

SUES FOR MILLIONS

EQUITABLE MANAGERS ASKED TO ACCOUNT FOR SURPLUS.

Attorney General of New York Files Bill in Supreme Court—Demands That Directors Refund Money to the Society.

New York, Aug. 1.—An action was instituted by State's Attorney General Julius M. Mayer in the supreme court, 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. 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 D. Jordan, Charles S. Smith, Valentine P. Snyder, Alvin W. Kreck, 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 G. Vanderbilt, John Jacob Astor, William C. Van Horne, Gage E. Tarbell, Marvin Hughitt, Charles B. Alexander, T. De Witt Cuyler, Marcellus H. Dodge, J. F. De Navarro, Brandish Johnson, Joseph P. Low, John A. Stewart, Edward H. Harriman, Levi P. Morton, August Belmont, Darius O. Mills, Robert T. Lincoln, George J. Gould, John Sloane, George T. Wilson, Thomas T. Eckert, William H. McIntyre, Henry M. Alexander, Henry C. Frick, Samuel M. Inman, Henry C. Haarstack, David H. Moffatt and Henry R. Winthrop.

Papers Served on Harriman.

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 many of the other defendants, including James H. Hyde, were served through their private counsel. The defendants are allowed twenty days from the time of service to file their answers.

The complaint charges that the individual defendants, disregarding their duty to the society of which they were directors, "negligently, improperly and improvidently performed such duties and have habitually and continuously done, or suffered to be done, wrongful, illegal and improper acts, whereby the defendant society has suffered great loss" and demands that the defendants account to the state for their official conduct, their management of the company and the disposition made of their charge; that all the directors be compelled to pay to the Equitable society any moneys which they acquired by connection with the society and moneys which, under the management, were lost or wasted, and that the moneys recovered in the suits shall be credited to the policy holders in equitable proportions.

Depew Improvement Company Loan.

Of the loan to the Depew Improvement company, the complaint charges: "That the defendants improperly, improvidently and wastefully procured, 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 individual defendants were stockholders, which loan of \$250,000 was made upon grossly inadequate security, and which property securing said loan was appraised in 1901 by the insurance department of the state of New York at the sum of \$150,000. That said Depew Improvement company subsequently became insolvent, and the property which secured said loan was bid in at foreclosure sale for about \$50,000, thereby resulting in a great waste and loss of the property of the defendant society. That the referee's deed for said property was not recorded by said defendant society until about July 12, 1905, and that in the meantime no 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 loss by reason of said loan in said society, would refrain from recording said deed and from enforcing said deficiency judgment. That said society did so refrain, but said defendants have neglected and refused to pay the amount of said losses said society had so suffered."

New Towns Springing Up.

Ashland, Neb., Aug. 2.—With the rapid building all along the Great Northern right-of-way, activity in the two newly projected towns between this point and Fremont has begun. The sale of lots in Pleasant Valley, the station seven miles north of Ashland, has begun and also in Estina, the station across the Platte from Fremont. A bank at the latter place, in which officers of the Commercial

National bank of Fremont are interested, is projected. A number of Fremont persons are also preparing to establish stores at Estina. Both towns are in a rich and thickly settled farm community.

Burial of Bennington Victim.

Alliance, Neb., Aug. 2.—The remains of William V. Kennedy, representing Nebraska's contribution to the Bennington disaster, were fittingly laid at rest here at Greenwood cemetery. The body was met by a delegation of civil and Spanish-American war veterans, together with a great number of people, and escorted to the home of the deceased. Here, encased in a white casket, with the American flag wrapped thereabout and amid a profusion of flowers, the remains were viewed by many sorrowing friends. Services were then held at the Methodist Episcopal church, Rev. C. W. Ray officiating, after which the body was taken to the cemetery, where military honors were given the dead.

FIND ANDREWS' BODY IN RIVER.

Lodged Against a Log Near Place Where He Was Last Seen Alive. Plattsmouth, Neb., Aug. 2.—The lifeless body of Isaac R. Andrews, the missing Omaha attorney, for whom search has been in progress for four days, was found lodged against a log in the Platte river at Cedar Creek. The discovery was made by John Davis, who was searching along the river near the place where Andrews was last seen alive.

A close inspection of the body has not been made, but there were no outward indications to point to foul play. His watch was found in one of his vest pockets. An inquest will be held today.

NEBRASKA CROP CONDITIONS.

Corn Promises a Good Yield and Other Grains Make Fair Showing.

Lincoln, Aug. 2.—The rain of the last week in central and southern counties delayed stacking and threshing, but the work is well advanced for this time of the year. The harvest of oats and spring wheat has progressed nicely in northern counties. Oats are a fair to good crop, and spring wheat a light crop. Haying has been general and has been retarded somewhat by rain. The second crop of alfalfa is being cut. It is a good crop. A part of the crop was damaged by rain in southwestern counties. Corn has grown well and is earing nicely in southern counties. All but very late corn is now generally in tassel. The crop is ten days to two weeks late in northern counties, but nearly as far advanced as usual in southern counties at this time of the year. The crop is in a very promising condition in most counties. Fall plowing has begun quite generally with the ground in good condition.

Cloudburst in Kansas.

Junction City, Kan., July 31.—Near Wreford, six miles south of town, a cloudburst caused Lyon's creek to rise more than twenty feet. The creek overflowed its banks, doing much damage to farm lands. About 1,000 feet of the Missouri, Kansas and Texas railway track were washed out. A party of about thirty persons from this city, Chanute and Topeka were in camp close to Lyon's creek and the flood came upon them while they were asleep. All members of the party escaped in their night clothes. Their camp equipment and clothes were washed away in the flood.

Mickey Honors Requisition.

Lincoln, Aug. 2.—Governor Mickey honored the requisition of Governor Hoch of Kansas for the return to Cedar Bluffs, that state, of Solomon Beyer, who is under arrest at Danbury, Neb. Beyer is charged with the crime of assault.

Farmer Commits Suicide.

Beatrice, Neb., July 31.—Henry Pulvermaker, 46 years of age and unmarried committed suicide at his home one and a half miles east of Odell by shooting himself through the right temple. Coroner Walden was called, but decided not to hold an inquest. Pulvermaker was a giant in stature, being 6 feet 4 inches tall. He had lived in that vicinity since 1883 and was in moderate circumstances. No cause is assigned.

Packing Plant Scorched.

St. Joseph, Mo., Aug. 1.—Fire, which started about 1 o'clock this morning in the beef beds of Swift & Co.'s plant of South St. Joseph, has completely destroyed the poultry department, which is said to be the largest in the world. The beef beds are also entirely consumed. The fire spread rapidly from the beef beds to the poultry department and a second alarm was immediately turned in. Five hose companies were soon on the ground and made a hard fight to get the flames under control. The loss is estimated at \$250,000.

Tumen River is Flooded.

Seoul, Aug. 2.—The heaviest rains in thirty years have occurred and the Tumen river is flooded. The Russians who have been holding semi-permanent works south of the river have been cut off from Vladivostok and are unable to retreat.

Wings of the Morning.

(Continued from Page Three)

dropped easily on to the lip of the rock. Instantly his bright eyes encountered those of the man, and he darted off with a scream that brought his mates after him.

The Dyak evidently noted the behavior of the birds—his only lore was the reading of such signs—and gazed intently at the ledge. Jenks he could not distinguish behind the screen of grass. He might perhaps see some portion of the tarpaulin covering the stores, but at the distance it must resemble a weather beaten segment of the cliff. Yet something puzzled him. After a steady scrutiny he turned and yelled to others on the beach.

The crucial moment had arrived. Jenks pressed the trigger, and the Dyak hurtled through the air, falling headlong out of sight.

The sound of this, the first shot of real warfare, awoke Rainbow Island into tremendous activity. The winged life of the place filled the air with raucous cries, while shouting Dyaks scurried in all directions. Several came into the valley. Those nearest the fallen man picked him up and carried him to the well. He was quite dead, and, although amid his other injuries they soon found the bullet wound, they evidently did not know whence the shot came, for those to whom he shouted had no inkling of his motive, and the slight haze from the rifle was instantly swept away by the breeze.

Iris could hear the turmoil beneath, and she tremulously asked:

"Are they going to attack us?"

"Not yet," was the reassuring answer. "I killed the fellow who saw us before he could tell the others."

It was a bold risk, and he had taken it, though now the Dyaks knew for certain their prey had not escaped there was no prospect of their speedy departure. Nevertheless the position was not utterly hopeless. None of the enemy could tell how or by whom their companion had been shot. Many among the excited horde jabbering beneath actually looked at the cliff over and over again, yet failed to note the potentialities of the ledge, with its few tufts of grass growing where seeds had apparently been blown by the wind or dropped by passing birds.

Jenks understood, of course, that the real danger would arise when they visited the scene of their comrade's disaster. Even then the wavering balance of chance might cast the issue in his favor. He could only wait, with ready rifle, with the light of battle lowering in his eyes. Of one thing at least he was certain—before they conquered him he would levy a terrible toll.

[TO BE CONTINUED.]

Reputation.

A certain pompous individual from the state of Massachusetts was once strutting about the capitol at Washington. A western senator said to Senator Hoar:

"Who is that person?"

"That," responded Hoar, "is General Blank of my state."

"Does he cut as wide a swath in Massachusetts as he does in Washington?"

"No," said Senator Hoar, with a merry twinkle. "No, General Blank's reputation is purely national."—Life.

The Malaria of Ambiguity.

Admiring Friend (to captain of college boat club)—I say, Thompson has been slinging you like anything about putting Jones into the Henley boat. He says the fellow's the biggest fool in the varsity. Captain—Oh! And what did you say? Admiring Friend—Oh, I stuck up for you, of course, old fellow.—Punch.

A Definition.

"What does the word 'aroma' mean?" was recently asked by a teacher. Only one hand went up. Its owner thus explained: "When you cook an onion in the kitchen, the aroma is what you get in the parlor."

A Round of Pleasure.

Nell—Last night was the happiest in my life. It brought me one round of pleasure. Bell—What do you consider one round of pleasure. Nell—An engagement ring.

An Insinuation.

May—Ever been jilted, Edith? Edith—No, dear. What does it feel like?

Apprehension.

One Woman—If I thought I would ever have hair as gray as Mrs. Badger's, I believe it would worry me to death. Another—I am sure I should dye right off.

History is a mighty drama, enacted upon the theater of time, with suns for lamps and eternity for a background.—Carlyle.

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THE MALE CRICKET.

Curious Trait He Develops For the Lady of His Choice.

In the American Naturalist J. L. Hancock gives an interesting description of some of the habits of the striped meadow cricket. The most striking part of the account deals with the allurements which the male crickets possess. When he wishes to attract the female the male cricket raises his fore wings vertically above his head and by rubbing them over each other produces a high pitched singing, or, perhaps better, shrilling. When the female's attention has been attracted she goes to the male and proceeds to take advantage of the refreshments offered. Upon the mate's back, situated well forward on the thorax, is a little depression or well in which a small quantity of semifluid material is secreted. Climbing up on the male's back, the female eats this apparently delicious morsel with great eagerness. It is evidently something especially choice which is formed there for her especial benefit. This proceeding suggests that treating as a means of winning a lady's love is not confined to the allurements of ice cream and soda water.—Collier's Weekly.

England's Newspaper Tax.

On June 15, 1855, England's newspaper stamp duty was abolished and the reign of the cheap daily began. This "tax on knowledge" was first imposed in 1712 and was made most severe by the act of 1820, which fixed it at 8 cents a sheet, with 87 cents duty on each advertisement. The Whigs reduced the duty to a penny in 1836, but when the Crimean war broke out and every one wanted the news even a penny duty was found to be intolerable. Its repeal is called the Magna Charta of the British press.

An Accident.

Small Tommy, being reproved by his mother for some misdeed, showed his displeasure in his face.

"Why, Tommy," said his mother, "aren't you ashamed to make a face at me?"

"Yes, mamma," replied the little fellow. "I tried to laugh, but my face slipped."—Chicago News.

Posted.

Mrs. De Style—Bridget, will you please hang up my skirt and jacket? The Maid—Yis, mum. Sh'll I git two tickets on 'm, or only wan fr' th' two of 'em?—Cleveland Leader.

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