



An Accounting of All Dealings and Transactions of Defendant

an amended complaint to a bill filed last April, suit was begun today in the United States circuit court for the Southern New York district to throw the entire \$421,000,000 of the assets of the Equitable Life Assurance society into the hands of receivers, who shall "take possession of all the funds, assets and property held by the defendant society of every character and description and administer the same as they may be directed by the court."

Equitable, representing a dozen different states, are included as complain-Ants in the present suit, which is based in part upon the allegation that the society has no funds with which to meet its enormous losses, and is in-

000 surplus fund of the society; to com pel the management to make an ac counting to the policyholders, and for the appointment of receivers for the surplus fund, pending judicial ascer-tainment of the rights of the policy-holders thereof.

In the amended bill, which is far more sweeping in its charges and in its appeal for relief than was the original bill of last April, there are incorpo-rated many citations from the Frick and Hendricks reports, published some months later. The bill alleges that the society has been guilty of mismanage-ment in syndicate transactions, that "unreasonable and excessive", salaries have been paid, and that "large sums of money, ranging from \$20,000 to \$37. 600,000, belonging to the said insurance funds of the society were allowed by it to remain unitvested on deposit in banks and trust companies without adbanks and trust companies without ad-equate interest, in many of which hanks and trust companies the said officers and directors of the society or many of them were large stockholders, for the purpose of scouting stockholders, for the purpose of accuring pecuniary benefit to such directors individually; and such undue and unreasonable cash balances existed since at least the year

Reciting the purchase of the Hyde stock by Thomas F. Ryan, the com-plaint then denies the legality of the election of directors who are not stock-holders of the company. The, complaint goes on:

assurance funds held by the so-

actual settlers to secure home with-out having to undergo the hardship and violence which attended the Okha-homa and other openings before this plan was adopted. The only fault so far found in the plan is that so many who have no intention of making entry and taking up actual residence upon the land entered, register for speculat-ive purposes only. Everyone of this class who registers depreciates the chance of an intending actual settler. The larger the city the greater the number of those who would register upon the chance of getting something which they could sell. In opening the Uintah reservation the purpose was to not have registration in any of the larger cities, and in the conversation quoted cities, and in the conversation quoted in such an unwarranted manner I ex-plained the reason for this, and used no expression that in any way reflected upon the people of Salt Lake with whom I am well acquainted and for whom I have a high regard."

# DR. E. J. LLOYD CASE.

He Demands an Investigation of Charges Against Him.

Portland, Or., July 27.—A telegram was received here yesterday by Rev, George B. Van Waters, president of the standing committee of the Protestant Episcopal diocese of Oregon, from Rev, E. J. Lloyd of Uniontown, Pa., who was recently elected coadjutor bishop of Oregon, stating that he had de-manded an investigation by the pre-siding bishop of charges preferred in a

Pacific freight wreck between Myers and Rancher, 30 miles west of Forsyth, High water had carried away a small concrete bridge and the freight in charge of Engineer James Wilson and Conductor Peter Emge plunged into the opening. The engine and five cars were plied into the ditch.

THE DEAD.

James Wilson, engineer, Forsyth. Edward Lucifer, fireman, Forsyth. Two unknown tramps. INJURED.

John Campbell, brakeman of Forsyth

John Campbell, branchart One unknown tramp. The injured have been brought here. The bodies of the killed have not been The bodies of the killed have not been recovered from the wreckage. The freight had orders to run from Rancher to Myers to meet the westbound passenger train. Luckily the freight struck the washout before the passen-

"The assurance funds held by the so-ciety have been fraudulently and neg-lectfully, and are being wasted, and misroanaged and lost to the extent of many millions of dollars; it is without a legally chosen board of directors and the real value of the property held by it is unknown and speculative." Reverting to a statement that the defendant society "has wilfully and neglectfully and fraudulently misman-aged and, through its officers and agents, misappropriated the said as-surance funds," the complaint asserts agents, misappropriated the said as-surance funds," the complaint asserts that "the said defendant is wholly un-able to repay the amount of such wast-ed and misappropriated money to said fund for the benefit of your annui-tants, and your orator avers that the said defendant is wholly insolvent in consequence thereof."

said defendant is wholly insolvent in consequence thereof." It is further added that "the prop-erty of the defendants is now in the hands, or under the control of the stockholders whose representatives have been guilty of misappropriation, waste, fraud and neglect in the man-agement of its affairs and property, The business affairs of the society, are at a standatil, its morale as an insurer at a standatill, its morale as an insurer is destroyed; whatever business it may do will be at an enormous loss and sacrifice on the part of the pres-ent policyholders. Their supreme in-terest is to place its assets in the hands of competent receivers appointed by this computent receivers appointed by this court, and to gradually and economically wind up the affairs of the company. In this way only can the policyholders and annuitants be pro-tected from eventual and irretrievable

In conclusion the amended complaint

prays relief as follows: "That the defendant society produce and make discovery of all books, pa-pers, records and documents in its possession or under its control, or that of its officers or agents, relating to the matters afresaid, and deposit the same in the office of the clerk for the usual purposes,

usual purposes. "That an accounting be ordered and taken under the court of all dealings and transactions of the defendant soci-ety. Its officers, agents and stockhold-ers, about said surplus and assurance funds, from commencement of the bus-lness of the society, or for such other period as the court deems proper." It is also asked that accounting be taken under the direction of the court, of all dealings and transactions of the society, its officers, agents and stockholders, in and about the funds re-relved and held by the society, realized from the premiums paid by policyhold-

room the premiums paid by policyhold-ers and annuitants, and the accretions thereof, and that of this account it be ascertained to what extent the society is indebted to the fund so derived, on account of damages, losses and deple-tions occasioned by its negligence, mis-management. tions occasioned by its negligence, mis-management, misappropriation and other causes averred in the said bill and this amended bill. Then it is hydred "that it be adjudged that the defendant society pay into the said assurance fund the amount ascertained on said accounting to be due from the said defendant society to the said fund."

STORM IN NEW YORK.

One of Cyclonic Proportion Passed

Over the Bronx. New York, July 26 .- A storm of cyand became the bacteriologist of the concern, but that in the latter part of April he decided to stay with the de-partment and the stock was no longer held in his family. It was also alleged that the culture had been supplied by the department to the concern mentionthe department to the concern inguino-ed being charged with shipping 17 pounds in a single day, himself prepay-ing expenses. It is said that today he admitted this and other shipments. The charges are under investigation by the department. Asst. Secy. Hayes is mak-ing an investigation of the whole question of the value of the culture. The persons making the charges an-nounce their intention of bringing the matter before the president and the de-partment of justice.

the scientists in the bureau of plan industry owned a block of stock in an

entist was preparing and revising bul-letins regarding the enrichment of farms and portraying the culture as containing virulent forms of bacteria for making poor land rich. It was al-

leged that publications revised by the official tended to direct the farmers to

official tended to direct the farmers to a commercial concern supplying the material because of the exhaustion of the supply by the department. At jo-day's hearing the scientist involved in the allegations admitted that his wife owned the stock, that stock was to come to him in the event that he sev-ered his connection with the department and became the backtological of the

eastern

ern concern manufacturing a cu for soil inoculation, while the so

CANADIAN REGIMENT.

### Way Found for it to Pass Through Massachusetts.

Boston, July 27,--A plan was adopted today, by consent of the executive de-partment, whereby the Forty-third Canadian regiment of Ottawa may pass through Boston, on the way to Provi-dence, R. I., in August, without parading

## FOREST FIRES IN IDAHO.

#### Have Got Beyond Control of the Men Fighting Them.

Spokane, Wash., July 27.--Advices to the Chronicle from Moscow, Idaho, state that forest fires have been rag-ing on the forks of the Clearwater river, destroying vast tracts of lumber, have set beyond control of the force ave got beyond control of the force if ment that has been fighting them. and unless more men are sent, it is declared the fight will be useless. State Land Commissioner Munsol as left Moscow with 20 men and the Clearwater Lumber company has also sent out a large force. The law for-bids the state board to send out more than six men at a time to fight forest fires, but in this emergency it was de-cided to override the law,

#### National Circle Trade Ass'n.

National Circle Trade Ass'n. New York, July 23.—The fourth an-nual meeting of the National Circle Trade association closed its three days' sessions here yesterday with the elec-tion of officers. E. J. Lloyd of Pitts-burg was chosen president. The new board of directors includes James Pintze, Newark, Ohio, and C. L. Elyes, Atlanta, Ga. A. M. Scheffey was re-elected secretary and treasurer. The movement to obtain the co-operation of manufacturers and Jobbers b auto-mobile supplies, it was reported, had received a considerable impotus.

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siding bishop of charges preferred in a protest against Dr. Lloyd's confirmaion as coadjutor hishop. The protest to which Dr. Loyd takes

exception was one made by several of the local clergy and laymen, and while it contained no direct charges against Dr. Lloyd, there was an implied charge into his qualifications to hold the of-

The protest was followed by The protest was followed by a coun-ter protest on the part of Dr. Lloyd's friends here, the counter protest re-sulting in the protest being withdrawn, Dr. Lloyd, nevertheless, withdrew his letter of acceptance which he had sent subsequently to his election and prior to the filing of the protest. The portion of the protest to which it is presumed Dr. Lloyd objects is that referring to his "qualifications." Those of the local clergy who signed the protest have since stated that the qualifications referred to his business capacity, and not to his personal char-

capacity, and not to his personal char-

acter, The bishop to whom the demand for an investigation has been made is Dan-jel S. Tuitle of St. Louis, the presiding bishop of the Episcopal church. Local clergymen state that the demand is unprecedented so far as they know.

STEVENS INSPECTS CANAL.

Chief Engineer Found the Work Progressing Slowly.

Panama, July 27.-President Shonts and a party of canal officers went to-day to inspect the route from Panama to Culebra

Among the subjects which President Shonts has discussed with Gov. Magoon was the construction of quarters and

struck the washout before the passen-ger or there would have been terrible loss of life. The passenger was flagged a short distance from the wreek. The company is making heroic efforts to clear the track, L. B. FALLEY ARRESTED.

#### Charged with Aiding and Abetting Counterfeiters.

Seattle, Wash., July 27 .- L. B. Talley, a paint merchant of Centralia, was arvice last night upon the charge of aid-ing and abetting counterfeiting. It is claimed that Talley agreed to locate for claimed that Talley agreed to locate for the officers for a reward, a band of counterfeiters who were making spuri-ous five-dollar gold coins. He was put off and an investigation satisfied the authorities that he himself was a party to the counterfeiting. His arrest fol-lowed. Talley declares his arrest is spite work because after he received pay from Bell he was unable to locate the counterfeiters. Bell left for Cen-tralia this morning with three wartralia this morning with three war-rants, said to be for a banker, a saloor

man and a retired merchant, all of that place. All are said to be implicated. Tailey was arraigned before Commis-sioner Kiefer and his bonds were fixed at \$2,000. TEA



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TERMINAL ISLAND

studied to death and two Italian labor-ers severely injured. The wrecked building was one of a row of new spartment houses. Lawler and the two laborers, seeing the storm approaching from the New Jerkey shore, started for the street and had reached the first floor when the build-ing collapsed. Abraham Pearlman of the firm of Pearlman & Brown, the

New York, July 26.—A storm of cy-clonic proportions, accompanied by a terrific deluge of rain, passed over Har-lem and the Bronx this afternooi, caus-ing widespread havee. A building in rourse of erection in One Hundred and Thirty-sixth street, near Riverside drive, was demolished. John Lawler, foreman of the bricklayers, heing prushed to death and two Italian labor-ers neverely hiured. A delicious product of Japan's Ask for the package with the tes tree on it. M. J. BRANDENSTEIN & CO.