# EQUITABLE LIFE SUED BY NEW YORK

Advice and Help.

for

pathy

pound Cured Mrs. Fred Seydel.

This F. Seydel

much for me.

female ills.

free and always helpful.

HYDE'S STOCK.

for which it paid but 3 per cent inter-

Referring to the merger in 1892 of

the Western National bank of the city of New York, in which the Equitable

to the society, it is also charged to, the individual defendants, as offi-cers, members of committees, trustees or agents, "permitted the defendant society to pay to many of the above

society to pay to many of the above named officers and directors and to others large and unwaranted sums as exeposes incurred by such persons in the service of the society and said sums were paid without sufficient vouchers, without proper, proof of their amounts and without it being properly shown that the said defend-ant society in any way benefited by

ant society in any way benefitted by such expenditures or was legally or properly chargeable therewith."

EXTRA PAY.

The complaint also charges: "That

and members of committees of decend-ant society, and of several other socie-ties and corporations."

tiles and corporations." Especial mention is made of the re-ceipts by Mr. Hyde of salaries aggre-gating \$27,000 annually from the Euglt-the Marcantile and Commercial Trust

able, Mercantile and Commercial Trust companies, in all of which the Equitable

Life is largely interested. Allegation is also made of the pay-ment of illegal and excessive pensions

to various persons and of the payment of "excessive, improper and unwar-ranted sums to various attomneys and

counselors-at-law, the aggregate amount of which far exceeded and was

entirely disproportionate to the ser-vices rendered."

LOAN TO DEPEW COMPANY.

Of the loan to the Depew Improve-

"That the defendants improperly, im-providently and wustefully prosured and permitted the defendant society to loan the sum of \$250,000 to the Depew

Improvement company, a corporation doing business in the state of New York, in which company the defendant, Chauncey M. Depew, and others of the

safe deposit company

Action Brought on Behalf of People of the State and in the Public Interest.

### DIRECTORS MUST ACCOUNT.

Complaint Charges That Individual Defendants Have Fermitted Wrongful Acts to be Done.

New York, July 31 .- An action was instituted today by State Atty.-Gen. Julius M. Mayer in the supreme court of New York county, in the name of the people of the state of New York against the Equitable Life Assurance society. its officers, directors and members of the executive and finance committees, all of which are named in the complaint.

DEFENDANTS.

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, Joha J. McCook, James B. Forgan, C. Ledy-ard Blair, Brayton Ives, Melville E. Inguits, James H. Hyde, Alexander J. Cassait, Jacob H. Schiff, James J. Hill, T. Jefferson Cooledge, Alfed M. Van-derbilt, John Jacob Astor, William C. Vanhorne, Gage E. Tarbell, Marvin Hugnit, Charles B. Alexander, Thom-as De Witt Cuylor, Marcellus Hartley Dodge, Jose F. De Navarro, Bradish Johnson, Joseph P. Lowe, John A. Stew-art, Edward H. Harriman, Levi P. Mar-Fitzgerald, Chauncey M. Depew, Henry Johnson, Joseph P. Lowe, John A. Stew-art, Edward H. Harriman, Levi P. Mor-ton, August Beimont, Darius O. Mills, Robert T. Lincoln, George J. Gould, John Sloane, George T. Wilson, Thom-as T. Eckert, William H. McIntyre, Henry W. Alexander, Henry C. Frick, Samuel M. Lawton, Henry C. Haar-stick, David H. Moffatt and Henry R. Winthron. nthrop.

Minthrop. 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 their private counsel. The defendants are allowed 20 days from the time of service to file their answers.

#### THE COMPLAINT.

The complaint contains 21 sections and sovers 33 pages of typewritten matter; refers to the Frick committee report and the investigation made by State Supt. of Insurance Hendricks; it is based on information and bellef, and Atty.-Gen. Mayer in his prayer to the brought the action was brought court says that the action was brought on behalf of the people of the state of New York in the public interests and pursuant to the provisions of hew. 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 com-mitted to their charge.

ndividual defendants were stockhold dividual defendants were stocknown which loan of \$250,000 was made on grossly inadequate security, and lich property securing said loan was pursised in 1991 by the insurance de-riment of the state of New York at e sum of \$150,009. IN STRICT CONFIDENCE. Women Obtain Mrs. Pinkham's

That said Depew Improvement com That said Depew Improvement com-pany subsequently became insolvent and the property which secured said loan was bid in at foreelosure sale for about \$50,000, thereby resulting in a great waste and loas of the property of the defendant society. "That the referee's deed for said pro-perty was not recorded by said defend She Has Guided Thousands to Health. -How Lydin E. Pinkham's Vegetable Com-

"That the referee's deed for skid pro-perty was not recorded by said defend-ant society until about Jan. 12, 1905, and that in the meantime proceedings were taken to collect the judgment for the deficiency thereon, and the same has ever since remained due and unpaid. "That said Depew and others of the individual defendants agreed with the defendant society that they would save said defendant society harmless from It is a great satisfaction for a woman to feel that the can write to nothertellingher the most private and confidential letails about her said defendant society harmless from oss by reason of said loan if said so illness, and know that her letter will jety would refrain from recording sale deed and from enforcing said deficiency judgment. That said society did so refinin, but said defendants have neg-lected and refused to pay the amount of said losses said society had so sufbe seen by a woman only, a wo-man full of symsick sisters, and fered. above all, a woman who has had

MANIPULATION OF DEPOSITS. more experience in treating female ills

than any living person. Over one hundred thousand cases of It is further charged that "the de endants wastefully, improperly and im-rovidently permitted the defendant ociety for a number of years past to female diseases come before Mrs. Pinkham every year, some personally, others by mail, and this has been gosociety for a number of years past to keep during almost the whole of each year excessive, unnecessary and un-warranted sums of money on deposit with the National Bank of Commerce, New York; the Mercantile Trust com-pany, New York; the Equitable Trust resurgery New York; the Equitable Trust ing on for twenty years, day after day. Surely women are wise in seeking advice from a woman of such experience, especially when it is absolutely ompany, New York; Commercial Trust ompany, Philadelphia, and at least 19 Mrs. Pinkham never violates the concompany, Philadelphia and at least 19 other banks and trust companies, in some or all of which the individual de-fendants, or some of them, were stock-holders, directors or officers, which sums were deposited at inndequate rates of interest, instead of investing them in proper and more remunerative forms of investment, and permitted said defendant society, regularly, for a number of years past, to conceal this fact and mislead and deceive policy-holders of the society in respect thereto by annually, on Dec. 27 to29, loading ap-proximately \$10,000,000 on collateral se-curity, which said loans have been reg-ularly called in on Jan, 3 or Jan, 5 and the funds redeposited in three deposi-tories from which they had been temfidence of women, and every testimonial letter published is done so with the written consent or request of the writer, in order that other sick women may be benefited as they have been. Mrs. Fred Seydel, of 412 North 54th Street, West Philadelphia, Pa., writes: Dear Mrs. Pinkham:--"Over a year ago I wrote you a letter asking advice, as I had female ills and could not carry a child to maturity. I received your kind letter of instructions and followed your advice. I am not only a well woman in con-sequence, but have a beautiful baby girl. I wish every suffering woman in the land would write you for advice, as you have done so the funds redeposited in three deposi-tories from which they had been tem-porarily withdrawn for this purpose." After reciting that the society has at the end of each year caused a bal-ance to be struck purporting to show the net surplus carned during the pre-ceding year, the complaint declares that the defendants have failed to divide among the policyholders an equitable share of the net surplus at the expira-tion of each five years as provided by the society's churter. The complaint continues: Just as surely as Mrs. Seydel was cured, will Lydia E. Pinkham's Vegetable Compound cure every woman suffering from any form of No other medicine in all the world

has such a record of cures of female troubles as has Lydia E. Pinkham's Vegetable Compound. Therefore no prudent woman will accept any substitute which a druggist may offer. If you are sick, write Mrs. Pinkham, Lynn. Mass, for special advice. It is

continues: "Plaintiff further alleges that the rules and regulations adopted and here-tofore acted upon by the defendant so-clety and its officers, with the approval and consent of the society's directors for the accertainment of the equitable share of the surplus due to each policy-holder were and are incorrect, illegal and improper, and that, of the surplus now held or purporting to be held by the defendant society, as shown by its statements, a sum approximating \$10,-000,000 is held by the society, in which said sum the present policyholders in themselves, or caused or permitted to be transferred to others, in violation of their duties, money, property and the value of property belonging to the de-fendant society." Section 10 of the complaint deals with the lease of premises in New York to the Mercantile Safe Deposit com-pany, the rental of which is declared to have been inadequate and the terms of the lease greatly to the disadvantage of said sum the present policyholders in violation of the law and the express terms of the charter would have no interest under said rules and regulations. ARE POLICYHOLDERS' MILLIONS.

the lease greatly to the disadvantage of the Equitable society; furthermore, that James H, Hyde, James W, Alex-ander, Gage E. Tarbell and other de-fendants were directors in the Mercan-"That the defendant society and the Individual defendants is officers and di-rectors thereof, have held and reported in the reports to the tax commissioners of the city of New York that the en-tire surplus belonged to the policy-holders. tile Safe Deposit company and thereby derived a profit, in violation of their duty to the Equitable society.

Referring to the purchase of the cap-ital stock of the Missouri Safe Deposit company, for which the Equitable paid \$250 for each \$100 par value, the elev-enth section of the complaint declares That the present policyholders of th "That the present policyholders of the defendant isociety are entitled to the whole of the present net surplus of the society after deducting' a sufficient amount to cover all ou planding risks and other obligations, in accordance with the charter, and are entitled to have an equitable share of said net that the Equitable received but a nom-inal rent for the premises occupied by that at the surplus credited to or paid to or ap plied for the benefit of each policy time of the stock purchase 1410 shares out of a total of 2,000 were owned by holder, in accordance with the charter James H. Hyde and the remainder 1 others of the individual defenden nd with law."







Diat. Pass. Aga



Second-That the individual defendants and each of them be compelied to pay the defendant, the Equitable Life

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 them-belves or transferred to others, or lost, or wasted, by a violation of the duties. Third—That any defendant or defend-ents now director or directors or offi-cer in the defendant society, upon proof of misconduct, be removed, and that a new election be held by the board of the defendant society, purely authorthe defendant society, purely author-fixed to hold same, in order to supply the vacancy or vacancies created by the removal.

Femoval. Fourth—That the net surplus of de-fendant society, after deducting a suf-ficient amount to cover all outstanding risks and obligations, be paid to, or credited to, or applied for the benefit of, the present policyholders in equitable properties. In accordance, with the

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.

DISREGARDED DUTIES.

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

The individual defendants are further charged with having "acquired to

## **BAD BLOOD** INVITES DISEASE

The blood supplies nourishment andstrength to every part of the body when it is rich, pure and healthy. When from any cause it becomes diseased or weak it cannot supply the nutriment the system needs, and the body is unable to resist the diseases and troubles that are constantly assailing it to break down the health.

I have used S. S. S. and found it to be an excellent blood purifier and tonic. My blood was weak and impure, and as a result my system became very much wundown and debilitated. Host twenty or more younds in weight, had no appe-lite and was in bad shape. Seeing S. S. advertised I becan its use, and am well pleased with the results after using it for some little while. My system and general health have been wonderfully built up, and I no not hesitate to give S. S. S. the credit for it. H. MARTIN. Warren, O., 60 Second St. The complaint also charges: "That the defendants wrongfully caused the defendant society and a number of other societies and corporations, in which the defendant society was largely a stockholder and in which some of said individual defendants were also stockholders, to pay large sums of money to themselves or to some of their number and to other persons under the guise of salaries and fees for attending to their duties as officers and directors and members of committees of defend-

Rheumatism, Skin Diseases, Scrofula, Catarrh, Old Sores, Malaria, Coutagious Blood Poston, etc., are the results of bad or diseased blood, and until this vital fluid is cleansed and made pure, strong and healthy, these diseases will continue. The greatest of all blood purifiers and tonics is S. S. S. It has been curing all diseases of the blood for more than forty years by going down to the very root of the trouble, forcing out all poisons and impurities and building up every part of the system by its fine tonic effect. S. S. S. cures Rheuma-

tism, Skin Diseases, Scrofula, Catarrh, Old Sores, Malaria, Contagious PURELY VEGETABLE, Blood Poison

and all other blood troubles, and cures them permanently, S. S. S. is the acknowledged king of blood purifiers and the greatest of all tonics. Books on the different diseases, and any medical advice you may wish will be given without charge.

THE SWIFT SPECIFIC CO., Atlanta, Ga.

### Cures Sciatica.

some of whom were officers in the sai, deposit company and in the Equitable; furthermore, that at the time of the Rev. W. L. Riley, LL.D., Cuba, New York, writes: "After fitteen days of ex-cruciating pain from sciatic rheumatism, under various treatments. I was induced to try Ballard's Snow Liniment; the first application giving my first relief and the second entire relief. I can give it un-qualified recommendation." 25c, 30c, \$1.00. Bold by Z. C. M. I. Drug Dept. B purchars the safe deposit company had no assets beyond the lease and good will of the business by virtue of the lease. The matter of loans to agents which were assigned to the Commercial Trust company of Philadelphia is set forth, the charge being made that for the money advanced on such assignments

5 per cent interest was paid, while the trust company at the same time held large sums of the society's money Do not miss the Diving Horses at Saltair

### PORTLAND EXCURSIONS

Via Oregon Short Line.

with the National Bank of the Capitable society was the owner of 12,000 shares, with the National Bank of the United States of New York, the complaint says the society received \$70 in cash and \$140 in stock of the consolidated Salt Lake to Portland and return .\$31.59 Salt Lake to Portland and return (one way via San Francisco..., 42,50 Salt Lake to Portland and return (one way via Los Angeles)..... 50,50 Tickets to Portland and return, di-rect, on sale daily from May 24th to September 30th, inclusive. Tickets reading one way via San Francisco or Los Angeles on Sale August 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 30, 31. All tickets good for stopovers and limited to 90 days from date of sale. Addition-al selling dates for tickets via San Francisco or Los Angeles quoted later, m., 1:40 p. m. or 4:10 p. m. City Ticke' bank in exchange for each \$100 par value of the stock in the Western Na-tional bank, making the total amount received \$210 for each share, the mar-ket value of which at the time was A schedule of which at the time was from \$600 to \$625 per share. A schedule of the salaries paid dur-ing the last few years to the principal officers of the society is appended to the complaint which declares such silaries to have been largely in excess of the value of the services of the per-sons named, and that the payment of such salaries resulted in substantial loss to the society. It is also charged , 1:40 p. m. or 4:10 p. m. City Ticke

