With grateful acknowledgment to its 8,596,705 Policy-holders for their confidence, the Metropolitan Life Insurance Company presents the following summary of its condition and affairs for the year ended December 31, 1905, showing it to have been THE BEST YEAR IN THE COMPANY'S HISTORY

RESOURCES United States, City and R. R. Bonds and Stocks . \$79,629,477.18 38,062,610.75 17,495,905.30 4,183,912.16 Demand Loans on Collateral 3,747,285.50 Loans to Policy-Holders 3,703,554.50 Premiums deferred and in course of collection (Net) 3,826,755.63 Accrued Interest, Rents, etc. 1,013,976.27



OBLIGATIONS

Reinsurance Fund and Special Reserves . . \$132,705,296.00 Dividends Apportioned, payable 1906, on Nonparticipating Industrial Policies 681,942.00 Same on Participating Policies, Intermediate Branch 621,081.00 Same on Participating Policies, Ordinary Dept. . . 26,726.79 Contingent Dividend Fund, Intermediate Branch . 299,768.48 All other Liabilities 1,147,084.06 Capital and Surplus 16,181,578.96 \$151,663,477.29

Metropolitan Life Insurance Co.

JOHN R. HEGEMAN, President

The Company OF the People, BY the People, FOR the People

A REASONABLE INDICATION OF THE DESERVED POPULARITY

of its plans and of faith in its management may be fairly claimed in the number of Metropolitan policies in force. It is not only greater than that of any other company in America, but greater than that of all the other regular companies combined, less one. It exceeds, in fact, the COMBINED POPULATION of 24 of the States and Territories out of the 52 forming the American Union, viz: Maine, New Hampshire, Vermont, Rhode Island, Connecticut, Delaware, District of Columbia, Florida, Oregon, Colorado, Arizona, Alaska, Idaho, Montana, Nevada, Wyoming, Utah, North Dakota, New Mexico, Indian Territory, Oklahoma, South Dakota, Washington, Hawaii, and as to CITIES, it exceeds the combined population of Greater New York, Chicago, Philadelphia, Boston, St. Louis, Cleveland, Cincinnati and Milwaukee.

SIGNIFICANT FACTS

The Company's policy claims paid in 1905 averaged in number one for each minute and a quarter of each business day of 8 hours, and in amount \$105.83 a minute the year through.

The value and timeliness of these payments may be gleaned from the fact that of the claims paid during the year, 4,326 were under policies less than 3 months old, 8,391 were on policies which had run under 6 months and 15,148 were within the first year of insurance. THE DAILY AVERAGE OF THE COMPANY'S BUSINESS

DURING 1905 WAS: 395 per day in Number of Claims Paid. 6,972 per day in Number of Policies Issued. \$1,502,484.00 per day in New Insurance written. \$123,788.29 per day in Payments to Policy-holders and \$77,275.94 per day in Increase of Assets.

The Metropolitan gained in insurance in force on which premiums are still being paid MORE THAN ANY OTHER COMPANY IN THE WORLD.

The Metropolitan wrote more business in the Industrial Department in 1905 than ever before in any one year. The Metropolitan wrote more business in the Ordinary Department in 1905 than ever before in any one year.

\$151,663,477.29

The Metropolitan wrote more business in 1905 than any other Company in the world. And this for the 12th

The Metropolitan has more premium paying business in force in the United States than any other company. The Metropolitan has in force one-third of all the legal reserve policies in force in the United States. Its Industrial policies in force equal in number all the Industrial policies of all the other companies in the United States.

THE RATIO OF EXPENSE TO PREMIUM INCOME IN 1905 WAS THE LOWEST IN THE COMPANY'S HISTORY.

Paid Policy-holders in 1905 for Death Claims, Endowments, Paid-up Policies, Dividends, etc., with amount set aside on their behalf as increased

\$37,755,428.59

Paid Policy-holders since the organization of the Company, plus the amount invested and now on hand for their security-

\$318,264,084.12

COMPARISONS, ETC. Income in 1905 \$61,531,588.49 Gain over 1904 5,545,831.58 Surplus in 1905 16,181,578,96 Gain over 1904 1,346,358.97 Increase in Assets during 1905 23,569,162.05 Gain in Insurance in force . . 126,085,438.00 The total number of Policies in force Dec. 31, 1905, was The total amt. of outstanding insurance Dec. 31, 1905 \$1,596,509,769.00 Number of persons in the service of the Company, over . 19,000

THE TWO DEPARTMENTS

In the Ordinary Department policies are issued for from \$1,000 to \$1,000,000 on individual lives, premiums payable annually, semi-annually, or quarterly. In its Industrial Department (which is family insurance) policies are issued on all the insurable members of the household with premiums payable weekly.

This Company issues no TONTINE or other forms of deferred dividend policies, in which the amount to be paid to the insured must largely be a matter of ESTIMATE at the inception of the contract, and of DISAPPOINTMENT at Its policies are plain business contracts which tell their whole story on their face; leave nothing to the imagina-

tion; borrow nothing from hope; require definite conditions; and make definite promises in dollars and cents. Is not the fact that, notwithstanding the agitation in life insurance, the Metropolitan wrote more insurance in its Ordinary Department in 1905 than it ever wrote in any preceding year, proof that GUARANTEED BENEFITS for a fixed premium are what people want?

In its Industrial Department policies no obligation to pay dividends is either expressed or implied, the premiums being at stock rates, without the "loading" designed for dividends; nevertheless the Company for years past, as a pure act of grace, has returned a part of its surplus, annually, to the holders of its policies. The total amount so paid, including the amount set aside for 1906, is

OVER FIVE AND A HALF MILLIONS OF DOLLARS IN CASH

S. J. MURPHY, Supt., 414 N. Y. Life Bldg., 17th and Farnam Sts., Omaha.

ADS IN PUBLIC SCHOOLS

Determined Fffort to Restore the "Three R's" in New York City.

FAULTS POINTED OUT BY CRITICS Studies Contrasted with the System at Present in

new commissioner of education for eater New York is to be appointed rly in January. With his incoming the d of Education is expected to put effect Mayor McClellan's ideas about lie school studies and radically change methods of the present school superin-

ction of fads and more of the "three favor McClellan's ideas were expressed an address before the National Educaial association last summer, from which

do not believe that any one can be cated who has not at least a smatterof the three R's. It may possibly serve mysteriously useful purpose to teach ar-old boys who cannot read the lest English to sew buttons on shirts a drill girls of the same age to whom ule of three is unknown in the theory it not in the practice) of music and cook- in But the ignorant outsider who is excluded from the Parnassus of 'educabut flattering that the products of our great schools soldom succeed at either West Point or Annapolis."

With a board answering to that idea, much toward modifying what they call the Maxwell fad system.

Present Methods. of the members was asked: "Has nothing been done after the agita-

Dollar Package Man Medicine Free

Man Medicine gives you once more the rusto, the joyful satisfaction, the pulse and he throb of physical pleasure, the keen tense of man sensation, the luxury of life, sody power and body comfort—free Man Medicine does it.

Man Medicine cures man weakness, nervous debility, early decay, discouraged man-nood, functional failure, vital weakness, srain fag backache, prostatitis, kidney trouble and nervousness.

All we want to know is that you are not ending for it out of idle curiosity, but that you want to be well and become your trong natural self once more. Man Medicine will do what you want it to do; make ou a real man, man-like, man-powerful. Tour name and address will bring it; all you have to do is to send and get it. We end it free to every discouraged one of he man sex Interestate Remedy Co., is such Bidg., Detroit, Mich.

tion last spring to lop off the fads and seventh years of the present schooling "you

"Very little except to promise. Mr. the child is virtually within a year of sters are coming out from the present comending its compulsory school period. Yet, pulsory schooling utterly unqualified to do metallurgy is prescribed in grades when the things expected of boys and girls startpupils are 8 years old. When they are ing in offices and stores." he added:

6 are set at free-hand drawing. Boys are ent. The proposed change means a still taught raffia. Do you know what solicitation is not for the mental benefit of raffia is? Put the question to growning the children under his care." New Yorkers, will you, by way of examinaof how their elementary schools are conducted. Well, raffia for boys I may dething. Mr. Maxwell, soaring in the high reason of his poetic fancies, thus undertakes the training of the eye and hand. and preparing the future citizen for his tic, spelling, some grammar and some geog-

Vital Knowledge

"English? | No-no change has been -made the study of English. No; no change in the study of mathematics either, 'These are still, as I look at it, subordinated in tional circles' may be permitted to wonder time given, as when Grout reported that at the wherefore of it all. It is anything out of 12,000 minutes only 5,975, or less than one-half, are allotted to English, penmanship, geography, history and arithmetic. "Swarms of children enter our schools without any real knowledge of the lanome present members hope to accom- guage. Home cultivation for the majority is lacking-the home language is often some other language than English. With the elementary schooling what it is, what wonder if native bred teachers speak with a strange accent?

"If we had a little less music and more English, a little less of the chemistry of cooking and more English, a little less mechanical drawing and more English, and a little less raffia and more English, then the child of foreign parents who goes through the schools and graduates from a college to become a teacher would be better fitted to keep the well of English undefiled.

"There is a frightful waste of money on supervision. Damrosch, as musical director, has not been replaced this year; other- with water only. wise the system is as it was, with some 256 directors and teachers for manual training, hop work, cooking, sewing, music and physical culture, maintained at a cost of nearly \$350,000 yearly. With the exception of cooking every regular teacher is capable of teaching these branches. Physical culture teachers are an imposition. They are mere boys and girls without any ademic or pedagogic training. They begin on \$1,200 a year, whereas the regular class teacher who has spent four or five years in a training college and must then pass Maxwell's peculiar examination must begin on \$600 (women) or \$500 (men). The majority of these specials are unable to give a lesson without the aid of a book. Sometimes they come along and merely give instructions to the competent class

A teacher who recently resigned to go

may pick out at random any five pupils and find that they cannot subtract 9 from 63, 6 Maxwell's last bulletin of studies shows that sewing begins in the third year and local school board asserts that business is not postponed until the fourth, as critics | men have come to her with letters from of the system advocated. History was applicants for work, boys and girls past the advised for the fourth year, but Mr. Max- | 14-year school age, which were shockingly well puts it off until the sixth year-when ill spelled and miserably written. 'Young-

6, 7 and 8 years of age they are required A man dwelling in East Twenty-fourth to take extraordinary suejects, such as, street complains to one who has interested say, the circulation of blood in a tadpole's himself in reform that while there are 60,000 might say means learning where the fire and other fancies so that when at 14 they hydrants are situated, is taken in the have to go out to earn a living they do not fourth year. This will be valuable when even know English. Writes another: "Mr. the boys grow up to be firemen, if they Maxwell has had no experience as a teacher don't forget after ten years' time. Tots of but is only a theorist in educational work.

One commissioner puts it thus: "The tion on what they know about the details school life of the average child is not should be devoted to giving the child a scribe as the braiding of straw for the foundation that will be of service during bonnets of their sisters' dolls. It's a great life-the life they will have to lead. We have full data showing that poor men's children go out into the world at 14 miserably equipped. Reading, writing, arithmeraphy, with a knowledge of the salient points of history-every child is entitled to these. This education is now denied to children too poor to go to private schools. The curriculum should be so arranged that these essentials are taught to the exclusion of every nonessential." As the time of the child lengthens this commissioner suggests in direct ratio to the ability of its parents

"That doesn't fit my case, Nellie!" interrupted the young man. "You're not a luxury. You're an absolute necessity. simply can't live without you." It was dead easy for Jack after that .-

DIAMONDS Edhour, 1635 and Harney

SUPREME COURT SYLLABI

2, 1966:
18309. Sullivan against Wharton. Appeal,
Douglas. Reversed and remanded with directions. Holcomb, C. J.
B., a short time before his death, which pulsory schooling utterly unqualified to do
the things expected of boys and girls starting in offices and stores." he added:

A man dwelling in East Twenty-fourth
street complains to one who has interested
himself in reform that while there are 65.00
children kept out of the first grade schools
the time of the rest is taken up with raffia
and other fancies so that when at 14 they
have to go out to earn a living they do not
even know English. Writes another: "Mr.
Maxwell has had no experience as a teacher
but is only a theorist in educational work.
Many have dared to hint that his greatest sing therefrom. (3) On request of the life, in writing, to sell any part thereof and deliver to her for her own use absorbely the proceeds or otherwise invest the time in the name of the trustee for the irposes therein specified as she may rect. (4) Upon the decease of the wife of divide whatever of his said estate as tall then be remaining between the over to her, the testator asking if it suited her, and she answered in the affirmative. then made certain oral requests and directions with reference to his estate, the substance being that he had placed her (his wife) in comfortable circumstances so that she would not want for anything; that he wanted her to live as they were living, and at the end of every year to divide the surplus among his people; that her people were in good circumstances, but his people were noor and that he wanted his people were noor and that he wanted her people were in good circumstances, but his people were poor and that he wanted her to make a will so that at her death his estate would go to his brothers and sisters; that if she wanted to give to charitable purposes, say live or ten thou-sand dollars, that would be all right, but that he wanted the bulk of his estate, his entire estate, to go to his brothers and sisters. To all this she expressed her as-sent and entire willingness to carry out this dengthens this commissioner suggests in direct ratio to the ability of its parents to give higher opportunities the course may be expanded. The system that is overloaded with fads and fancies, he declares, is "turning to a host of mental cripples only half armed to meet the world."—New York Sun.

What He Used it For.

Wine-tasting was in his business, and he was reputed to be one of the best who followed that somewhat peculiar means of making a livelihood, so when the beth had been made and the money posted, his "backers" were sure of winning. Incidentally, they did.

The subject, blindfolded, was to taste, one after another, the contents of twenty-flow wine glasses, and—if he would win the stakes—name correctly the liquor in each. From one to twenty-four he went down the line, never hesitating, and always right. At the last one he stopped. It was filled with water only.

He supped it, turning it over and over with his tongue, asked for a second mouth of the load of the results of the state. The subject, blindfolded was to taste, one after another, the contents of twenty-flow he went down the line, never hesitating, and always right. At the last one he stopped. It was filled with water only.

He supped it, turning it over and over with his tongue, asked for a second mouth of the contents of the subject, which was recommended to any of the collater all heirs as to all such property, and the hard of the collater all heirs as to all such property, and the hard of the collater all heirs as to all such property, and to the collater all heirs as to all such property and the hard of the collater all heirs as to all such property and the hard of the collater all heirs as to all such property and the hard of the collater all heirs as to all such property and the hard of the collater all heirs as to all such property and the hard of the collater all heirs as to all such property and the hard of the collater all heirs as to all such property and the hard of the collater all heirs as to all such property and the hard

refusing instructions examined and held not prejudicial. 2. Action of the trial court in admitting evidence examined and held not prejudicial.

13710. State against Cannot. Original. De-murrer to answer sustained; judgment for plaintiff. Per curriam. State of Nebraska against Stephen W. Tanner, Neb., 192 N. W. 235, approved and followed.

Tanner, Neb., 192 N. W. 25, approved and followed.

18711.—State against Luedke, Original, Demurrer to answer sustained; judgment for plaintiff. Per Curiam.

State of Nebraska against Stephen W. Tanner, Neb., 192 N. W., 235, approved and followed.

13742 In re. application of Jorgensen. Er-1. The Board of Fire and Police Commis-

the license applied for.

2. An applicant had compiled with all the requirements of the statute and ordinances relating to the subject and no protest or remonstrance had been made against the granting of his application, but the Board of Fire and Police Commissioners refused to grantif for reasons expressed in a resolution spread upon the record as follows:

"Resolved, That the application of A. Jorgensen for a license at No. 121 North Tenth street, Omaha, be and the same hereby is denied and refused, for the reason that there are now four or five salcons in operation within a block of the said place, and that the public interests require that no new or additional salcons be allowed at said place. Applications for salcond licenses at said place have twice been refused to different parties in the list two years for the same reason."

I'pon appeal to the district court the decision of the board was approved and affirmed. Held upon the record as presented that no error was committed by the ruling complained of.

1573. Samuelson against Mickey. Appeal from Polk. Motion for rehearing overruled. Cause remanded with directions to dismiss. Barnes, J.

Where a tract of land has been conveyed by a deed absolute in form to satisfy and pay the mortgage liens existing thereon, a subsequent parol promise to reconvey it to the grantor, without any consideration to support it, will not sustain an action to declare the deed a mortgage and remanded. Duffee, C. Division No. 2.

A party has a right to the jury when there is competent evidence to support it.

12573. State ex rel. McMonles against McMonles, Error from Burt. Affirmed. Duffie, C. Division No. 2.

1. The charter of villages confers on the trustees of the village power to regulate billiard and pool halls, but not to suppress them. Authority to regulate does not give power to suppress.

2. An ordinance of the village of Lyons required the proprietors of poel and billiard.

sufficiently definite and certain as to render the trust canable of execution and enforcement and that our former holding to the contrary should be modified accordingly. 1327. Kupke against Polk. Appeal and error from Cass. On rehearing former judgment vacated, judgment of the lower court reversed and cause remanded. Sedgwick, J. When the trial court in an action in action in suit he was suffering from mental and physical prostration, and non composite the action was prematurely commenced and the writ properly denied.

1326. Courthouse Rock Irrigation Company against Willard. Appeal from Cheyonne. Affirmed. Letton, C. Division No. 1.

1. Where the evidence shows that an appropriator of water does not beneficially use the amount which it has diverted into its causal by reason of wastage and seepage caused by defertive maintenance, and there is enough water in the stream, if connect the wines was asked to state whether the isence in the action was prematurely commenced and the writ properly denied.

1326. Courthouse Rock Irrigation Company against Willard. Appeal from Cheyonne. Affirmed. Letton, C. Division No. 1.

1. Where the evidence shows that an appropriator of water does not beneficially use the amount which it has diverted into its causal by reason of wastage and seepage caused by defertive maintenance, and there is enough water in the stream, if connecting the trial of the cause a nonexpert winces was asked to state whether the issues was asked to state whether the cause of the winces was asked to state whether the grantor was able to converse intelligently of irrigation pour propriators is not entitled to an injunction to prevent the use of the cause of the winces was asked to state whether the cause of the winces was asked to state whether the cause of the winces was asked to state whether the cause of the winces was asked to state whether the cause of the winces was asked to state whether the cause of the cause of the winces was asked to state whether the cause of the winces was asked to state whether

Lancaster. Reversed and remanded. Letton, C. Division No. 1.

1. Where a plaintiff sets up a conversion of a team of horses by a ballee, and pleads the execution of a bill of sale by him to the ballee for such team upon the agreement of the ballee to pay a fixed and definite amount therefor, he cannot afterwards, if unsuccessful in this action, in another action chaim that the title to the horses never passed from him, and that they were killed by the negligence of the ballee. He had the right to elect as to whether he would treat the title to the property as having passed and sue in assumpsit upon the promise, or he had the right upon the theory that the title not have the right to do both.

2. The doctrine of election of remedies applies when a party who actually has at hand two inconsistent remedies, with full knowledge of such fact, proceeds to enforce one of these remedies. Pekin Flow Co. against Wilson, 66 Neb., 139.

14620. Roe against Howard county. Appeal from Howard. Affirmed. Duffle, C. In appeals in equity cases this court will examine the evidence and arrive at an opinion of an expert witness on the question of insanity which assumes the point in dispute is valueless.

5. The opinion of an expert witness on the question of insanity which assumes the point in dispute is valueless.

6. Albert, C. Division No. 2.

1. An instruction which sets out a state of facts and authorizes a verdict for one of the parties upon a finding of such facts are conclusively established.

2. Where such instruction is complete in itself the error therein is not cuved by the giving of other instruction is complete in treatile to a recovery by such party.

3. The mere fact that a chain upon which the plaintiff and other workmen were pulling broke while being used for the purpose for which it was furnished.

4. Ordinarily it is the duty of an em-

I. In appeals in equity cases this court will examine the evidence and arrive at an opinion of the facts established uninfluenced by the conclusion arrived at by the trial court except insofar as a presumption in support of such conclusions is derived from the opportunity which the trial judge has of seeing and hearing the witnesses and

struction of the road, to divert the water naturally seeking an outset in a draw and conduct it in an artificial ditch along the highway for a mile or more and there discharge it in such manner that it dam-aged the land of the plaintiff or that plain-tiff was allowed damage for such disposi-tion of the water.

4. An easement by prescription can be acquired only by an adverse user for ten years, and the commencement of the time required for the prescription to ripen dates from the time when the party was dam-

om the time when the party was dam-red or had a cause of action arising from e adverse user.

the adverse user.

1466. Ames against Ames. Error from Washington. Affirmed. Albert, C. Division No. 2

1. Where a petition filed in the district court states facts sufficient to entitle plaintiff to both legal and equitable relief, and prays relief, a part of which only can be had at law, but all of which can be had in equity, the pleader will be held to have intended thereby to invoke the chancery and not the common law powers of the court.

en action by some unequivocal act which commits him to theory that he has abandoned his claim to equitable relief.

3. A mere demand for a jury to try the issues of fact is not such an act as welld warrant the court in assuming that the plaintiff has abandoned his claim to equitable relief.

3. A mere demand for a jury to try the issues of fact is not such an act as welld warrant the court in assuming that the plaintiff has abandoned his claim to equitable relief. Secause where the relief sought is equitable, a court in its discretion may summit the issues of fact to a lury.

4. In a suit by one of the representatives of a deceased person to set eside a lury to try the issues of fact to a lury.

4. In a suit by one of the representatives of a deceased person to set eside a lury.

5. In a suit by one of the representatives of a deceased person to set eside a lury.

6. In a suit by one of the representatives of a deceased person to set eside a lury.

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19. In a suit by one of the representatives of a deceased person to set eside a lury.

19. In a suit by one of the relief south to equitable relief.

20. A mere demand for a jury to try the issues of fact is not such the plaintiff has abandoned his claim to count in assuming that the plaintiff has abandoned his claim to count in the suct of fact is not such the plaintiff has abandoned his claim to count in the suct of fact is not such the plaintiff has abandoned his claim to count in the suct of fact is not such the plaintiff has abandoned his claim to coun

by the conclusion arrived at by the trial court except insofar as a presumption in support of such conclusions is derived from the opportunity which the trial judge has of seeing and hearing the witnesses and of judging their candor, their knowledge of the facts, their intelligence and bias or partiality, if any is exhibited.

2. Where water, be it surface water, the result of rain or snow, or the water of springs, flows in a well defined course, be it dicts or swale or draw in its primitive condition, and seeks its discharge in a neighboring stream, its flow cannot be arrested or interfered with by a land owner to the injury of the neighboring proprietors, and what a private proprietor may not do neither can the public authorities.

3. The court will not presume that the commissioners appointed to assess damages to the owners of land over which it runs, considered it necessary, in the proper construction of the road, to divert the water naturally seeking an outlet in a draw and conduct it in an artificial ditch along the

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