

FIGHT IN MISSOURI

New York Life Gets Injunction

Will Contest Move of Supt. Vandiver

Secures an Order Restraining Him From Interfering With the Company's Business in State Until November 20

By Associated Press.
ST. LOUIS, Nov. 9.—The New York Life Insurance company through its attorneys, F. N. Judson and Former Attorney General Crowe, late this afternoon applied to United States Circuit Judge Adams for an injunction to restrain State Insurance Superintendent Vandiver from enforcing his order prohibiting the company from carrying on further business in Missouri.

HOSPITALITY IN ALBANY

Searching Inquiry Regarding Mutual Life's House in Capital

By Associated Press.
NEW YORK, Nov. 9.—The house in Albany, N. Y., which testimony before the insurance investigating committee has heretofore shown was for a number of years maintained by funds of the Mutual Life Insurance company, was again given close attention by Charles E. Hughes, counsel for the committee, when Michael P. Mullaney, the caretaker of the house, was called today as a witness.

Mr. Mullaney's testimony was in great part a corroboration of previous testimony that A. C. Fields, who was employed as stationery agent for the Mutual insurance company looked after legislative matters and paid the rent for the Albany house.

Today a number of vouchers signed by Mullaney were identified by the witness, who acknowledged receiving the money for them. Some purport to be for legal services, some for sundries and some for traveling expenses. Witness said he was not a lawyer and could not explain why vouchers were made out to that item. J. M. Beck, counsel for the Mutual, however, took occasion to remind the witness that vouchers for the maintenance of this house, it had been testified, were charged to legal expenses. Mr. Hughes said that did not explain why some were for traveling expenses and some for sundries.

Metropolitan Life Examined

The Metropolitan Life Insurance company figured in the greater part of the day's proceedings. John H. Hageman, president of the company, who was on the stand when adjournment was taken yesterday, was the first witness today, and the expenses of the company were further gone into. It was brought out that Mr. Hageman's salary is the same as that of John A. McCall, president of the New York Life, \$100,000. Previous to 1905, however, Mr. Hageman received \$90,000. The salary of Vice President Halsey Fluke is \$75,000. George H. Gaston, second vice president, receives \$37,500, and Frank O. Ayers, third vice president, receives \$16,250.

The work of agents in the field and their compensation was taken up with Mr. Hageman, and later James Craigh, the actuary, was called to supply details as to figures with which Mr. Hageman was not familiar.

HERRICK TRIES TO EXPLAIN HIS DEFEAT

Ascribes Democratic Victory to Wave of "Prejudice and Suspicion"

Beaten Candidate Declares Greatest Danger Now Confronting American People Is Readiness to Respond to Some Sudden Whim

CHAIRMAN TAGGART'S VIEWS OF THE RECENT ELECTIONS

By Associated Press.
FRENCH LICK SPRINGS, Ind., Nov. 9.—Thomas Taggart, chairman of the Democratic national committee, said today: "The Democratic party will greatly profit by the Ohio election and by the reform wave that has swept over a large part of the country. Its significance is apparent. The people are taking affairs into their own hands, are eliminating bossism, curbing central and autocracy in government and in the future will manage affairs themselves. This means the principle of the Democrats—the principles for which the party has always stood—have been recognized by the people as those which represent their best interests and that the people have become keenly alive to the fact."

By Associated Press.
COLUMBUS, Ohio, Nov. 9.—Governor Herrick tonight gave a statement to the Associated Press in which he says: "The people of Ohio by a substantial plurality have defeated me for governor. I bow to their will and trust that their welfare may be the only aim of the new administration."

"This overthrow of the Republican party in Ohio was not caused by business depression or industrial adversity anywhere in the state or nation; it was not caused by any mismanagement or corruption in the condition of the state government; it was not caused by any discontent on the part of the people with the record or achievements of the Republican party in the administration of state affairs during the last fourteen years."

"But despite all these things the people of Ohio have been swept away from the moorings of truth by a wave of prejudice and suspicion. Undoubtedly there is a 'prejudicial' reform, and a widespread insistence upon courage and honesty in public officers being manifested all over the land. That spirit has shown itself in the election of Jerome in New York, the triumph of Weaver in Philadelphia, and earlier, the breaking down of party lines in Massachusetts, Minnesota and Missouri. This fact and these things cause me to feel that the mischief done by the conservative mislead the impulse of the people of Ohio. The real issues of the campaign were forgotten and the passion that was appealed to throughout the state was to strike down something, destroy something, avenge some fancied wrong, avert some fancied danger."

America's Greatest Danger

"The greatest danger now confronting the American people is the readiness to respond to some sudden whim or pretext, desert party principles and follow some individual who claims, sometimes sincerely, often with hypocrisy, to represent a cause that is higher than party fealty. This spirit, which would deny party government and party responsibility and establish individual leadership in its stead, may advance to ruin the country, but can accomplish no good to society. It offers the most fruitful field for the demagogue and the iconoclast, and while some good men may be swept into power upon a popular wave that overcomes principle, the strain upon our institutions and upon the fundamental truths which lie at the bottom of our government will leave the structure weaker rather than stronger."

"The Democratic party is the immediate beneficiary of this state of affairs. I said repeatedly in the campaign is borne out already by the attitude of that party since the election. Its leaders everywhere are proclaiming my defeat as a Democratic victory."

"I have no other regrets. I discharged my duties as governor of Ohio with an eye and purpose devoted solely to the best interests of all the people. My conscience is clear. I bespeak for my successor that support and confidence which should always encourage the public servant, and I trust for every citizen an honest endeavor to serve the general welfare he may receive that approval to which an upright conscience is entitled."

CONTEST IN NEW YORK

Ballot Boxes Collected and Stored in Warehouses

By Associated Press.
NEW YORK, Nov. 9.—The contest over the mayoralty election inaugurated by William R. Hearst, the municipal ownership candidate, developed interesting and spectacular features today. For twelve hours the boxes containing nearly 600,000 ballots cast in last Tuesday's election blocked the streets in the vicinity of the headquarters of the board of elections on Sixth avenue, between Forty-first and Forty-second streets. The ballot boxes had been gathered during the night by the police and conveyed in patrol wagons to the election board's headquarters. There the officials refused to receive the ballot boxes, and the police, acting under a court order signed by Justice Gaynor, compelling the police authorities to turn the ballots over to the election board, had nothing to do but remain outside and await the pleasure of the election officials. Apprised of the situation, the attorneys for Mr. Hearst appeared before Justice Dickey of the state supreme court and secured from him an order compelling John R. Voorhis, president of the board of elections, to accept the ballots. The order was served promptly and the ballots then were received for by the election board. Under strong guards the patrol wagons containing the boxes were driven to various warehouses in this city and Brooklyn, where the ballots were stored subject to the orders of the election board.

CHICAGO VICTIM OF POLITICIANS

DENIED ADEQUATE TRACTION FACILITIES

They Block Any Settlement of the Matter, Knowing It Would Deprive Them of Their Chief Issue

special to The Herald.
CHICAGO, Nov. 9.—Frederick W. Upham, president of the board of review, today disclosed information showing that Chicago is denied adequate traction facilities because politicians realize that if the matter were settled they would lose their principal issue.

Mr. Upham says that eight years ago Charles T. Yerkes, then head of all the traction lines, offered for a twenty-year franchise to pay 10 percent of the gross receipts, put in the most modern equipment and keep it up, pave all streets where his tracks were laid from curb to curb and keep them swept and repaired. He also offered to light all these streets and keep them cleared of snow.

Another feature of the contest today was the announcement by the Citizens' union that it would join the forces investigating the charges of fraud and wrong-doing at this election, its prime object being to insure a new election law in the state of New York.

Attorney General Mayer said tonight: "District Attorney Jerome has placed at my disposal the machinery of his office and will co-operate with me in any way, as I will with him, in the prosecution of offenses against the election franchise. Assistant District Attorneys Perkins and Sanford are to devote themselves to this work in conjunction with deputy Attorney General Mason and assistants."

BATTLING NELSON ENGAGED

Fighter to Marry Young Woman Who Lives in Fairfax, California

Special to The Herald.
CINCINNATI, O., Nov. 9.—Batting Nelson today announced that he was engaged to be married. The fair one who captured Batting's heart and who is in time to share his fortunes is Miss Marguerite Ballanger of Fairfax, Cal. She is only 16 and Nelson wanted to marry her at once, but has agreed to wait.

SWARM OF COLONISTS

Southern Pacific Figures Show Big Movement to Pacific Coast

By Associated Press.
SAN FRANCISCO, Nov. 9.—James Horsburgh, Jr., assistant general passenger agent of the Southern Pacific company, received yesterday the completed figures on the fall colonist movement to California for the forty days ending October 31. They show that for the entire period a total of 37,508 colonists bound for California passed the company's terminals. Of this number 23,202 came by way of Ogden, 755 via El Paso, 1400 via Portland and 451 via Los Angeles.

MRS. HUBBARD SUCCEEDS

Reports Completion of Her Exploring Trip in the Wilds of Labrador

By Associated Press.
NEW YORK, Nov. 9.—Mrs. Leonida Hubbard, Jr., who has been exploring in Labrador and for whose safety fears were entertained today, reported her successful completion of the expedition. The following telegram, signed by her and dated yesterday at Chateau Bay, Quebec, was today received by Herbert L. Bridgeman of Brooklyn: "Successful; will return home by the steamer King Edward."

BOY AWARDED DAMAGES

Judge Gives \$1999.99 for Loss of Two Fingers in a Lead Pencil

By Associated Press.
SACRAMENTO, Nov. 9.—The appellate court has affirmed the judgment of \$1999.99 to the plaintiff, a 9-year-old boy, who, while in the employ of the defendant, lost two of his fingers by coming in contact with a circular saw.

WOMEN

Enjoy hotel life—yes, immensely. So fine not to worry over servants; no hired girl to leave as company comes; no tyrannical cook; no harassment—oh, it's delightful! But are women doubtful as hotel guests? Aye, there's the rub. Ever live in a strictly woman's hotel—no men allowed? Read of the amusing side in The Sunday Herald.

CONDITION OF THE POPE IS CAUSE FOR ANXIETY



Has Serious Affection of Heart, Which Worries His Physicians, and Is Suffering Great Pain From Gout, Which Is Chronic

Special Cable to The Herald.
PARIS, Nov. 9.—Dispatches from Rome have given rise to much disquietude regarding the health of Pope Pius X.

PEACE IS PROPHESED

BY PREMIER BALFOUR TO CONVINCING JURY

LONDON, Nov. 9.—"A century ago Pitt, standing where I now stand, prophesied war. Today I prophesy peace."

CAUSE BIG EXPLOSION

TWO THOUSAND KEGS TOUCHED BY POWDER COMPANY

CHICAGO, Nov. 9.—A dispatch to the Inter-Ocean from Uniontown, Pa., says: For the sake of illustrating a contested point to a coroner's jury here yesterday, 2000 kegs of powder, representing a value of about \$10,000, was exploded by a powder company. The shock of the explosion was felt in several surrounding townships and there was great excitement throughout this end of the country.

COMMENDED FOR HEROISM

Two Brave Bluejackets Receive Letters From Secretary Bonaparte

By Associated Press.
WASHINGTON, Nov. 9.—Secretary Bonaparte has written letters to two enlisted men on the battleship Ohio commending them for their heroic conduct in rescuing a fellow blue jacket from drowning. While the Ohio was off Taku, China, recently, J. Clegg and A. I. Froman, ordinary seamen, were thrown into the water by the breaking of a staging rope. Clegg's jawbone was broken in the fall. Froman made an attempt to rescue Clegg, but the latter seized him around the neck. Frederick W. Klaus, another sailor jumped overboard to save Clegg, Froman saving himself.

Another Fiancee for Alfonso

MADRID, Nov. 9.—The newspapers here publish without comment the reported project for the marriage of King Alfonso to Princess Marie Antoinette of Mecklenburg-Schwerin.

Gunboat Princeton at San Diego

SAN DIEGO, Nov. 9.—The gunboat Princeton arrived this evening from San Francisco and will remain here two or three days and then proceed to San Francisco.

WITTE IS OVERCOME

Breaks Down Under the Strain

Warships Bombarding the Cossacks

Oranienbaum Is Burning and Shipping in Harbor is on Fire—Cronstadt Unsafe and Czar Preparing to Leave

Special Cable to The Herald.
LONDON, Nov. 10.—The Times' St. Petersburg correspondent quotes a friend who left Oranienbaum at 1 p. m. Thursday as saying the whole quarters were then burning, including the market place and the state brandy stores.

ST. PETERSBURG EXCITED

News of Mutiny at Cronstadt Causes Consternation

By Associated Press.
ST. PETERSBURG, Nov. 10.—This city was in a ture of excitement all of yesterday and late into the night over the news of the mutiny at Cronstadt. Every one of the exaggerated reports of the affair received credence in many quarters and half the inhabitants of the capital believed that the mutiny was successful; that the troops sent from here had joined the revolt; that the entire garrison of St. Petersburg would follow suit today; that the town of Cronstadt had been burned to the ground, together with the surrounding forts.

The place was represented as being in the hands of 8000 sailors, who had murdered their officers, seized the arsenal and bombarded the imperial palace at Peterhof, across the bay. Butcher was said to have prevailed in the streets all during the day and the rumors even went to the extent of saying that Father John of Cronstadt had left the bed on which he was supposed to be dying to lead the mutineers.

THE DAY'S NEWS

FORECAST
Southern California: Fair Friday; light west winds. Maximum temperature in Los Angeles yesterday, 70 degrees; minimum, 58 degrees.

PART I

- 1—Herrick tries to explain defeat.
- 2—Salute in King Edward's honor.
- 3—Say fatal shot was accident.
- 4—Editorial.
- 5—City news.
- 6-7—Classified advertisements.
- 8—Auto victim may recover.

PART II

- 1—College plans improvement.
- 2—Sports.
- 3—Play of beauty is "Tom Moore."
- 4—Hard at work to feel poor.
- 4.5-6—Public advertising.
- 7—Markets.
- 9—Southern California news.

EASTERN

British and American fleets in Hudson river observe King Edward's birthday. Herrick tries to explain his defeat in Ohio.

New York Life will fight Missouri's effort to exclude it from the state.

FOREIGN

Count Witte breaks down under strain and has nervous prostration. Oranienbaum ablaze and warships are bombarding Cossacks.

Premier Balfour prophesies peace for England in speech at Guildhall.

COAST

Edna Wallace Hopper loses her case as far as California courts are concerned. Employes of railroads in Vancouver fight for right of way, using shovels and pistols.

LOCAL

Modern David Harum comes to grief, buy's windowed bayonet and gets black eye. Mrs. Tuffee, victim of automobile accident, may recover. St. Vincent's college plans improvements to cost half a million dollars. Judge Walker Burdwell, in debt of race horse suit, scores "Diamond Joe" Coster. County officials agitated over action of Treasurer Mark Jones in depositing county funds in various banks. Prominent member of Chatsworth Park Mexican colony faces murder charge and sweetheart testifies against him. Lineman, electrocuted, hangs twenty minutes in mesh of wires.