

ASKS RECEIVER FOR EQUITABLE

MARYLAND CITIZEN FILES AN ACTION

HYDE OPPOSES ALEXANDER

Objects to Request of the Latter That His Name Be Stricken From Petition by Which He Intervened

By Associated Press. NEW YORK, April 24.—J. Willcox Brown, a citizen of Maryland, through his attorneys, Battle and Marshall of this city, today filed an action against the Equitable Life Assurance society, in the United States circuit court, asking that a receiver be appointed and for an accounting for the benefit of himself and other policy holders who may care to join with him in the action.

Counsel representing James H. Hyde, vice president of the Equitable Life Assurance society, and Franklin B. Lord, a stockholder in the society, who has asked for an injunction against the proposed plan for mutualizing that society, appeared before Justice Maddox in the supreme court at Brooklyn today to oppose a petition by James W. Alexander, president of the society, to strike out certain references to Mr. Alexander from the petition by which Mr. Hyde intervened in the Lord action.

Notice has been given by counsel for Mr. Alexander that he objects to the statement in Vice President Hyde's petition to the effect that the proposed mutualization plan was passed by the board of directors without regard to the consent of the majority of the stock and that it was inspired solely by instructions of Mr. Alexander, assuming to act in his capacity as president of the society. Counsel also objected to the assertion that Mr. Alexander has been hostile to his trust.

Samuel Untermyer, counsel for Mr. Hyde, told the court today that he had received a copy of the Alexander petition and had heard that it was to be presented to the court today and that he was there to oppose it. The court, however, had not received the Alexander petition and there was no hearing.

MRS. GORDON REPORTS BOLD BOMB THROWING

Police Say the Work Was That of a Photograph Fiend—Kennedy Fires Shots

A photographer and a big charge of flashlight powder, which was exploded just outside the front window of the Gordon residence, 1518 St. Andrews place, at 10 o'clock last night, convinced Mrs. Gordon, her son and three daughters that the colonel was attempting to blow the family into eternity with a single shot.

Colonel Gordon and his stepson, W. J. Kennedy, attempted to try final conclusions with revolvers at three paces last Friday night in a midnight duel, and since that time both of the participants have been watchful.

When Kennedy pinched himself and found that he was still alive last night after the explosion he rushed to the second story of the house and looked out to see if the perpetrator of the fiendish act was staying to gloat over the catastrophe. He says he saw the skulking figure of a man a short distance away. Anyway he fired two shots, whereat the figure skulked some more, but at an increased speed. No greensward was stained with blood and the police are of the opinion that the man is safe and sound.

Neighbors notified the police and they responded post haste. An undertaker heard of the reported shooting and started to the scene, as there have been frequent threats as to what might happen.

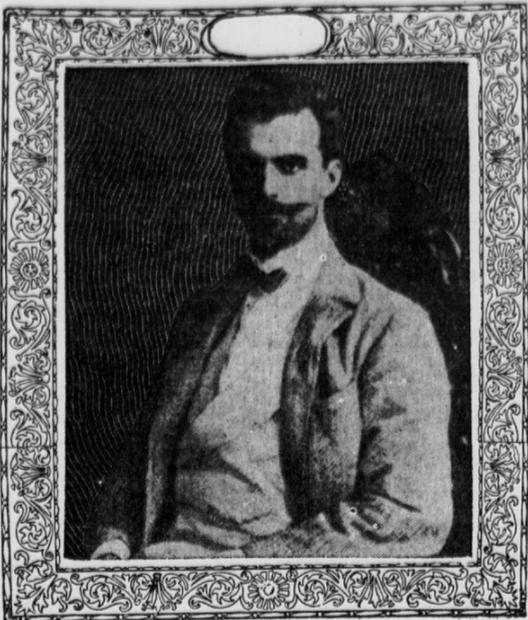
Mrs. Gordon met the first squad of police at the door and excitedly told them that a bomb had been exploded in the front yard. She believed an attempt had been made to kill the family and wreck the house. The first squad of police made a careful investigation, found no evidences of such an attempt, said they believed it was a camera fiend and returned to the station. The second squad of police also conducted an investigation and was of the same mind.

JUDGE THAYER DIES AT HOME IN ST. LOUIS

Eminent Jurist Who Wrote Opinion in Northern Securities Case Passes Away

By Associated Press. ST. LOUIS, April 24.—Amos Madden Thayer, United States circuit judge of the fifth judicial circuit, died at his home here tonight, after an illness of four months, aged 64 years. He wrote the opinion of the United States court of appeals in the Northern Securities case.

OBJECTS TO ALEXANDER'S PETITION



JAMES H. HYDE

SHOT DOWN IN FAMILY FEUD

TWO MEN KILLED ON STREET OF HAVILAH

SLAYER HIDES IN MOUNTAINS

Old Quarrel Between Kern County Families Breaks Out Anew and Innocent Bystander Falls a Victim

By Associated Press. BAKERSFIELD, April 24.—A feud between two well known families, the Walkers and the Burtons, extending over a period of two decades, broke out again in the mining town of Havilah at 2 o'clock this afternoon when Newt Walker and Dave Burton fought a pistol duel in the street resulting in the instant death of Burton and his innocent companion, a man named Babsby. Ten or a dozen shots were fired before Burton fell and Walker, after coolly reloading his pistol, made his escape and is now hidden in the mountain fastnesses.

This is the third of the Burton boys to die violent deaths. Fletcher Burton was killed by Ben Walker in 1891 and Walker is still a fugitive from justice. The Gibson Brothers were convicted as accessories to the crime and sentenced to life imprisonment, but were subsequently pardoned. Jim Burton was shot down on the same night that Fletcher was killed, but he recovered only to meet death a year later at the hands of C. H. Allison, a partisan of the Gibsons. Allison was subsequently acquitted.

There is but one of the Burton brothers alive now, Luther by name, a prominent mining man of Tonopah and noted as a man of nerve. He has been notified of his brother's death and when he arrives at his old mountain home further trouble is feared, as the Gibsons and Allison are both living in that section.

Only last week Phil Walker, the youngest member of the Walker family, pleaded guilty to murdering an old man by the name of Nicoll and was sentenced to life imprisonment. He was taken to San Quentin yesterday.

GOULD TO BE DIRECTOR OF WESTERN PACIFIC

San Francisco Man to Resign to Make a Vacancy for Him

By Associated Press. SAN FRANCISCO, April 24.—It is now announced that George J. Gould is to become a member of the board of directors of the Western Pacific railroad, the new overland line which is to be built between Salt Lake and this city in order to give the Gould system of roads an entrance into this state and city. One of the San Francisco directors of the company is to resign in a few days to create a vacancy in the board for this purpose. Mr. Gould will make the fourth eastern man on the board, the other three being William H. Taylor of the Trust company, E. T. Jeffery and Edwin Hawley.

It is understood that several of the local directors will soon give way for other New Yorkers, so that a majority of the board can readily meet in New York for the transaction of business.

NAN PATTERSON AGAIN ON TRIAL

ALMOST COLLAPSES IN THE COURT ROOM

PROSECUTION OUTLINES PLAN

Assistant District Attorney Rand Makes Opening Address, Explaining Points He Expects to Prove

By Associated Press. NEW YORK, April 24.—The third trial of Nan Patterson, accused of the murder of Caesar Young, began in earnest today before Recorder Goff in the court of general sessions. Confident and almost smiling in the previous ordeals the former show girl today was on the verge of collapse. She became faint at the close of the morning session, necessitating a hurried adjournment of the court, but had revived considerably when the afternoon session began.

The feature of the day's proceedings was the opening address of Assistant District Attorney Rand, in which he outlined what the prosecution intended to prove. He declared that Young never carried a pistol and that the state would prove that the revolver that killed Young was bought by Joseph Morgan Smith, brother-in-law of Nan Patterson.

Mr. Rand said that he would prove by sworn evidence that during the year Young maintained Nan Patterson he spent \$50,000 on her; that Nan Patterson and the Smiths entered into an alleged conspiracy to prevent Young from leaving this country and to avoid cutting out their enjoyment of his money. Young, he contended, acted as one marked for slaughter from the time he received the alleged threatening letter in which, it is said, Julia Smith, Nan Patterson's sister, wrote to Young: "Unless you do see Nan I cannot answer for the consequences."

The petition filed by counsel for the Smiths to compel District Attorney Jerome to give up letters taken from them when they were arrested in Cincinnati was denied today by Justice Gaynor in the New York supreme court.

ADMITS THEFT OF \$1,450,000

PRESIDENT OF MILWAUKEE BANK ARRESTED

HAD SPECULATED IN WHEAT

Frank G. Bigelow Appears Before the Board of Directors and Confesses That He Has Embezzled a Great Sum

By Associated Press. MILWAUKEE, April 24.—Frank G. Bigelow, until today president of the First National Bank, was arrested today charged with the embezzlement of over \$1,450,000 of the bank's funds.

The arrest of Mr. Bigelow followed his confession to the board of directors of the bank that he was a defaulter to the extent of \$1,450,000. Following



FRANK G. BIGELOW

Mr. Bigelow's confession he was removed from the presidency of the bank and the facts in the case were laid before the federal authorities.

The complaint was sworn to by U. S. District Attorney H. G. Butterfield. It charges that Bigelow as president of the First National bank embezzled a sum exceeding \$1,000,000. A complaint and warrant identical with those in Bigelow's case were made out for Henry G. Goll, assistant vice-president of the bank, but Goll could not be found up to 7 o'clock tonight.

President Bigelow was taken before U. S. Commissioner Bloodgood tonight. He waived a hearing and was held to the federal grand jury under \$25,000 bond. Dr. Horace M. Brown and Arthur McGooch certified his

(Continued on Page Two.)

ACCUSED WOMAN BREAKS DOWN IN COURT



NAN PATTERSON

Texas Congressman Killed at Meeting of Local Option Advocates

John M. Pinckney and Three Others Shot to Death, and Several More Injured by Flying Bullets in Free Fight

By Associated Press. HEMPSTEAD, Tex., April 24.—Congressman John M. Pinckney and two other men were killed at a mass meeting here tonight called for the purpose of petitioning the governor to send rangers here to enforce the local option law.

J. N. Brown, a leading lawyer and a leading anti-Prohibitionist, began the shooting, which became general in an instant.

The dead: J. N. BROWN. J. E. MILLS. CONGRESSMAN JOHN M. PINCKNEY.

TOM PINCKNEY, brother of the congressman. Doc Tompkins, private secretary to Congressman Pinckney, and Rollin Brown, son of J. M. Brown, are badly wounded but how seriously cannot be learned. There are many armed men

on the streets tonight, but it is not believed there will be any more trouble. The governor has been notified and will send rangers here.

Late tonight J. E. Mills died from the wounds he received. He was a farmer who had long been prominent in the affairs of the county.

When the trouble began Tompkins, private secretary to Congressman Pinckney, was making a speech to a motion. Captain Brown had the floor. He used language which was objected to and at the same time grasped Tompkins by the coat. Congressman Pinckney sprang forward and the shooting began, no one appearing to shoot who fired the first shot, though it is said that a kinsman of Brown fired and that Congressman Pinckney was the first to fall. A number of men appeared to be engaged in the shooting and something like 100 shots were fired.

Brown was a lawyer who had been practicing here for twenty years.

LONDON TIMES SOUNDS ALARM

Special Cable to The Herald. BOMBAY, India, April 24.—The Times, commenting on the recent Liberal opposition in the British house of commons to strengthening the north-western frontier of India, says the opposition does not realize the importance of the matter.

It asserts that a Russian army of 200,000 men is now concentrated in Central Asia and that this force is within striking distance of Herat Afghanistan, which it could capture in a week.

The Afghan army has degenerated into a mere rabble, and the whole country is losing the cohesion it possessed under the late ameer. The hold of Habibullah Khan, the present ameer, upon Afghan and Turkestan is steadily weakening.

The completion of the Russian Orenburg railroad has revolutionized the whole situation, and the Russian Central Asian army could walk over the unsupported Afghans without the slightest difficulty.

The need for a watchful preparedness on the Indian frontier was never greater than now.

TEAMSTERS DECLARE CHICAGO STRIKE OFF

By Associated Press. CHICAGO, April 24.—The teamsters tonight called off the strike against Montgomery Ward & Co. The refusal of the garment workers, in aid of whom the teamsters went on strike, to be parties to a fight against only one firm when they had grievances against a number led to a disruption of the committee managing the strike and the collapse of the struggle.

Quarrel With Garment Workers' Union Leads to Sudden Collapse of the Struggle

JAPANESE SHIP BADLY DAMAGED

REPORTED TOWED BY ANOTHER MAN OF WAR

GERMAN CRUISER SIGHTS HER

Rojestvensky Suffering From Dysentery, and Observers Are Not Unanimous as to Efficiency of the Russian Fleet

By Associated Press. TSINGTAU, April 25.—The German cruiser Sperber reports having sighted, April 22, in the Strait of Formosa, a Japanese man of war towing another one which was badly damaged.

SQUADRON SAILS NORTH

Fifty-Two Russian Vessels, Including Transports, Leave Kamranh Bay

By Associated Press. KAMRANH BAY, Indo-China, via Saigon, April 24.—The Russian squadron, consisting of fifty-two ships, including transports, left Kamranh Bay at noon April 22 and the main portion soon disappeared in a northerly direction. Sixteen vessels—the Russian cruiser Svetlana, the Russian battleship Orel, four German transports, seven Danish transports and three Russian transports—remained in the offing.

Fishermen and others assert that they heard cannonading off Kamranh Bay during the evening of April 22.

Those who saw Admiral Rojestvensky prior to his departure say he is suffering from dysentery, accompanied by severe pains. All the officers and crews of the Russian ships appeared to be full of confidence. It is believed that it is Admiral Rojestvensky's intention to do everything possible to have Admiral Nebogoff join him before undertaking a decisive battle.

A torpedo boat destroyer is patrolling the coast. The French third class cruiser Descartes left here at 2 o'clock Saturday afternoon for a point on the coast, where a fisherman reports that he saw twenty warships. The man, however, was unable to give their nationality.

Although the Russian crews were confident of victory independent observers who got near enough to Admiral Rojestvensky's warships to be able to inspect them were not unanimous regarding the efficiency of the squadron.

The point to which the cruiser Descartes went is Nhatrang, a small town fifty miles north of Kamranh bay on Nhatrang bay. The latter is smaller than Kamranh bay, quadrangular in shape and extends about ten miles inland at a uniform width of about four miles.

Fleet Fifteen Miles Out

By Associated Press. SAIGON, April 24.—According to the last news received here, the Russian fleet is fifteen miles out.

THE DAY'S NEWS

Southern California: Cloudy, unsettled weather Tuesday; possibly light showers; fresh south winds. Maximum temperature in Los Angeles yesterday, 66 degrees; minimum, 58 degrees.

- 1—Japanese ship badly damaged. 2—Clark satisfied with new road. 3—Stringent rules for chauffeurs. 4—Council facing garbage bugbear. 5—Southern California news. 6—Editorial. 7—City news. 8.9—Classified advertisements. 10—Sports. 11—Markets. 12—Stars appear in Shakespeare play.

Former Lieutenant Governor Woodruff of New York married to Miss Morrison. May Yobe and her husband appear together in vaudeville. Congressmen and others killed in shooting affray at local option meeting in Texas.

German cruiser reports sighting Japanese vessel damaged and in tow of another man-of-war. Japanese protesting vigorously against further breaches of neutrality. Polish correspondents anticipate reign of terror after Easter.

Grand Parlor, Native Sons of Golden West, opens session at Monterey. Serious washouts on the Santa Fe cause interruption of traffic. Fruit growers of Riverside and Pomona valleys entertain Washington and Berkeley authorities.

Gordon family believes an attempt was made on their lives. Francis Murphy celebrates 69th birthday. Woodrow busy with work and play. Business women organize a club. Council instructs city attorney to prepare ordinance to call anti-saloon election. Garbage bids are opened by the council; but action is deferred until report of Roderick McKay can be had. Ordinance is passed making it unlawful for persons under 18 years old to operate automobiles.

Building committee withdraws oil section from building ordinance. New division of the appellate court opens. Loaded gun causes excitement in court room. Plough divorce case thrown out of court. Mark Keppel makes stand in effort to prevent removal of county school office from court house. Los Vegas land boom to start in a couple of weeks. Senator W. A. Clark and officials of Salt Lake road arrive in Los Angeles. Jury hears argument in the Hays case. Costs three young men \$20 to win at a woman in Chutes park. Teamster drops dead at Main and Winstons streets.