.—SEALED PROPOSALS will be received at this office until 12 o'clock m., March 20, 1905, for supplying electric generating plant for sewerage pumping station, Washington, D. C. Specifications and blank forms of proposal may be obtained at this office. HENRY B. F. MACFARLAND, HENRY L. WEST, J