

MAYER BEGINS EQUITABLE SUIT

ACTION AGAINST OFFICERS
AND DIRECTORS

MANY COUNTS IN COMPLAINT

Document Covers Thirty-Three Pages
of Typewritten Matter and Con-
tains Many Serious Charges.
Includes Dewey Affair

By Associated Press.

NEW YORK, July 31.—An action was instituted today by State Attorney General Julius M. Mayer in the supreme court of New York in the name of the people of the state of New York against the Equitable Life Assurance society and its officers, directors and members of the executive and financial committee, all of whom are named in complaint. The defendants are the Equitable Life Assurance Society of the United States and James W. Alexander, Louis Fitzgerald, Chauncey M. Depew, Henry C. Deming, Cornelius N. Bliss, George H. Squire, Thomas J. Jordan, Charles S. Smith, Valentine P. Snyder, Alvin W. Krech, William Alexander, John J. McCook, James B. Forgan, C. Ledyard Blair, Brayton Ives, Melville E. Ingalls, James H. Hyde, Alexander J. Cassatt, Jacob H. Schiff, James J. Hill, T. Jefferson Coolidge, Alfred M. Vanderbilt, John Jacob Astor, William C. Van Horne, Gage E. Tarbell, Marvin Hughitt, Charles B. Alexander, Thomas Dewitt Cuyler, Marcellus Hartley Dodge, Joseph F. Denavaro, Bradish Johnson, Joseph P. Lowe, John A. Stewart, Edward H. Harriman, Levi P. Morton, Robert T. Lincoln, George J. Gould, John Sloane, George T. Wilson, Thomas T. Eckert, William H. McIntyre, Henry W. Alexander, Henry C. Frick, Samuel H. Inman, Henry C. Haastick, David H. Moffatt and Henry R. Winthrop.

Harriman Receives Service

A week ago, before the papers were completed, Edward H. Harriman, on the eve of his departure for Japan, accepted service of the summons in the proposed action and today many of the other defendants, including James H. Hyde, were served through private counsel. The defendants are allowed twenty days from the time of service to file their answers.

The complaint contains twenty-one sections and covers thirty-three pages of typewritten matter. It refers to the Frick committee report and the investigation made by State Superintendent of Insurance Hendricks. It is based on information and belief, and Attorney General Mayer in his prayer to the court says that the action was brought in behalf of the people of the state of New York in the public interest and pursuant to the provisions of law. He therefore asks:

"First—That the defendants, each of them, other than the defendant, the Equitable Life Assurance Society of the United States, account for their official conduct in the management and disposition of the funds and property committed to their charge.

"Second—That the individual defendants and each of them be compelled to pay the defendant, the Equitable Life Assurance society, any money and the value of any property which they or any of them have acquired to themselves or transferred to others, or lost, or wasted, by a violation of the duties.

"Third—That any defendant or defendants now directors or officers in the defendant society, upon proof of misconduct, be removed and that a new election be held by the board of the defendant society, properly authorized to hold same, in order to supply the vacancy or vacancies created by the removal.

"Fourth—That the net surplus of defendant society, after deducting a sufficient amount to cover all outstanding risks and obligations, be paid to, or credited to, or applied for the benefit of the present policy holders in equitable proportion in accordance with the charter and with the law.

"Fifth—That the plaintiff have such other further relief as may be just, equitable and profitable."

Neglect of Duty Charged

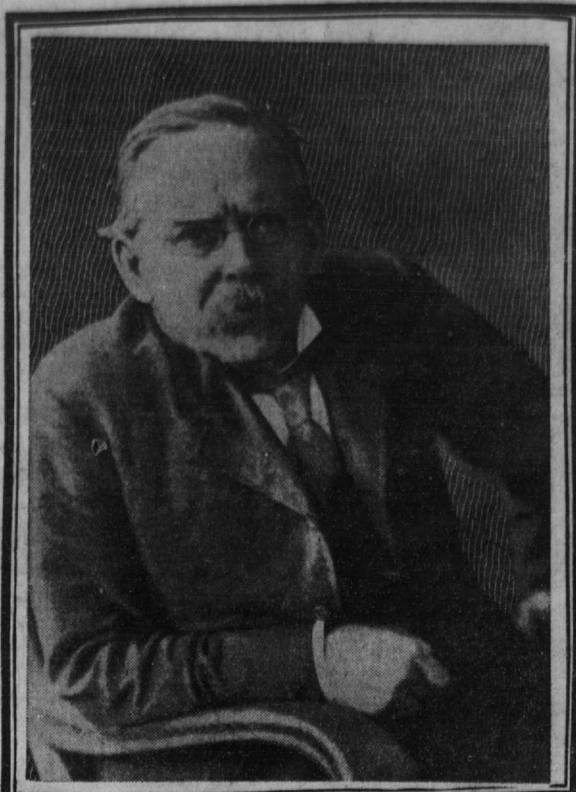
The complaint charges that the individual defendants, disregarding their duty to the society of which they were directors, "negligently, improperly and imprudently performed such duties and have habitually and continually done, or suffered to be done, wrongful, illegal and improper acts, whereof the defendant society has suffered great loss and damage."

The individual defendants are further charged with "having acquired to themselves, or caused to be permitted to be transferred to others, in violation of their duties, money, property and the value of property belonging to the defendant society."

A schedule of the salaries paid during the last five years to the principal officers of the society is appended to the complaint, which declares such salaries to have been largely in excess to the value of services of the persons named and that the payment of such salaries resulted in substantial loss to the society. It is also charged that in addition to the salaries referred to, the individual defendants, also officers,

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ROOSEVELT'S FRIEND BOOMED FOR MAYOR OF NEW YORK



JACOB A. RIIS

COUNCIL URGED TO BUY WATER RIGHTS

COMMISSIONERS ASK FOR SPECIAL ELECTION

Members Enthusiastic Over Owens Valley and
Declare That the River Is Only Source of
Supply in Southern California

"We must secure the water from the valley of the Owens river. It is the only source available which is anywhere near adequate to supply the needs of Los Angeles."

This is the declaration made by all of the members of the board of water commissioners yesterday, and accordingly the following resolution asking the council immediately to call a special bond election was unanimously adopted:

"Whereas, the board of water commissioners, recognizing the wisdom and necessity of taking steps to provide an additional water supply for the city, sufficient in volume to meet its future requirements and so located as to render its acquisition practicable from a financial and engineering standpoint, has found, after thorough investigation of all known available sources of supply, that the Owens river valley is the best place for obtaining the quantity and quality of water needed by the city, and has accordingly secured certain options and contracts for the purchase of lands and water rights in that valley necessary to provide the water required; and

"Whereas, in view of the large amount of money that will be required to purchase the real property needed for this purpose, it will be necessary to provide the funds therefor by the issuance of bonds; now, therefore, be it

"Resolved, that the honorable city council be requested to call a special election to be held at the earliest practicable date and to submit to the voters of the city the proposition of authorizing a preliminary issue of bonds in the amount of \$1,500,000 for the purpose of acquiring lands, water rights and other property necessary to provide the city with a source of water supply in the Owens river valley, and that the matter of obtaining funds with which to construct the works necessary for the purpose of taking the water out of that valley and bringing it to the city of Los Angeles be left to be provided for by subsequent issues of bonds."

Commission Enthusiastic

The water commissioners are more than enthusiastic over the scheme to bring the water of the Owens river into the San Fernando valley. Realizing that in all of Southern California on this side of the mountains there is no place from which it is possible to obtain a water supply sufficient for the needs of a city of even 300,000 inhabitants, they fully appreciate what the acquisition of the water rights in the Owens valley means to the city. The commissioners feel that at last the solution to the problem they have been facing so long has been found.

For years Los Angeles has been swallowing every drop of water that Superintendent of the Water Department Mulholland could find, and the business men who compose the commission say they are convinced that the larger business interests of the city are already looking with concern at what appeared to be a drawback to further growth on the part of the city. With the pure and abundant snow water of the Owens river flowing into the San Fernando valley it is declared

that no one need worry until the city has achieved a population of over 2,000,000.

Big Deal Discussed

At the regular session of the commission yesterday the proposition in all of its phases was discussed. It came to light that in the agreement between Fred Eaton and the commission the former was to be allowed all of the land in the valley above the 100-foot level for the purpose of grazing his cattle. The report of Engineers Lippincott and Parker makes this concession look rather small, however, for it places the entire bottom of the valley below this level.

Commissioner J. C. Elliott, in discussing the purchase of the few remaining strips of land in the valley, said:

"I feel that we ought to give those fellows a fair price for their claims. We have bought the rest of the valley on fair terms, and of course if we must condemn the few remaining strips it will be an easy job, and we can secure the property through the courts on the same basis as that on which we have bought the other holdings in the valley."

"I also think that the residents of Independence should be allowed something for their rights. We will practically depopulate the valley and this will of course take away that village's income."

At this point Superintendent Mulholland broke in with: "Well, you will not have to buy out much, for there are not many people there. My auto was the first one to enter the valley and the first machine most of the settlers had ever seen, and they all turned out. I think I gave a ride to everybody in town."

Two Claimants Send Letter

A. K. Koebig addressed a communication to the board setting forth that he, with T. E. Gibbon of the Salt Lake road, owned certain rights in the valley. While they did not want to "hold up" the city, they declare, still they intend to protect their vested rights, and they announce that they are ready for a conference with the board.

Superintendent Mulholland explained that these men own certain rights on the Owens, but that these rights are located about fifty miles farther up the valley than the holdings of the city extend. The superintendent stated that he understood Koebig and Gibbon had planned to put in a big dam to conserve the water for the generation of electricity, but that the land which the reservoir would have to cover is a portion of Rickie's cattle range, which now belongs to the commission, so that it will be impossible for the two gentlemen to both the city's supply without first purchasing this land from the city. Thus the commission is safe. The communication was filed.

FINANCIAL PROBLEM EASY

City Attorney Sees No Obstacles in the
Way of Bond Issue

City Attorney W. B. Matthews, on whose shoulders has fallen the burden of the work of securing the Owens river

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PICKS RIIS TO BEAT TAMMANY

URGES REFORMER FOR MAYOR
OF NEW YORK

MASSSES WILL RALLY TO HIM

Alderman Meyers Declares the Nomination Would Cause Party Lines to Be Forgotten and Insure Republican Victory

Special to The Herald.

NEW YORK, July 31.—Alderman Meyers, Republican, of the Thirty-first assembly district, launched a new mayoralty boom today. He proposed Jacob A. Riis as an anti-Tammany candidate for mayor.

"The conditions this year are extraordinary," said Meyers, "and extraordinary action must be taken to meet them. In order to defeat Tammany we must appeal to the masses of voters and nominate a man for mayor who is known to the masses and who has worked for the masses."

"No man in New York city fills the bill so well as Jacob Riis. He has spent most of his life working among the poor of the east side and promoting their welfare. They know him and are grateful to him, and if he were nominated for mayor party lines would be forgotten and they would support the man who has done so much for them. The nomination of Riis would bring about a square fight on the issue of a government for the people not a government in the interest of politicians and certain corporations."

FRENCH AND GERMAN
TROOPS IN CONFLICT

Trouble Breaks Out on Congo Frontier
and Joint Commission Will Be
Appointed to Investigate

By Associated Press.

BERLIN, July 31.—An official report from the governor of Cameroon was received today by the colonial division of the foreign office, concerning the affair on the French Congo frontier. It says that Senegalese soldiers crossed the German station at Missumisum and plundered merchants. Capt. Schuennemann, who was at the time in the southern part of the district, was shot on the march to Missumisum by French Senegalese troops and the Germans returned the fire, killing five and capturing four.

The governor of Cameroon, upon receiving the report of the affair from the commander of the German troops, Col. Mueller, sent troops to the protection of Bagun. It is proposed that a joint commission be sent to the spot to investigate the trouble and arrange for the prevention of such incidents. To this the German administration has agreed.

FORMING TRUST TO BEAT BRYAN

"SAFE AND SANER" CAMPAIGN
TO BE STARTED

NEBRASKA PAPERS TO UNITE

Move Prompted by Fear That Another
Wave of Popularity May Result
From Recent Disclosures
of Graft

Special to The Herald.

OMAHA, Neb., July 31.—A newspaper trust to defeat W. J. Bryan in any political aspirations he may cherish is being formed in Nebraska, with E. E. Brown of the Hastings Observer as the active promoter. The scheme is part of a wholesale campaign of education in behalf of safe and sane politics, with no special reference to the interests of any political party.

The plan, as outlined, contemplates the establishment of twenty-one papers in leading towns of Nebraska to encourage the anti-Bryan sentiment now existing. The move is prompted by the fear that another wave of Bryan popularity may result from the recent disclosures of graft in financial and political centers.

Brown and his newspaper trust are said to have the financial backing of James E. Eckles, ex-comptroller of currency; Paul Morton, president of the Equitable Life; Thomas F. Ryan, the Wall street king, and Edward A. Cudahy, the Omaha packer. It is proposed to make Omaha the headquarters of a chain of papers and to this end an option has been secured on the Omaha Commercial, a weekly business paper, which, it is said, will be turned into a daily, while the Observer will be moved from Hastings to Lincoln.

CHARACTERISTIC SCENES IN OLD NEW ORLEANS



AT THE TOP, AN OLD TILE ROOF TYPE OF DWELLING AND THE M'DONOUGH STATUE. IN THE CENTER, A FRENCH MILK VENDOR. AT THE BOTTOM, TYPICAL COURTYARD IN THE FRENCH QUARTER

15,000 VOLT CURRENT HURLS MAN TO DEATH

ONE KILLED, ANOTHER IS FATALLY SHOCKED

John Heprick Electrocuted on Pole and Body Falls
to Ground in Sight of Fellow Workman.
Foreman Is Rescued but May Die

Fifteen thousand volts of electricity conducted along a telephone wire which was brought for a moment in contact with a wire of the Pacific Electric company, instantly killed John Heprick of 216½ East Fifth street and probably fatally shocked Charles Frost of 1218 East Fifty-fifth street while they were stringing a Santa Monica toll line yesterday afternoon at the corner of Main street and Vernon avenue.

So violent was the shock that Heprick was thrown from the pole into the middle of the street and Frost was hurled backward at the same time but was saved from falling by his safety belt, which he had fastened to the pole before beginning to work.

Driver Woods and Linemen King and Selvers saw the flash and rushed to the side of Heprick, but he was dead.

Rescue Their Foreman

Without a moment's hesitation Selvers and King climbed the pole, where their foreman was hanging by his belt, tied ropes around his body and lowered it to the ground. While the linemen were assisting Frost Woods called for doctors, and in a very short time three physicians had been on the scene. Finding that Heprick had been instantly killed all attention was devoted to Frost's apparently lifeless form.

As soon as Frost began to show signs of life he was removed to the general emergency hospital, where he may die at any moment. Physicians worked with him for hours in hope that they might save his life, but it is feared that their efforts were in vain.

Heprick and Frost were employed by the Home Telephone company and at the time of the accident were stringing a new toll wire between Santa Monica and Los Angeles on Main street, across Vernon avenue. Both men had just mounted the poles and were in the act of swinging the wire across the Pacific Electric company's wire when the flash came. It is said by the other linemen that the two got the wire too near the high voltage wire.

Hurled From Pole

As the wires came in contact there was a blinding flash, a crackling sound and a low cry from one of the men. Heprick was hurled from the pole and struck on the left side of his head. Whether the fall or the electric shock killed him opinions differ. His head and shoulder are bruised but there is no mark of a burn. Neither has Fore-

man Frost any trace of a burn on his hands or body, though the current must have passed through him. Both men wore gloves at the time and it is probable that their flesh was not burned for that reason.

Heprick came to Los Angeles but recently. He was married a short time ago in Pomona, where he was employed for a time after coming from the east. Frost lives with his mother on Fifty-fifth street and has had charge of a gang of linemen for the Home Telephone company.

Superintendent Hummel of the Home Telephone company arrived on the scene shortly after the occurrence and assisted in clearing the wires. He said that the whole affair was accidental and was due to bringing the telephone wire too close to the high voltage wire.

RENO EXCITED OVER
RICH GOLD STRIKE

By Associated Press.

RENO, Nev., July 31.—Reno is greatly excited today over an immense strike made in the new White Horse district near here. Dewitt Boyce and associates, who recently arrived here from Pittsburg, Pa., have uncovered a ledge eight inches across that assays \$160,000 per ton. This is one of the richest strikes ever made in Nevada, and the find is verified both by samples of the ore and assayers' returns received tonight. The rock is literally peppered with gold.

Already a number of teams and prospecting outfits have left for the scene, though there is little chance of getting in, as the ground for miles around has been taken up.

KILLED BY FALL OF
ROCK WHEN TUNNELING

By Associated Press.

BAKERSFIELD, July 31.—A report circulated in the city last night that a man had been killed in tunnel 4 of the Edison Electric company, in the Kern River canyon, was verified this afternoon when Coroner Mullins returned. He found that the man, whose name was M. Swamberg, was a laborer and that he had been killed late on Saturday. While working in the tunnel a rock became dislodged in the roof and fell on his head. Death was instantaneous. The body is now in the morgue, but up to this time no relations of the dead man have been found.

YELLOW FEVER GAINS HEADWAY

FIVE SUCCUMBED TO DISEASE
YESTERDAY

NEW VICTIMS ARE ITALIANS

Twenty-One Additional Cases Appear
in New Orleans—Alabama's
Quarantine Even More
Stringent

NEW ORLEANS, July 31.—New cases up to 6 p. m., 21; cases to date, 302; deaths to 6 p. m., 5; total deaths to date, 62; new foci, 5; total foci, 46.

By Associated Press.

NEW ORLEANS, July 31.—Of the five deaths reported above three occurred in the emergency hospital and all of the five bore Italian names.

A new case was discovered outside of the city, being that of an Italian who left here a week ago with several others and took up his residence in Morgan City.

Mississippi has again announced that it will accept detention camp certificates issued by the marine hospital service.

On the other hand Alabama has taken a new tangent and instituted even more stringent restrictions than any yet attempted.

By the end of the present week the authorities in charge of the fever situation believe they will be in such thorough touch with conditions that they will be able to speak with authority as to their ability to control and eradicate the disease in advance of the coming of the frost. Daily the system of inspection and report is becoming more perfect and by that time not only will it be possible to tell precisely the extent of the fever, but a period will have arrived when no more new cases traceable to the original infection may be expected.

Three deaths occurred in the emergency hospital today, the number of patients in which has largely been increased. All cases found with no relatives to care for them are promptly removed to the institution, where the most elaborate arrangements have been made for their treatment.

Wilmington Case Is Yellow Fever

President Souther of the state board of health received advice today that the Wilmington case at Morgan City had been pronounced yellow fever. Morgan City is twenty miles from New Orleans, and the announcement of the case there will doubtless be followed by the board.

THE DAYS' NEWS

FORECAST

Southern California: Foggy Tuesday morning, becoming fair during the day; light west wind. Maximum temperature in Los Angeles yesterday, 77 degrees; minimum, 58 degrees.

PART I

- 1—Picks Riis to beat Tammany.
- 2—To ask for big cut in taxes.
- 3—Ebell club lays corner stone.
- 4—Editorial.
- 5—City news.
- 6—Classified advertisements.
- 8—Wife weary of manure work.

PART II

- 1—Mayor after library board.
- 2—Southern California news.
- 3—Public advertisements.
- 5—Markets.
- 6—Sports.

EASTERN

State Attorney General Mayer of New York begins suit against the Equitable. Yellow fever gains headway in New Orleans. Jacob Riis is boomed for mayor of New York.

FOREIGN

Negotiations progressing for amendment of Russo-American tariff. Famine in India followed by epidemic of cholera makes second successful flight at Fiesta park.

French and German troops come into conflict on Congo frontier.

COAST

Serious forest fire is sweeping up El Cajon pass. Officials of the Harriman and the Salt Lake lines begin conference in San Francisco. Edison company's camp destroyed by fire in Kern River canyon.

LOCAL

Four members of the library board are removed by Mayor McAleer. Man-angel makes second successful flight at Fiesta park. Many southerners seeking refuge from ravages of yellow fever are coming to Los Angeles. One lineman electrocuted and another may die as result of shock from heavily charged wire. Water board asks council to call a special bond election and purchase Owens valley water rights. Ebell club members lay cornerstones of new building. Joseph Schmaldeck on trial for the murder of Mrs. Salmon. George Decker, former ball player, is committed to insane asylum. Woman objects to bathing husband and sues for divorce. Prominent chemist of Pasadena sued by wife, who asks divorce on ground of cruelty. County supervisors will ask state for 25 per cent reduction in assessment of Los Angeles county. Superintendent Ingram of Southern Pacific says danger in Salton sink is practically over. Los Angeles terminal privileges for Salt Lake to be decided in San Francisco today.