DICTATE TERMS TO COUNT WITTE

Zemstvoists Debate While He Lies III.

DEMAND FOR CONSTITUTION

Want Douma Made Constituent Assembly.

PEASANTS RAVAGE LAND

Troops Unable to Cope With Destructive Mobs Socialists Suppressed in Zemstvo Congress and by Peasant Convention.

****************** WITTE HAS PARALYTIC STROKE. ST. PETERSBURG, Nov. 23 .- (Spe-

cial .- Count Witte is declared to on the verge of physical collapse. comes from an excellent source that, while sitting at his desk last week in the reserve palace examining the petition from the workingmen of the Nikonlieff works, he suddenly fell for-

His secretary, who went to his assistance, declared that he was slightly paralyzed in the left arm and shoulder. The stroke lasted for five flours, during which the Count fainted several times. He was finally persuaded to go to bed, but returned to his deak next-morning despite the warnings of

MOSCOW, Nov. 22 .- A resolution outlining the proposed programme of the Zemstvoists, favoring the support of the ibertles promised by the imperial manifesto of October 29, but asking for the transformation of the first Douma into a constituent assembly, to be elected on the basis of direct and universal suffrage which was introduced by the executive committee in the Zemstvo Congress today, was the subject of a prolonged debate, in which nearly 40 speakers participated. At the end of a long evening session, the resolution was referred back to the committee for the incorporation of any modifications made accessary by the criticism of it, and it will be voted on tomorrow.

party taking a stand on the manifest called, and other moderates concentrated their attaack on the section of the resolution calling for a constituent assembly for which M. Guchkoff, Count Hayden, Prince Eugene Troubetskoy, Professor Kovalevsky and others declared that Rus sia was not ready; but it is believed that any modification, if made, will be in the direction of strengthening the conditions which have been laid down for governmental accorptance.

The section calling for a thorough and severe investigation of and the placing of responsibility for the recent disorders met with general approval, though M. Guchkoff demanded an investigation not only of the police, but also of the "reds."

Demands Made on Witte.

Considering that the imperial manifesto satisfied all the demands voiced since the Zemstvo Congress of a year ago, and that ountry, the Congress declares itself in plete solidarity with this constitutional basis The responsibility for the realization of the programme rests upon the Cabinet. The Congress is convinced that the Cabinet can count on the support of the great majority ment of liberties promised by the manifesto but every deviation will encounter decisive

of guaranteeing the authority of the govern nent, the pacification of the country and the support of the people are the immediate promulgation of universal suffrage in electhe Douma, the transformation of the first Douma into a constituent assembly with the approbation of the En th the approbation of the Emperor of a nativation for the Bussian empire, and the ganization of territorial reforms. Meas-es for the realization of the liberties granted by the manifesto are regarded as

immediately imperative.

It must moreover devolve on the Douma to establish a fundamental basis for land reform and to decide any momentous question in the domain of labor legislation

The resolution concludes by enumerating various measures which, it says, must be carried out before the Douma meets. These include investigations into the recent occurrences in various parts of the country, the trial of local officials and police who became culpably involved in the disorders, the maintenance of public security, the proclamation of full amnesty for political and religious offenses up to the date of the imperial manifesto and

the abolition of capital punishment Socialists Cry Silence.

M. Guchkoff and Count Hayden opposed not only the demand for a constituent assembly but also that for direct elections, for they said Russia was not suffi-

ciently developed. M. Guchkoff, who is regarded as Count Witte's spokesman, defended martial law. saying that extraordinary measures were necessary in extreme cases. He was continually interrupted by tries of "Enough" from the Socialists in the audience and

the extremist delegates. Prince Troubetskoy rebuked the dis turbers. He said he was opposed to martial law, especially in Poland, but the

ng to all opinions, especially if they were upopular.

The decision practically of the congress to co-operate with the government of Count Witt: is extremely distanteful to the Social Democrats, the party organization of which sent a letter to the Congress, saying the delegates had sold themselves to the government, but that the Socialists would show them up to the people as traitors, and would continue to prosecute the campaign for a democratic If He Refuses to Prosecute

Peasants Snub Socialists

The Socialists also created a scene in the Congress of Peasants, which opened here today, and to which they demanded admittance with the right to vote. The Congress refused to grant the right, whereupon the Socialists left in a huff, after declaring that the peasants did not know who were their best friends.

The central committee of the Social Democratic party has called a convention o be held in St. Petersburg, December 23. In the Zemstvo Congress, the legal committee introduced a programme for the making of necessary legal changes to bring about the right of habeas corpus.

WORKMEN'S COUNCIL PROTESTS

Condemns Zemstvoists Who Favor Giving Witte Support.

ST. PETERSBURG, Nov. Z.-(Special.) The attitude assumed by the prominent eaders of the Zemstvo Congress now being held at Moscow, in stating that it is necessary to support the government of Count Witte for the present in order to secure to Russda the benefits promised in the Czar's recent manifesto and save the country from anarchy, has been displeasing to the Council of Workingmen's Delegates. Resolutions were adopted expressing an indignant protest against the proceedings of the congress and declaring Count Witte.

PEASANTS LAY WASTE LAND Inspired by False Rumors, Revolt Spreads Rapidly.

MOSCOW, Nov. 21-The excitement ong the peasants in the central and southeastern provinces is spreading rapidly, and it is feared that it will be impossible to suppress the movement, which romises to develop into a general uprising, bringing devastation and untold horfor to the whole country. The revolutionists among the peasants are industrious ly spreading the story that the imperia reform manifesto really decreed a division of lands, but the nobles, intelligencia and Jews distorted it and took all the freedom for themselves, and the peasants government in its efforts to obtain the therefore have the right to possess themselves of the lands which the Emperor granted them.

BEYOND CONTROL OF TROOPS

Peasants Burn and Pillage While Cossacks Look On.

KURSK, Russia, Nov. 22.-The agrarian disorders in the District of Subsha have assumed such violence that the troops are unable to cope with them. The whole northern half of the district is in the hands of peasant rioters, who are pilinging the estates and burning the harvested crops. During the pilinging of one estate would appoint to take Judge Cameron's with paralysis, but persists in working Page I.

Peasant uprising grows more terrible. The leaders of the "Octoberists," as the a company of Cossacks looked on, being place during the contemplated vacanable to interfere.

PEASANT MOBS CAUSE TERROR

Demand Surrender of Food Under Threat of Torch.

VLADIMIR Russia, Nov. 22-In the Jurieff and Alexandrovsk districts of this government, peasant mobe are demanding the surrender of the stocks of provision and are threatening to set the torch to the whole locality and to storm the coun-

Socialist Riot in Church.

PERNAU, Russia, Nov. 21-During a proyer meeting in the Bathonian Church today, a crowd of Socialists entered the church and threw the pastor from the pul-

pit. The Congregation fied in panic. DENIES WITTE IS SAVIOR.

Russian Paper's Vigorous Reply to

Foreign Critics of Liberals. ST. PETERSBURG, Nov. 21.-The Russ eclares that the Liberals, who are being clamed for not supporting the government, are totally misunderstood abroad Count Witte is regarded as the savior of Russia from the monarchy and The only decree obtain three weeks from Count Witte, the Russ avers, is liberty of the press, which was wrested from him, and was not volun-

tarily granted. Continuing, the Russ

Europe and America tell us that we are threatened with a dictatorship. Should a dictatorship be announced today, all Russia would engage in a strike of such a character temorrow that only Tuarskoe-Selo would remain true to the dynasty. The foreign countries which advise rea-sonableness will not lend us a cent. knowing that the future government of Rusuld not recognize loans made to dictators who borrow but never pay. The foreigners forget that the Earl of Strat self perished and did not save

HUNGRY AND BLOODSTAINED

Charles L"

Vladivostok Reduced to Charnel-House by Rioters.

TOK10, Nov. 22.-(6 P. M.)-An eye-wit-Vladivostok on November 18 reports at Nagasaki that food is scanty there, owing to the destruction of the storehouses, and that only sufficient barley remains to support the people for 20

Another person who has arrived at Moil. having left Viadivostok on November 26, reports that rioting has ceased there. The treets, he says, are a mass of debris, and stains are in evidence everywher Many corpses are still lying exposed. forming a grewsome sight.

Finns Like New Governor.

LONDON, Nov. 2.-The St. Petersburg correspondent of the Dally Telegraph says that Emperor Nicholas has ratified the nomination of Privy Councillor Gerard as Governor-General of Finland, adding that the selection will be most acceptable to delegates ought to give a respectful hear- the Finnish people.

Morning

ing to my best Judgment."
"It is rumored that the Mayor will in-stitute mandamus proceedings against you that tall to return informations," was IS ASKED TO ACT

Milwaukie Club, Mandamus Proceedings Will Be Had.

LANE NAMES PROSECUTORS

Henry E. McGinn and T. G. Greene Will Represent Mayor-Judge Cameron to Be Absent. Substitute Will Serve.

Not only the pawns but fine larger pieces have been making strange and udden moves in the game which Mayor Lane and his lieutenants are playing against the Milwaukie Club and its proprietors. First the hearing scheduled to have taken place before Municipal Judge Cameron yesterday was postponed unitf Monday afternoon next; then Judge Cameron announced that he would take a two weeks' vacation, leaving on Saturday for San F cinco: then Henry E. McGinn Thomas G. Greene appear upon the lists in the guise of special prosecutors on behalf of the Mayor and the city. ceedings of the congress and declaring Next comes the announcement that that the latter is showing undue favor to Mayor Lane would appoint a Judge to sit during Judge Cameron's absence Now comes the challenge that unless District Attorney Manning gives com-plaints and observes the law as it is clear to the Mayor, proceedings will be commenced in the courts against him to compel him to take such action. The final bombshell was exploded last night when Mr. Manning announced that he would have a little private grand jury session today, at which time he would examine the witnesses produced Mayor Lane and Porice Inspector Bruin. and if, in his opinion, he had jurisdic-tion over the offenses alleged to have been committed, he would grant informations-otherwise no

Cameron Leaves Saturday.

Circling rumors floated and eddled around the City Hall last night like moths around a candle. Judge Cam-eron that stated that he was about to take a vacation, and had asked the Mayor to exercise his authority under the charter and appoint a man to fill the Municipal Judgeship during the time of his absence. This action caused the report to be spread that Judge Cameron, to use the phrase of the ga ting out from under the gun," and would leave the decision of jurisdiction to a man appointed by the Mayor and holding his views of the law. This was dealed emphatically by the Mayor and his friends, the Mayor declaring that he had not even begun to think

about the temporary appointment. "Sufficient unto the day is the evil ned upon. I'll let you know."

"You're going to prosecute the cases aren't you?" was asked, as the Mayor was struggling to break away and hurry nto a meeting with some of his lieuter

"If we can get complaints, certainly," "How about private prosecutors-will you have any of them?" the Mayor was

"I guess not; not that I have heard of," was the reply.

Nevertheless Henry E. McGlin and Thomas O. Greene will be associated the arguments on Monday, and in proceedings, as special prose cutors for the Mayor. These goutlemen have broadened their viewpoint since ad-ditional evidence has come to them and are now more confident than ever that they have the best of the argument. It is now alleged that free transportation was furnished to the patrons of the Mil-waukle Club, over the Oregon Water Power Company lines, and that what was to all intents and purposes a run in connection with the ciul was maintained in the city. Telepho and telegraph lines ran from this pla ouse and were used by sons in Portland to place bets at Mil-

Manning Asked to Act.

In view of these additional points it will be argued by Mr. McGinn and Mr. Gre that since the crime of gambling was partly committed in Portland and partly in Milwaukie, the County of Multinomah has jurisdiction and therefore Mr. Mun-ning will have, under his oath, to open

his batteries on the club. It was reported last night that the evidence would be placed before Mr. Manning and in the event of his refusing t ings would be commenced against him While Mr. McGinn would not tell what was up the prosecution's sleeve he stated that if Mr. Manning did not comply with what the prosecution clearly believed to be the law, steps would be taken to com-

pel him to do so. You may say for Mr. Greene and my self," he said, "that the matter will be laid before Mr. Manning, and if he does not see fit to do what the law require to do and give us information, steps will be taken to see that he does. a serious matter, and while it has eated as a joke, it is nothing of the

Mr. Manning, on the other hand de t intend to be last to the post, and se-rdingly has decided to see whether or not he is in the game by rights. This morning he will, according to law, transmute himself into a grand jury, and will mute himself into a grand Jury, and will then listen to the stories which the Mayor and his witnesses have to tell. If no new evidence is brought before him, it is a tolerably safe bet that he will not issue mations, though if the new evidence ised is brought in, it may change

matters very materially.

District Attorney to Investigate. "You may say for me," said Mr. Man-ning, last night, "that Mayor Lane, Cap-tain Bruin and Mr. Greene called on me a few days ago and presented their case. At the same time they laid before me several provisions of the law bearing on the case, and I told them I did not think their cause would lie in Multnomah County. At that time they had evidence tending to show that fare and reulette had

"At the time I told them I would look into the references given me and would

make up my mind. Since then I have been studying the question and have had my office force looking up the law. I will call the witnesses produced by the Mayor before me tomorrow, and will act accord-

"Well, they can mandamus all they want to," he said. "and they will find me

will in the city after I have decided upon the matter, and they will find me here good and solid." Monday, therefore, will be a day of pyroteshing oratory before the new Judge un-unless Mr. Manning grants informations as a result of his investigations. If he does not grant them it is probable that the higher courts will be called into play, or the question may be switched before the new Judge, and on appeal go to Judge Krazer, who closed the Warwick Club some months ago. At any rate, the show in the big tent is expected to begin im

MILWAUKIE DEFIES LANE.

In Mass Meeting Assembled Its Inhabitants Censure Him.

In mass meeting assembled last night the people of Milwaukie sent their de-flance to Mayor Lane, of Portland, Or., and warned him not to interfere with

their affairs. The meeting was called estenably to municipal election to be held the first Monday in December, but there was an exchange of views on the recent raid on the Milwaukie Clubhouse, thereby inter-fering with the plans of Milwaukie in the erection of a City Hall by threatening to cut off a considerable portion of its

Mayor William Shindler called meeting to order, Souncilman John Kei-so was elected chairman. Mayor Shindler denounced in strong terms Mayor Lane's raid of the Milwaukie Clubhouse, as unwarranted and impertinent interference in halwaukie's affairs. He said that it was intended to erect a City Hall next year that would cost about \$2000. and that with the money from the club-house in the way of licenses it could be done without imposing a burden on the people, or incurring a debt, but it now all depended on whether the clubhouse were be cut out.

motion was made and carried unanimo ly that it was the sense of the mass meet-ing that the raid on the Milwaukie Clubhouse was an unwarranted interference with the business affairs of Milwaukle and would not be tolerated in future Mayor Shindler declared that it was shame that a great hig city like Portland with 150,000 inhabitants, should undertake to impose on Milwaukie. With only 700 residents, but he thought that Milwaukie would be able to take care of herself.

The following ticket was nominated, all favorable to the clubhouse: Councilmen O. M. Matthews, Phillip Streib and George Hively; Recorder, N. Cooper; Treasurer, Fred W. Layman; Marshal. Arthur Dowling. Mayor William Shind-ler and Councilman Arthur Webster hold over another year. The meeting favored a S-mill tax levy for next year, Anothe ticket will probably not be nominated.

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DEFENDING CODI

Oregonian.

Fatal Fight Between Middies Due to Secret Law of Academy.

MERIWETHER VIOLATED IT

Student Accused of Manslaughter Declared Hatred of Branch and Insulted Him to Provoke Fight to Finish.

ANNAPOLIS, Nov. 22.-Midshipman Mior Meriwether, Jr., of Lafayette, La. a member of the third class of the Naval Academy, was put on trial here today before a naval court-martial on charges that include that of manslaughter, in having caused the death of Midshipman James R. Branch, Jr., of New York, a member of the class above him, as a re-

ber 5 last. -The first and gravest charge is manslaughter in having caused the death of Branch, but there are two other charges, the second supported by two specifications and the third by one. The second charge is violation of the third clause of the eighth article of the rules for the govern-ment of the navy. The first specification is that Mertwether applied to Branch the There was a general expression of opin-on, all condemning the raid. Finally a that he assaulted him. The third charge name sneak and coward, and the second of conduct to the prejudice of good order and discipline, specifies that Meriwether

engaged in a fight with Branch. The sad incident of the death of young Branch under such circumstances has been widely noticed and has called attention to the existence at the Naval Academy of an unwritten code governing the student-body, but quite outside the authoritative regulations and generally in violation of them, Under the "code" every detail of these fights is fixed, the midshipmen on duty abstaining from reporting them and excusing from formation those connected with them. These facts do, and was told that a fight was neceswere very clearly brought out, both by the Judge-Advocate and in the cross-examination by Lieutenant - Commander Robinson, for the defense.

Middles Conceal Nothing.

The witnesses today included Branch's nute, the referee and the timekeeper of the contest, and all four seconds were examined in a more or less degree about all the circumstances of the fight. the connection of the "code" and their ideas of their duty under the regulations. system was therefore not directly put on trial, although it was very thoroughly ventilated along some lines.

In fairness to the midshipmen it should he said that every one of them gave indication of endeavoring to be perfectly frank and of either believing that there was nothing about the system that they need conceal, or, if there were that they would tell it all, notwithstanding.

Midshipman A. W. Fitch, who refereed the fight which was followed by Branch's death, stated that he had officiated in 19 such contests, and Midshipman McKittrick testified that he had taken part in nine. Detailed accounts were given of the arrangements by which midshipmen on duty acquiesced in absences without leave and other derelictions in order that the fight might go on, and the testimony also showed that, although frequently severe injuries resulted from these fights and the recipients of them had to be taken to the hospital, nothing further was ever heard of them. This the defense brought out on cross-examination, it being evidently intended to show that the authorities also winked at the code and

the prearranged fights under it. Meriwether Broke Rules.

Interesting sidelight on hazing, or "running." as it is called at the academy, developed from the testimony of one of the midshipmen. Meriwether has been gen erally disliked, he said, because he was too "ratty," that is, it was explained, that he did not abide by the rules laid down for the government of the lower classmen. Some of these were that he would never enter "Lovers' Lane," an academy walk; that he should turn all corners at right arbies; should not look at an upperclassman, and should answer most respectfully when addressed by one of them; that he must never touch the table nor ask for anything during a meal, and under no circumstances "fuss," that is, be attentive to young women. These rules and many others are contained in that part of the "code" looking to the

right of under classmen. Branch had been one of the midshipme who, according to the testimony, determined to make life "not worth living" for Meriwether, because he would not abid by these rules, and from that the enmity

District Attorney Takes Hand.

A surprise developed in the fact that United States District Attorney John C. Rose, of Baltimore, would assist Captain Marix, Judge-Advocate, in the prosecution. It is most unusual for a Judge-Advocate to have assistance, and the incident indicates how important the pres ent case is considered by the Federal au thorities, the personal element being entirely subordinated to the question of the effect of the "code" at the academy, and the subjects of fighting and hazing clo connected with it. Mr. Rose was assigned to the work by the Department of Justice at the request of the Navy Department.

The accused is defended by Lieutenant-Commander James K. Robinson, U.S. N.

and James M. Monroe, of the Annapolis

The first two witnesses called were Midchipmen James P. Van Decarr and Earl W. Pritchard, classmates of Branch, and their evidence bore directly on the second charge, that of quarreling with a serson in the Naval service, with an indirect relation to the main charge of

manslaughter. Meriwether Hated Branch.

Midshipman Van Decarr said that his seat at the table was next to Midshipman Meriwether, and that on the even ing of October 21 Meriwether had told him that Branch had done all he could to make his (Meriwether's) life miserable while he had been at the academy: that he hated Branch and was going to make him fight if there was any fight in him; that there were only a few people that he hated, and that Branch was one of them. The next day, Midshipman Van Decarr testified. Meriwether had said it was all fixed, that he and Branch had

arranged to fight. Midshipman Earl W. Pritchard, the next witness, was the roommale of Branch, and is also from Louisiana. His testimony covered the facts in the incident that led directly to the fight. Meriwether had, he said, come to the room occupied by himself and Branch, accompanied by Midshipman Yeager.

Quarrel Which Caused Fight.

Branch had gone to bed, but rose his elbow and turned on a light just above him, remaining in that position during the conversation. Meriwether accused Branch of acting unfairly toward him by using his official position as midsuit of a prearranged fist fight which took shipman in charge of the floor to report place on the evening of Sunday, Novem- him about the matter of a dress sultcase containing civillan clothes, and charged Branch with having a grudge against

The latter Branch admitted Meriweth er then said that Branch was a "damned

lowdown, sneaking coward." Branch then told Meriwether that his class could compel him to leave the academy, and to this Meriwether answered that he did not care if they did; that he was not going to be used badly by any

The conversation continued, and Branch told Meriwether that he had only reported ne man since he had been at the Academy, and that he could not help. Meriwether rejoined that if he ever reported him, he would have to right. There was some further talk about the standing of the families to which they belonged, and the affair closed with Meriwether calling Branch a "sneaky coward," "a damned coward" and "no gentleman

After Meriwether and Yeager had left, Branch asked the witness what he should sary. Afterwards Branch had told him that he had not reported Meriwether. An upper classman. Noyes, had spoken to to do so.

Rules of Academy Code.

Ralph Yeager, a classmate of Merivether and who went to the room with him on the night of the quarrel, testified that Branch had called Meriwether "a damn fool," when he came to the room although this subject was not pressed to and said that he was "damu ratty." By such a degree that the midshipman was the latter. Yeager explained that it was put on his defense as to the binding force meant that he did things that the "code" of his oath upon entering the institution did not allow members of his class to do. to obey all its regulations. The "code" It was explained that a fourth-class man. for instance, has to keep away from cer tain walks of the academy, turn squarely at corners, never look at an upper classman, never talk to girls, observe certain egulations when eating and speak most espectfully when spoken to by an upper classman. This, it appears, was still the unwritten law of the institution where hasing has been abolished.

Branch Was Stronger Man.

Dr. Robert E. Hoyt, head of the de partment of physical culture at the acad-emy, furnished interesting data on the size and strength of Meriwether and Branch, taken from the actual meanments of the academy. While it act that Meriwether was slightly older heavier and taller, Branch was larger of chest and arm and his total percentage of strength was about a fifth greater than

mander Calvocoresses was cfo questioned by the Judge-Advocate and the urt in regard to the attitude of the ademy authorities toward fighting. He said most emphatically that there was no hinting at it, but every such offense would be punished severely if known. He also estified that all midshipmen were made acquainted with the regulation of t their hands and by oral instruction showed the court the gloves which had been turned over to him as having been sed in the fight. They were known as punching-bag gloves, and are used as a protection for the hands when punching

bag, and have almost no padding.

Meriwether Offered to Forfeit. Midshipman Harold V. McKittrick, wh Midshipman Haroid V. Acceptions and the acted as second for Branich during the fight, told of their engagement, and the insistence of both boys that the fight should be to a finish. The fight itself should be to a finish. testified, lasted 22 rounds of two minutes each, with one minute intermis-Early in the fight one of Branch's eyes was closed, but he was holding his own. At the end of the 20th round, Meriwether fouled by hitting in a clinch, and offered to forfeit the fight. Another time Branch was on his knees and, under the rules could have been hit, but Meriwether would not hit him. Both of these were points in Meriwether's favor.

On cross-examination an effort was made to show by the witness that fights generally had the effect of abrogating the ill-feeling between the fighters. The witness said that it was always the custom to have a general hand-shaking at the have a general hand-shaking at the use of the fight, and that this was done in this case. Meriwether, he said begged the pardon of Branch for the insulting language he had used and the apology had

been accepted. Other midshipmen connected with the fight were examined, but not at such fight were examined, but not at such length. French, who referred the fight, admitted serving in a like capacity at 19 similar affairs. The evidence of Church-ill Humphries and C. W. Magruder, seconds to Branch and Meriwether, respect-ively, and Leigh Noyes, the timekeeper, corroborated the incidents told McKittrick.

. Treatment of Branch.

Earl W. Prichard, the roommate of Branch, recalled to tell all the circumstances connected with Branch's ment after the fight, said that Branch had been given a hot shower bath and treated with towels soaked in hot water and ap plied to his head and body. said, had complained about screness in one arm and parts of his head, but had talked naturally about the fight and other matters. Prichard had noticed some move-

Concludedana name 3.)

TARBELL IS ON HUGHES' GRILL

Took Rebates on His Own Insurance.

CUSTOM OF THE BUSINESS

Equitable Official Attacks Frick's Report.

SUGGESTIONS FOR REFORM

Ruler Over Agents Admits Companies Have Sinned and Offers Commandments Against Further Sins.

ACCEPT M'CURDY'S SACRIFICE. NEW YORK, Nov. 22 -- At the reaumeeting of the trustees of the Mutual Life Insurance Company today, the offer of President Richard A. Mc-Curdy to have his salary reduced from \$150,000 to \$75,000 was accepted, and further reductions were made, amounting altogether to \$150,000. The names the officials affected were not made public.

It was decided to place all the general agents on a salary instead of a commission basis.

NEW YORK, Nov. 22.-After being on the witness stand before the Armstrong Legislative Committee on insurance investigation for the greater part of three days, Gage E. Tarbell, second vice-president of the Equitable Life Assurance Society, finished his testimony today and just before adjournment submitted a list of suggestions for the remedy of existing abuses him about it, and he had come to the in the management of insurance comconclusion that it would be a dicty trick panies and for legislation designed to give the state proper control over the companies and to insure the confidence of the policy-holders. Prominent among these suggestions was absolute publicity. While admitting that wrong had been done by life insurances officials, Mr. Tarbell said he had no apologies to make for any of them and that he hoped they would be punished.

Mr. Tarbell was on the stand the entire day and was questioned as to system of agencies and the com missions and other compensations ailowed them for getting business. Just before the recess, the fact was brought out that Mr. Tarbell had taken out insurance on his own life and on members of his family and had received the agents' commission on the premiums as well as renewal commissions. He said that since he became an officer he had taken out \$200,000 on his own life in the Equitable. Besides his policies in the Equitable, he had taken insurance in the New York Life. the arrangement being made with George W. Perkins, and on this too, he received the commission on the premiums. He also had a policy in the Actna and the Travellers, on all of which he collected the commissions. He said he carried \$400,000 on his own life and \$100,000 on members of his own family.

Only Courtesy of Trade.

Mr. Tarbell was emphatic in denouncing the system of rebating by agents and stated that any agent of the Equitable who gave rebates to get business was dismissed. When he told of getting the commissions, Assemblyman Cox asked if that was not rebating, and Mr. Tarbell said it was not; that he thought he was entitled to it. Later, when Mr. Hughes took up this same subject with the witness. the latter justified the taking of the commissions as being similar to the case of a merchant who purchased goods of a fellow merchant in the same line, perhaps to fill an order, and got these goods at cost, or of a professional man treating another and charging less than the regular fees. Mr. Tarbell further said if he had done wrong, he was sorry, but that he had

acted in good faith. Mr. Tarbell bore out in a measure the statement of James H. Hyde relative to the lairness of the Frick report. The sublect of advances to agents was under investigation, and Mr. Hughes read some figures of the advances to one agent in his city. Mr. Hughes asked where the Frick committee got the figures, and Mr. Tarbell replied with marked asperity that he did not know.

They did not get them from my department or the auditor's; they made their report without ever making an investigation of the department," he said.

Excuse for Loading Premiums. Mr. Tarbell submitted a specimen of ontracts made with agents, which was offered in evidence, as also were letters

which accompany contracts explanatory of the allowance of commissions. Mr. Tarbell said the system of "loading" premiums was originated to insure the ability of companies to meet any contingency of claim or expense. He said that premiums are placed higher than is necessary for safety, and the excess "loading" is returned to policy-holders in

Of \$80,000,000 surplus of the Equitable Society at the end of 1894, Mr. Tarbeil

dividenda

(Concluded on Page 4.)