

MCCURDY DEFIED THE COMMITTEE.

President of Mutual Life Insurance Company Positively Declined To Answer Questions.

HIS TESTIMONY WAS JEERED.

Chairman Armstrong Says Steps Will Be Taken to Have Him Indicted.

New York, Oct. 17.—Testimony in the insurance investigation, which was resumed today after a week's adjournment of the legislative committee, was most exciting throughout the day, and only the repeated threats of Senator Armstrong, chairman of the committee, to clear the room, prevented violent demonstrations of disapprobation of the witness, who was Richard A. McCurdy, president of the Mutual Life Insurance company.

CROWD JEERED.

As it was, however, there were jeers at several periods of the day, and many times temporarily interrupted the testimony. These came when Mr. Hughes, counsel for the committee, asked questions that Mr. McCurdy was reluctant to answer or evaded, and were made by the crowd that stood at the back of the room, which long ago proved inadequate to accommodate the counsel and witnesses and the crowd of spectators.

When this investigation is going to lead or where it is going to end has caused no small amount of conjecture, and in some quarters, anxiety. With the many threats that have been taken up and dropped before they have been followed to their ends in order that some new lead may be taken up, and with the additional features that are disclosed almost every day, the interest grows more intense.

In Mr. McCurdy's testimony today a new feature was disclosed, and this was that the Mutual company employed a literary bureau to send out to the press of the country news matter that was of benefit to the company. This information was elicited during the probing of the legal expense account. It came out when a voucher for the payment of \$2,500 to Joseph Howard, Jr., in 1904, was produced. Another voucher for the same amount, paid in May, 1905, was marked "repayable on demand" and "for professional services."

Mr. McCurdy had vouched the voucher and explained that Mr. Howard was a newspaper correspondent, and that his services consisted in syndicated news stories.

Pressed further, Mr. McCurdy said: "Mr. Howard was a correspondent for the Boston Globe and several other papers."

Mr. McCurdy said he paid Mr. Howard about \$2,500 a year, and that the voucher for May, 1905, was "really a loan on advance."

During the earlier session of the day an attempt was made to obtain from Mr. McCurdy the reason for reducing the dividends on policies as the business increased and the assets piled up.

To all questions on this matter the witness was not fortified with the information sought; said that these were not essential matters and when pressed replied that he refused to discuss the question. He would prefer a witness, his attorney, whose business it was to know these things, but as for himself he would not discuss the question.

MCCURDY GETS DEFIANT.

Mr. McCurdy's demeanor was so defiant that the spectators bent forward to catch every word and stood on tiptoe, expecting every moment to hear him directed by counsel to answer the question.

His answer of another witness was all that prevented steps being taken toward his indictment. When Mr. McCurdy would not offer the information himself Mr. Hughes started on another line of inquiry.

Later in the day Chairman Armstrong explained that since the information desired by the committee could be obtained by another course it was desirable to the committee to let Mr. McCurdy answer himself in the position he did. But he, however, been directed to answer, and, knowing the information desired, had then refused.

Mr. Armstrong said, steps would have been taken to indict him for misdemeanor, which is the offense of a witness refusing to answer questions before a legislative committee while the legislature is in session. If the witness would have constituted himself a witness he would have been indicted.

Mr. McCurdy also during the effort to induce him to answer the questions as to the reduction of dividends launched forth into a protest as to the manner in which the investigation was being conducted. He said the committee was going beyond the scope intended when it was appointed by the legislature, and that the investigation had assumed the proportions of an inquisition.

Mr. McCurdy was asked by Senator Armstrong how he would conduct the investigation, and was told that if he had any better method the committee could be said to know it. Mr. McCurdy thought that being a witness under such conditions made him feel he was on the rack. He said his answers were

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Going To Bed Hungry

Is All Wrong, And Man Is The Only Creature That Does It.

The complete emptiness of the stomach during sleep adds greatly to the amount of emaciation, sleeplessness and general weakness so often met with. There is a perpetual charge of toxins in the body sleeping or waking, and the supply of nourishment ought to be somewhat continuous and food taken just before retiring, adds more tissue than is destroyed, and increased weight and vigor is the result.

Dr. W. T. Carruth says: "All ailments except man eat before sleep and there is no reason in Nature why man should form the exception to the rule." If people who are thin, nervous and sleepless would take a light lunch of bread and milk or oatmeal and cream and at the same time take a safe, harmless stomach remedy like Stuart's Dyspepsia Tablets in order to aid the stomach in digesting the evening meal, they will be surprised to find a surprising increase in weight, strength and general vigor. The only drawback has been that thin, nervous, dyspeptic people cannot digest and assimilate wholesome food at night or any other time. For such it is absolutely necessary to use Stuart's Dyspepsia Tablets because they will digest the food, no matter how weak the stomach may be, nourishing the body and resting the stomach at the same time.

Dr. Stevenson says: "I depend almost entirely upon Stuart's Dyspepsia Tablets in treating indigestion because it is not a quack nostrum, and I know just what they contain, a combination of vegetable essences, pure pepsin. They cure Dyspepsia and stomach troubles, because they can't help but cure." Stuart's Dyspepsia Tablets are sold by druggists everywhere.

Published in a distorted form that appeared like an attempt to ruin him. After taking up the questions of the reductions of dividends Mr. Hughes read a long list of policy numbers that had been paid and the dividends received by the policy holders. Asked what he had to say to these, Mr. McCurdy said:

"I guess don't lie, but I can't say more."

He hastily explained that he meant that he would like to verify the figures.

The legal expenses were again recurred to, and a number of vouchers were read. It was brought out that William Barnes, Sr., of Albany, had appeared before the committee in Albany last winter and had received \$1,000 from the New York Life and the same amount from the Mutual. Later it was brought out in a letter to Mr. McCurdy from William Barnes, Jr., that Mrs. Barnes, Sr. was under an annual retainer to the Mutual Life.

A voucher for \$10,000, payable to T. H. Bowles, was explained by Mr. McCurdy as part payment in settlement of a suit Mr. Bowles had brought against the company. Mr. Bowles had been dismissed by the company for insubordination.

TALKS OF "MUD THROWING"

Mr. McCurdy said today that insubordination consisted in "throwing mud" and trying to injure the company.

Mr. Bowles had not been in business since he severed his connection with the Mutual Life in Milwaukee. Mr. Bowles is visiting in this city at the present time, and tonight gave out a statement in which he said:

"The aspersions cast upon me by the speculators and the deductions drawn out by the testimony offered in the insurance investigation are false, and I stand ready to go before the honorable body and give the facts."

Mr. McCurdy then questioned concerning a payment of \$5,000 to William A. Fricke, a former insurance commissioner of Wisconsin. Mr. McCurdy testified that this payment was made after the receipt of a letter from Hamilton T. Lewis, saying that Mr. Fricke would accept a retainer "to see that the interests of the Mutual Life should come to no harm" in that state. Mr. McCurdy authorized the payment of the money.

The entire testimony of the day was a continual thrust and parry between counsel and the witness, and when adjournment was taken for the day, Mr. Hughes had not finished with Mr. McCurdy. The latter will be recalled tomorrow and questioned along the lines of the trust companies and subsidiary organizations of the Mutual Life.

The fact that James H. Hyde had returned to the city, and that William H. McIntyre would voluntarily return to appear before the committee was an announcement of moment today. It was stated today that neither Mr. Hyde nor Mr. McIntyre will be called this week.

LOOKED AFTER LEGISLATION.

At a meeting of the committee after the session it was determined to hold sessions three days this week.

At the afternoon session Mr. McCurdy was questioned concerning Mr. Field's business in Albany. He replied:

"He was looking after the legislation. If legislation was not watched in every state, every corporation would be culpable for not protecting its interests. If legislation was not watched the insurance companies would be legislated and superintended out of business in five years. It is the duty of insurance companies to watch legislation in all the states."

Mr. Hughes showed to Mr. McCurdy a petition for the payment of \$5,000 to Fricke, former insurance commissioner of Wisconsin, and a letter from Charles Lewis, an attorney at Madison, Wis. The letter stated that Mr. Fricke would accept a retainer "to see that the interests of the Mutual Life should come to no harm" in that state.

Mr. McCurdy did not remember the details. He said:

"Mr. Lewis told me he had spent a winter in educating the minds of legislators in either Michigan, Wisconsin or Ohio with regard to certain legislation affecting the insurance company. He proceeded to the capital of the state and discovered the residences of political god-parents, relations and neighbors of the legislators. He went on his journey after journey up and down the state and the inducing of men to go, too, who would expect their expenses and something."

When he went to Washington and spent some weeks getting acquainted with the senators and congressmen from that state. He got on a friendly footing with them so that he might speak to them of the damage the legislation would do to the insurance business, and not letters from them back to the legislators in the state assembly. For this he received \$5,000 for his own services and employing men, but not one dollar except for legitimate expenses."

PAID MEN TO LISTEN.

"Well, many of them were laymen and he had to pay them to sit and listen to him. I say this explains the matter, and I resent the suggestion that the money was spent in improper ways, but I think it would be improper to publish the names of some of those he employed."

"Can you recall at all what legislation you thought it necessary to oppose?"

"That would not be in my province. If I undertook to run all the departments I would soon run myself under ground."

"Do you recall the attempt last winter to repeal section 52 of the insurance law, under which no motion to force any domestic insurance company to give an audit to the legislature without the consent of the attorney-general?"

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he did remember that there was such a bill brought in by State Senator Brackett.

"What attitude did you take in the matter?"

"None that I am aware of."

"Did you not pay William Barnes, Sr., of Albany, a bill lately?"

"No. Yes, now I remember he said he had appeared before a committee and argued in support of the bill. He sent in his bill and I paid it," replied Mr. McCurdy.

Mr. Hughes produced a voucher and correspondence. This showed that \$10,000 was paid Barnes for three arguments and certain documents drawn up for the insurance committee at Albany. The correspondence explained that the late Edward L. Spott, solicitor of the company, had appeared to pay Mr. Barnes for opposing the Brackett bill, the New York Life saying him a like amount. The letter stated that Mr. Barnes had received \$1,000 from Judge Hamilton on behalf of the New York Life, and the bill to the Mutual was for the same amount.

"In what sense was it to the interest of the policyholders to oppose the repeal of this law?"

"I do not suppose I paid the least attention to what the services were. I received a note from the acting head of the department and so authorized the payment."

"Is there any possibility, if the matters are left to the law department, of bills in the interest of the policyholders being opposed?"

"If they were, I should get another general solicitor."

"Will you give your own opinion of this proposed repeal?"

MCCURDY A NOVEL READER. "I will abandon my usual habit of novel reading tonight and will give my best attention to this matter. I do not like to answer off-hand."

A voucher for \$10,000, dated May 22, 1902, for the first payment of a contract on that date to Thomas H. Bowles, was brought up. Witness said Bowles was an agent at one time. The money was in part settlement of a suit Bowles brought against the company for claims after his removal in Milwaukee.

Bowles organized a campaign of policyholders against the company, and the company settled the suit for \$20,000. Witness said Bowles was removed for insubordination, which consisted of opposing the changing of his general agency to a salaried agency. Mr. Bowles had addressed a letter to the trustees denouncing the company, which Mr. McCurdy did not say whether he had a copy of that letter. Mr. Hughes handed to the witness a package and asked if he recognized it as a copy of Mr. Bowles' company letter.

The letter charged extravagance in the management of the company, neglect of all sound principles in inviting business, that it was consumed by the company to write new business, wrote fictitious business and employed incompetent men because they were relations of high officials.

The trustees referred the matter to the president with power, which was testified. He added that the board had not read the letter. Witness read only sufficient of it to see what it was, and then removed Bowles.

Mr. McCurdy then showed the letter that McCurdy provided for officers for the family, witness replied in a long statement how his son, Robert H. McCurdy, had become the general manager. Witness said that when his son had received to adapt him to take up the foreign business and said, also, he was loyal to the company.

BRAGS HIS SON UP.

"I know of no other man's son in this city, or anywhere else," he continued, "who could hold that position as the man I appointed to it."

Mr. Hughes read a complaint made by a prominent lawyer, well known to President McCurdy. The lawyer, in a long letter, described the falling off in the dividends of his own and 25 other policies. The figures given in the lawyer's letter indicated that the dividends began decreasing in 1886, going down in his case, from \$15 in that year to \$2.75 in 1904. Mr. Hughes stated that before 1885 the theory of a high surplus was not put in operation, and up to that date policyholders were paid reasonable dividends, but under the surplus theory dividends decreased.

"Have you any comment to make upon the lawyer's letter?" asked Mr. Hughes.

"I have no doubt the statements made in the letter can be successfully controverted or properly explained by persons in the employ of the company conversant with the facts," was the reply.

Said Mr. Hughes: "I will ask you if the excess of interest from which dividends are paid to policyholders is not now less than in former years?"

"If it said so in our official literature it must be so."

"But the interest earned was not so much reduced as to affect your salary?"

"I don't think that question is pertinent."

"I think it is very pertinent."

MAYOR WEAVER GETS A REBUFF.

Special Committee Investigating Philadelphia Affairs Refuse to Let Him Remain in Room.

TREATED WITH SCANT COURTESY.

He Asked Permission that He and His Directors be Allowed to be Present But It Was Refused.

Philadelphia, Oct. 17.—The special committee of seven, of select councils, appointed last August to investigate the affairs of the various departments of the city as conducted by Mayor Weaver, began the taking of testimony today. The meeting was not without its sensations, chief of which was the request to Mayor Weaver and three of his directors to leave the room and his statement of J. B. Taylor, superintendent of police, that David J. Smyth, former director of public safety, had told him not to molest election repeaters.

Mr. Taylor's statement was made despite the vigorous efforts of Milton C. Work, the chairman of the committee, to confine him to the questions propounded by the committee's attorney.

The committee brought out statements that policemen attended a meeting of a political club when they should have been on duty. Mayor Weaver and the city party insist that the police are not in politics, while the leaders of the Republican organization claim the policemen are as much in politics now as ever they were.

Unusual precautions had been taken to exclude from the room all persons except a limited number of newspaper men and witnesses. Only one of the latter was admitted to the chamber at a time. All doors and windows were kept closed. The meeting was called for 3 o'clock. Prior to that time Mayor Weaver sent a letter by messenger to the committee asking permission for himself and his directors to be present for the purpose of hearing what might take place and to give the committee such aid as they could.

The committee did not make a reply, and on the minute of 3 o'clock Mayor Weaver and three of his directors walked into the committee room before the committee had assembled. A few minutes later the sergeant-at-arms politely informed the mayor that inasmuch as only witnesses and newspaper men could be admitted to the room, he and the directors would have to retire.

Mr. Weaver asked the sergeant to notify the committee that the mayor of Philadelphia and three of his directors desired to remain during the hearing. Then Chairman Work appeared and informed the mayor that the committee would not change its rules, and that he and the directors must leave the room. The mayor at first demurred, but finally, with the directors, left the room.

LAWLESS CHAUFFEURS.

In Chicago it is Likely Their Licenses Will be Revoked.

Chicago, Oct. 18.—Automobile drivers, who have looked upon the ten-mile an hour speed limit as a joke, will be brought up with a sharp turn this week. Revocations of licenses in large numbers are predicted by Chief of Police Collins as the result of a quiet investigation ordered by Mayor Dunne the findings of which will be submitted to the mayor today.

Before Thursday evening more than 100 automobile operators, including professional chauffeurs and private owners of machines, will be ordered to appear in the mayor's office and show cause why their licenses should not be revoked.

The chief of police and his six subordinates who gathered the evidence will be present in the city hall at 10 o'clock. It will show that the speed violation was wilfully violated, and that pedestrians, street car passengers, and the occupants of vehicles were placed in jeopardy through the reckless handling of the machines by their owners and drivers.

A Brooding Child's Misfortune.

New York, Oct. 18.—Brooding over her sick Bertha Lefkovich, aged 11, last night made a desperate effort to escape from the Children's society building in Brooklyn and fell headlong from a fourth story window, dying instantly. Near every bone in her body was broken and it was said that she could live but a few hours. She had been taken to the society's care following a charge of petty larceny.

Mt. Hood Hotel Burned.

Portland, Oct. 18.—An early morning fire destroyed the Mt. Hood hotel situated near the center of the Lewis and Clark fair grounds, today. The fire was confined to the one building. The building was occupied by six persons, all of whom escaped. The fire is supposed to have originated in a kitchen.

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MUNICIPAL OWNERSHIP.

Marshall Field says it is a Fad; Reynolds says its a Success.

New York, Oct. 18.—Two Americans who have been making a study of municipal ownership problems and have carried their investigations to foreign lands, returned yesterday and with directly opposite conclusions. One of them, Marshall Field of Chicago, says that municipal ownership won't do.

"It is a fad," he asserted, as he gazed out of the North German Lloyd's from the deck of the Kron Prinz Wilhelm, arriving from Bremen. "It is a fad like the silver question was and we will find that it will soon drop out of the public mind. I predict that within five years war in America will mean nothing more about it."

On the same vessel was James B. Reynolds, a former university settlement worker, who was secretary to Mayor Low during his incumbency of office.

"It is a fad," said Mr. Reynolds. "I found some fine illustrations of the benefits of municipal ownership. Take Osnabruck, for example. The street railways, telegraph and telephone services, water and lighting plants, as well as all other public utilities are owned by the municipality. During the time the system has been in operation the city has received returns of 30 per cent on the investment."

The Best Doctor.

Dr. J. C. Horton, Sulphur Springs, Texas, writes, July 15th, 1905: "I have used Vinol in my family, Dr. J. C. Horton and Herndon, S. W. and they have proved certainly satisfactory. The only merit in the best we have ever used for headache and pain. The cough syrup has been our doctor for the last eight years."

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