

McCALL MUST RETURN POLICYHOLDERS' MONEY OR LEAVE MISSOURI

State Insurance Superintendent Demands That Campaign Contributions Be Made Good in Thirty Days or He Will Revoke License of Company.

VAN DIVER ARRAIGNS HEAD OF NEW YORK LIFE FOR GROSS VIOLATION OF SACRED TRUST

Jefferson City, Mo., Oct. 7.—State Superintendent of Insurance Van Diver today sent the following letter to President John A. McCall of the New York Life Insurance Company:

To Mr. J. A. McCall, President New York Life Insurance Company: The recent startling disclosures in regard to the management of the funds of the New York Life Insurance Company and particularly the testimony of yourself and other officers of the company, given before the investigating committee of the New York legislature, make it my duty as superintendent of insurance for the state of Missouri to communicate to your company the views and requirements of this department, to the end that the policy holders in this state may not be defrauded of any portion of the dividends or surplus earnings that are justly due them on the premiums that they have paid.

The public has been very properly taught by yourself and other officials of great insurance companies that the funds of a mutual company constitute a fiduciary trust, held and administered for the sole use of those named as beneficiaries, many of whom are or will be widows and orphans; and many thousands of people have taken insurance in your company because of this very fact and the assurance that every dollar of assets belongs to the policy holders. That any portion of the policy holders' premiums, or profits on premiums, could be diverted to political purposes or other uses not contemplated when the premiums were paid in, and not consistent with the avowed purpose of a life insurance organization, must be considered by all right thinking people as a gross violation of a sacred trust. It is an act of treachery and a gross betrayal as defined by the statutes.

This department holds, therefore, that all moneys taken by your order from the treasury of the New York Life Insurance Company and donated to any political campaign committee or to any legislative agent or lobbyist for aiding or defeating legislation whether audited or un-audited on the books of the company, were taken without warrant of law or morals and without proper appreciation of your responsibilities as trustee of the funds committed to your keeping. And therefore this department must insist that all funds so used by you or by your order, and particularly the sum of \$148,702.50, which amount you confessed to having contributed out of the funds of the company to the republican national campaign committees for the years 1896, 1890 and 1901 must be replaced in the treasury of said New York Life Insurance Company within the next thirty days.

Notice is hereby served on the New York Life Insurance Company that unless this requirement is met or assurance is given that it will be met without unnecessary delay, I, as superintendent of insurance for the state of Missouri, will proceed under the provision of section 8, 1, 22, revised statutes of Missouri to cancel or revoke the license of the company to do business in this state.

There are many other transactions disclosed by the investigation now in progress, particularly the payments of large sums of money to one J. G. Hamilton without any accounting or auditing on the books of the company and the occupancy of costly real estate of the company by members of your family at a rental as low as to be practically a gift of the property, and also the protection of a subsidiary company from the loss of many thousands of dollars by the use of policy holders' money, as well as immense and disproportionate expense of the company in its mad rush for new business, all of which indicate the grossest impropriety and mismanagement, and may call for further investigation and official action. But from the facts already disclosed it is evident that the interests of the policy holders of the New York Life Insurance Company, as well as the public generally, demand a change in the management of the company. This department will, therefore, insist that a new president and vice president and the affairs of the company as soon as its board of directors may be able to effect a change.

Very respectfully, W. D. VANDIVER.

HUGHES NOT ANXIOUS TO RUN FOR MAYOR

New York, Oct. 7.—The committee sent to confer with Charles E. Hughes, examining counsel for the legislative insurance investigating committee, who was nominated for mayor for the republican city convention last night, would not discuss the result of the conference when they left the Hughes house this morning. Hughes said: "I have given no encouragement to the committee and I am strongly convinced I ought not to accept the nomination."

Schiffers Still Missing

New York, Oct. 7.—No information has been received of the whereabouts of Abraham Schiffers, the missing banker of Alamosa, Colorado, who was erroneously reported yesterday to be a member of the silk firm of Peleg and Meyer, whose sole members are

AMERICAN CONVICT UNMASKS VILLAINS IN LONDON TOWN

Remarkable Criminal Turns King's Evidence.

CONSPIRATORS AND FORGERS DEEP IN THE TOILS

London, Oct. 7.—Charles Fisher, an American convict, now serving a ten years' sentence in England for burglary, was the principal witness for the crown at the Westminster police court today, in a case against Talbot Bridgewater, describing himself as a medical specialist. Lionel Peyton Holmes, William Edward Shawkell and Elizabeth Foster, said to be Bridgewater's wife, charging them with conspiracy and forging the name of Marshall Fox, an American resident in London, to a check for \$4,052. Fisher said he was born in New York and that he had served several sentences in America. He broke jail in Cincinnati in 1892 and escaped to England, but was rearrested and returned to the United States on an extradition warrant. The case against the defendants dates back to the summer of 1904. Bridgewater is charged, was the originator of the plot. He is alleged to have paid attention to a lady, the secretary of Mr. Fox, and who is said to have installed Fisher as a boarder in her house at Streatham, a suburb of London. Fisher, it is said, secured was impressions of the keys of Fox's safe and the conspirators had a key made from this and got Fox's check book. Later Fisher was arrested in connection with an office breaking affair and sentenced to ten years. The case has attracted considerable attention from time to time as the prisoners were brought up on remand. Recently Fisher turned king's evidence and confessed to his share in the Fox robbery to an inspector of police in the jail where he is now working out his sentence.

LAWSON AGAIN ON THE TRAIL

Wants Policyholders' Protective Committee.

WIRES STATE GOVERNORS ASKING THEM TO SERVE

Would Have Great National Committee Take Hold of Insurance Companies and Weed Out the Grafters.

BRITAIN AND RUSSIA WILL GET TOGETHER

PREPARING TO NEGOTIATE CONCERNING CENTRAL ASIAN INTERESTS.

London, Oct. 7.—Negotiations in regard to their respective interests in Central Asia will shortly be resumed between the British and Russian governments. These were in active progress when the war between Japan and Russia broke out and necessitated their postponement. The four parties then was principally centered on Afghanistan and had reached a point promising a satisfactory understanding. It is hoped here that an agreement may be reached definitive spheres of Russia and Great Britain respectively and terminating guarantees against further advance on either side. It is fully realized that this would be a long step towards improved relations between the two countries.

Petition for Mob Law

Houston, Texas, Oct. 7.—A petition from a number of citizens headed by W. W. Knight, of San Marcos, has been presented to Governor Lanham asking the state to permit mob punishment of negroes who assault women. The governor in his response said it was impossible for him to contemplate such a policy in view of his oath and state legislation, which he is bound to protect.

DAN PATCH CUTS DOWN THE RECORD

King of Pacers Makes the Mile in 1:55 1/4.

EXCITEMENT UNPRECEDENTED AT LEXINGTON TRACK

Amid Ideal Weather Conditions Marvelous Horse Finishes Greatest Performance Without Apparent Effort.

Writ of Prohibition Fails to Figure in Jail Loses Star Prisoner.

Full and complete surrender by Thomas S. Hubbell of his position in opposition to the orders of the district court; carrying with it equally full and equally complete surrender of all property pertaining to the Bernalillo county sheriff's office. He has purged himself of contempt of court for which he was sent to the county jail a week ago last Friday by Judge Ira A. Abbott. He was released from jail yesterday afternoon at 3 o'clock on Judge Abbott's order, after his attorneys had agreed to turn over to Arrijo all property of the sheriff's office, not already in the hands of that official.

GOV. JOHNSON BELIEVES LAWSON IS IN EARNEST

St. Paul, Oct. 7.—Governor Johnson is in receipt of a telegram from Thomas W. Lawson, asking him to be one, with other governors, of a protective committee for policy holders, of the Mutual New York Life and Equitable companies, and to punish guilty officials. Governor Johnson replied to Lawson, accepting the proposition. Governor Johnson said concerning his answer: "I am more than willing to aid Lawson in any reform of which he is the head, for I believe he is in earnest."

OLD HATE FOR GERMANY STILL BURNS IN FRANCE

Reaction Comes After Accord on Morocco.

NEWSPAPERS RENEW THEIR CAMPAIGN OF CRITICISM

Paris, Oct. 7.—A marked reaction in public sentiment has followed the Franco-German accord concerning Morocco conference. Many leading newspapers are renewing their campaign of criticism against Germany. This is due principally to Chancellor Von Buelow's open statements favoring a Russo-German rapprochement. The Matin reviews the circumstances of M. Delcasse's retirement from the foreign office, alleging that a number of sensational events occurred in connection with the change. M. Delcasse is represented as making a speech to the ministry, warning them if they yielded to the German demands, a number of sensational events would thereafter would always be subject to German dictation. The Matin further asserts that Great Britain conveyed definite assurances to France of her readiness to mobilize the British fleet with a view of adopting aggressive measures if Germany attacked France.

TONTO FOREST RESERVE WILL CONSERVE WATERS

TO PROTECT HEAD OF TONTO CREEK WHICH FEEDS GREAT RESERVOIR.

Washington, Oct. 7.—The president has established a new forest reserve in Arizona, which is to be called the Tonto reserve and is intended to protect the watershed of Tonto creek, an important feeder of the great irrigation reservoir to be created near Phoenix. The reserve will contain 112,000 acres and will extend north and south from the Mogollon plateau to Salt River and east and west from the Verde valley to the White Mountain Indian reservation.

MITCHELL DOES NOT EXPECT COAL STRIKE

THINKS DIFFICULTIES WILL BE SATISFACTORILY ADJUSTED IN SPRING.

Pittsburg, Oct. 7.—John Mitchell when asked today regarding the possibilities of a strike next spring in the anthracite fields, said: "As far as I can judge, everything will work out harmoniously in the end. I can see no reason why there should be a grand coal strike next spring."

COMPLETE SURRENDER BY HUBBELL

Former Sheriff Turns Over Office to Arrijo.

RELEASED FROM JAIL AFTER COMPLYING WITH COURT'S ORDER

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NEW ORLEANS STILL IN THE FEVER'S GRIP

THREE DEATHS AND TWENTY-NINE NEW CASES REPORTED YESTERDAY.

New Orleans, Oct. 7.—Report to 6 p. m.: Total, 2,176. Deaths, 2. Total, 410. New febrile, 8. Under treatment, 207. Discharged, 2,559.

FIFTEEN NEW CASES IN PENNSACOLA

Pensacola, Oct. 7.—The fever summary today is as follows: New cases, 15. Total to date, 234. Deaths, 1. Total to date, 28. Cases discharged, 83. Cases under treatment, 108.

WABASH MEETING NOT POSTPONED

Toledo, Oct. 7.—The rumor that the Wabash annual meeting scheduled for Toledo next week is to be postponed, cannot be confirmed here. In fact, the local counsel of the company deny the rumor.

ROSTOFF-KILLED IN WEEK

Rostoff-on-Don, Russia, Oct. 7.—Twenty-seven persons were killed and thirty-five injured today by the wrecking of a fast mail train which left the rails.

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WILL HE ADOPT THE BABY?



BELLIGERENT BRITONS WOULD FIGHT DUEL

EARL KIMBERLEY AND FRIEND SAMPWELL LOOK DAGGERS AT EACH OTHER.

London, Oct. 7.—A sensational scene occurred at the meeting of the Norfolk county council today. Earl Kimberley, son of the distinguished Liberal statesman of that name who held many cabinet offices, member of the council, accused a fellow member named Sampwell of underhand methods and challenged Sampwell to take a train for France, where, he said, "we can fight it out under proper conditions." The challenge was received with laughter and treated as a joke by the other members of the council. After the meeting had closed the earl renewed his challenge, and Sampwell proposed to fight in a room of a nearby hotel. The earl insisted that they must fight abroad and said that if Sampwell refused he was a coward. At this point other members of the council intervened and later the incident was declared closed.

BAY STATE DEMOCRACY EULOGIZES MR. ROOSEVELT

Boston, Mass., Oct. 7.—General Charles W. Bartlett, of Boston, today was nominated by the Massachusetts democracy for governor. There were no contests for any of the places on the ticket. The remainder of the ticket nominated follows: Lieutenant Governor—Henry M. Whitney, Brookline. Secretary of State—Henry B. Little, Newburyport. Treasurer and Receiver General—Daniel J. Doherty, Westfield. Auditor—P. J. Ashe, North Adams. Attorney General—John T. Leahy, Boston.

TUSKEGEE TO CELEBRATE VISIT OF THE PRESIDENT

Washington, Oct. 7.—Emmett J. Scott, secretary to Booker T. Washington, of Tuskegee institute, and Charles W. Anderson, the negro appointed collector of Internal Revenue for New York last March, called today at the White House. Scott placed before Secretary Loeb the program to be followed at Tuskegee on the occasion of the president's visit October 28. An interesting feature of the president's

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